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Sent time: 05/19/2020 09:44:15 PM
To: emma.riordan@aol.com
Subject: MILLENNIUM HOLLYWOOD CENTER - EIR: Does the City Really Want to Hear from the Public?

Hollywood Center EIR: Does the City Really Want to Hear from the Public?

Casey Maddren
18 May 2020



- [Previous Article Just How Dirty is LA City Hall](#)

VOICES-*The following letter was sent on Monday, May 18, to Mayor Eric Garcetti, Councilmember Mitch O'Farrell and Director of Planning Vince Bertoni.*

It concerns the decision by the City of LA to reject requests for an extension of the comment period for the Hollywood Center DEIR.

Mayor Garcetti, Councilmember O'Farrell and Director Bertoni,

I am writing to you on behalf of United Neighborhoods for Los Angeles (UN4LA), to express our amazement over the fact that the Department of City Planning has refused to grant an extension of the review period for the Hollywood Center Draft Environmental Impact Report (DEIR). The project is a massive one, consisting of residential and commercial uses and encompassing over 1.2 million square feet. It includes two 11-story buildings and two skyscrapers, one rising 35 stories and another rising 46 stories. It will have numerous significant impacts on the Hollywood area. The body of the DEIR runs over a thousand pages, and the appendices include thousands of pages more.

The City has claimed over and over again that it makes every effort to encourage public engagement in an open and transparent planning process. Unfortunately, the City's actions in this case make it absolutely clear how empty those claims really are. First, the City of LA chose to release the DEIR in the middle of a deadly global pandemic that has closed schools, offices, shops, and restaurants across LA. Second, instead of setting a comment period that runs the full 60 days allowed by the CEQA Guidelines, the City chose to allow only a 45-day comment period. Third, after receiving requests from numerous groups and individuals asking the City to extend the comment period due to the disruptions caused by the pandemic, the City released a letter rejecting an extension.

You say that the City of LA does everything within reason to engage stakeholders, but let's look at the facts. . .

On April 16, the day the DEIR was released, LA County reported 782 new infections and 60 new deaths, bringing the totals to 15,683 and 607 respectively. On that day, the news was dominated by stories about the pandemic. As a result of the Safer at Home order issued by the Mayor just weeks before, thousands of businesses across the City were closed and tens of thousands of people lost their jobs. Fear and anxiety were growing throughout LA as residents realized that the health impacts of the coronavirus were going to be compounded by painful economic impacts.

And this was the moment that the City chose to release the Draft Environmental Impact Report for one of the most complex and controversial projects ever proposed for Hollywood. If this was not a deliberate attempt to avoid scrutiny, it still raises questions about the judgement of City officials. Thousands of Hollywood residents were scrambling to deal with the disruptions caused by the coronavirus. How can the Department of City Planning credibly claim it's seeking stakeholder input when it dumps a massive environmental assessment on the public at a time like this? Do you seriously believe that in the middle of an unprecedented health and economic crisis Angelenos are going to put everything else on the back burner so they can wade through a mountain of verbose analysis and dense technical reports?

In its response to pleas for an extension of the review period, the DCP argues that the EIR is readily available on-line and that interested parties can obtain a copy on CD-ROM or flash drive. Apparently, City Planning doesn't realize that many Hollywood residents have other matters that they need to focus on right now. Unemployed workers have no money for food or bills. Business owners are trying to figure out how to keep from going under. Parents are struggling to be both teachers and entertainers for their school-age children. Adults with aging parents are trying to ensure the well-being of their mothers and fathers. And Neighborhood Councils, the most important community forum for development issues, are just now beginning to meet again, having been shut down for the month of April by the pandemic. But the DCP apparently believes that none of this should deter anyone from submitting comments on the Hollywood Center Project by the current deadline.

Let's also look at the City's claims of transparency. The Mayor and the City Council have told us repeatedly that they base their planning decisions on the merits of the project. It would be reassuring to be able to take this claim at face value. Employees of Millennium Partners have given many thousands in campaign contributions to elected officials over the years, including to you, Mayor Garcetti, and to you, Councilmember O'Farrell. The developer has also spent large sums of money on lobbying LA City officials. So it would be great if we could truly believe that all this money has had absolutely no impact on the decision-making process.

Unfortunately, the recent headlines regarding the on-going Federal corruption investigation make it clear that the planning process in LA is anything but transparent. First we have a guilty plea from a former Councilmember who served on the Planning & Land Use Management Committee, in a case that involved a trip to Vegas, an envelope containing \$10,000 in cash, escort services, \$34,000 in bottle service at a nightclub and \$1,000 in gambling chips. Then another guilty plea from a real estate appraiser and former member of the City Planning Commission who admitted to acting as a middleman in an arrangement to pay a \$500,000 bribe to a Councilmember. And just last week the Department of Justice posted a press release announcing that, "A real estate development consultant has agreed to plead guilty to a federal racketeering offense for participating in a wide-ranging 'pay-to-play' scheme in which developers bribed public officials – including a member of the Los Angeles City Council – to secure official acts that would benefit their projects."

And you claim the planning process is transparent? Please forgive us if we say we don't buy it.

We will not ask you to extend the comment period for the Hollywood Center DEIR, because you have already shown that you are deaf to such requests.

We will only remind you that as officials of the City of Los Angeles, your job is to serve the people of Los Angeles.

Not wealthy real estate investors.

Not well-connected lobbying firms.

The people of Los Angeles.

Sincerely,
Casey Maddren, President
United Neighborhoods for Los Angeles

<https://citywatchla.com/index.php/cw/los-angeles/19789-hollywood-center-eir-does-the-city-really-want-to-hear-from-the-public>

Planning Dept. response to requests for Millennium Hollywood Center DEIR comment period extension due to all of the UNUSUAL CIRCUMSTANCES that go with trying to survive COVID-19 Pandemic Crisis.....

"The City has received your request, together with other requests, for an extension of the Hollywood Center Project Draft Environmental Impact Report (Draft EIR) comment period in light of COVID-19.

Per CEQA Guidelines Section 15105, the public review period for a Draft EIR should not be less than 30 days nor should it be longer than 60 days,

except UNDER UNUSUAL CIRCUMSTANCES."

Thank you.



COVID19 is not considered "UNUSUAL CIRCUMSTANCES"

COUNCILMEMBER GARCETTI... MILLENNIUM HOLLYWOOD 2013 DEIR COMMENT PERIOD EXTENSION REQUEST.....

(NOT DURING A PANDEMIC CRISIS or "UNDER UNUSUAL CIRCUMSTANCES")

LETTER NO. 04 - COUNCIL OFFICE OF ERIC GARCETTI...

(pg. 41)

Eric Garcetti Councilmember
13th District Councilmember
City of Los Angeles
District 13
November 2, 2012

Comment No. 04-1

The Planning Department has released the draft Environmental Impact Report (EIR) for the proposed Millennium Project at 1750 Vine Street, which commenced a 45 day public comment period:

The proposed project is large in scale and includes what could be one of the tallest buildings in all of Hollywood.

As I'm sure you are aware, the proposed project has generated controversy among my constituents.

Accordingly, I request that the public comment period be extended to 60 days to increase the public's opportunity to comment on the draft EIR

Letter #4...pg. 41

http://clkrep.lacity.org/online/docs/2013/13-0593_misc_05-15-2013.pdf

Despite Corruption Charges, LA Officials are Cutting Corners for Skyscrapers on Earthquake Fault

Ileana Wachtel
23 April 2020

LOS ANGELES-- With media-saturation coverage of COVID-19, three New York billionaires will try to take advantage, moving quietly and swiftly through approvals to build two skyscrapers on the active Hollywood Earthquake Fault in Los Angeles.

There's been no media coverage, yet billionaires Christopher Jeffries, Philip Lovett, and Philip Aarons have infamy – they built the tilting 60-story Millennium Tower condos in San Francisco, embroiled for four years in lawsuits totaling more than \$500 million.

Last week, attorneys for the community coalition Stop the Millennium Hollywood, with no warning, learned that Los Angeles City Planning Director Vince Bertoni approved a fast-track 45-day public comment period for the massive Environmental Impact Report on the proposed Hollywood skyscrapers. This, during the strictest stay-at-home period Angelenos have faced since the pandemic began.

The community coalition urged Mayor Eric Garcetti not to take advantage of the COVID-19 crisis to violate the public's due process rights and urged the mayor to extend the comment period until the stay-at-home order is lifted.

Stop the Millennium Hollywood's attorney, Robert Silverstein, warned that residents without easy access to a computer have been shut out, and that there is "every reason to expect" that Caltrans and the California Geological Survey — both of which actively commented on a previous iteration of the dual skyscraper project — "will be concerned about the public safety impacts posed by the project this time." But, Silverstein said, "they are hobbled by limited staffing and access to their offices and materials. For example, Caltrans District 7's entire offices are closed and its personnel scattered."

The community is wary of the three billionaires for good reason. Wealthy residents of their infamous tilting San Francisco tower, including sports stars Joe Montana, Kevin Durant, Hunter Pence, and Dropbox co-founder Drew Houston, learned they could roll a ball merely by placing it on the floor. One headline from *Business Insider* about the three billionaires' sinking skyscraper stated, "Here's Everything That's Gone Wrong in the Past Decade."

Stung by global press, Jeffries, Lovett, and Aarons tried to rebrand the twin Millennium Towers in Hollywood, proposed just north of Hollywood Boulevard next to the famed landmarks Pantages Theater and Capitol Records Tower. To distance themselves from their Bay Area fiasco, Jeffries, Lovett, and Aarons gave Millennium Towers the bland new moniker "Hollywood Center." Soon after that, several groups opposing the twin structures rebranded it "Hollywood Epicenter."

Frightening nicknames won't stop this ill-advised and, to be clear, illegal development. But shining light on the sudden rush of paperwork through the City Planning Department this month, amidst COVID-19 and mass furloughs of city employees, might give Los Angeles city officials, the media, and members of the public, pause.

The Millennium Towers/Hollywood Center offers a new angle in the growing federal corruption probe into bribery and huge cash payments made to Los Angeles officials. How were the twin towers approved six-and-a-half years ago? Why did the city then defy an extremely powerful, written protest by California State Geologist John Parrish?

Parrish urged L.A. elected officials not to approve the 35-story and 39-story skyscrapers to be built within feet of, and partially atop, the active "rupture fault" that over time sliced open Hollywood, creating its long-broken slope and the flat ribbon that is now Los Feliz Boulevard.

The two pivotal votes in the original approval of the Millennium Towers/Hollywood Center are now the two lead suspects in a widening federal corruption probe of Los Angeles City Hall. Former City Councilmember Mitch Englander last month pled guilty to obstructing a federal bribery investigation, and [sitting City Councilmember Jose Huizar was identified by the Los Angeles Times on April 15 as the unnamed councilmember who, according to federal documents, demanded a \\$1.2 million bribe](#) from a downtown developer, and in the end accepted between \$200,000 and \$400,000 — in a paper sack.

It was Englander and Huizar who in mid-2013 provided two pivotal votes on the City Council's powerful Planning and Land Use Management Committee (PLUM) to approve Millennium Hollywood with a 3-0 vote. After that vote, the skyscrapers were treated by city officials as a done deal. As *Curbed LA* wrote of that vote, "PLUM committee member Mitch Englander also chimed in, agreeing that there was a seismic threat at the site, but that it was the same threat posed to the entire city. Which was not very reassuring."

Aaron Epstein, a respected lifelong business owner on Hollywood Boulevard, said, "This project cannot go forward until we understand why Mitch Englander and Jose Huizar so readily backed these dangerous skyscrapers. Given their corrupt activities alleged by federal investigators, it begs the question of why Englander and Huizar so aggressively ignored the state's mapping of the (Hollywood Earthquake) Fault's location. They ignored experts who agreed the two towers' foundations could be split in the case of a ground rupture, and the towers could collapse upon the community below."

Separately from Stop the Millennium Hollywood's battle with the City of L.A., Sean B. Hecht, co-director of the Frank G. Wells Environmental Law Clinic at UCLA Law School, has informed the mayor that the city's actions in response to COVID-19 "have sharply limited public access to draft EIRs and other documents, and have thus rendered it impossible to have a full, fair, and transparent public review process for projects and plans currently in process." Hecht cited cascading failures in the public hearing process, from "EIRs and other documents inaccessible in paper form" to city notices recommending the public visit city libraries "where the documents are either not, in fact, available, or where members of the public may not appear." After Hecht sent his letter, the libraries all closed.

Members of Stop the Millennium Hollywood say that residents of Los Angeles cannot let city officials rush a strongly disputed project that threatens public safety. While L.A. city officials, under a black cloud, may try to argue that the skyscrapers will create jobs in a year or two, the proposed Hollywood Center towers will threaten those who work, live, walk or drive within its collapse zone, forever.

Please see a statement by Stop the Millennium Hollywood's attorney Robert Silverstein, [here](#).

<https://citywatchla.com/index.php/cw/los-angeles/19658-despite-corruption-charges-la-officials-are-cutting-corners-for-skyscrapers-on-earthquake-fault>

MILLENNIUM...Civil Grand Jury Complaint to Investigate Pay-to-Play

by Ileana Wachtel February 7, 2019

We hereby request that the Los Angeles County Civil Grand Jury open an immediate investigation into practices and decisions made by City of Los Angeles elected and appointed officials and their staffs, involving possible "pay-to-play" and other forms of corruption in land-use, building development, infrastructure and environmental decisions and related areas that fit within your mission of probing public malfeasance and investigating the operation of city and county government to ensure that the county is being governed honestly and efficiently and that county monies are being handled appropriately.

Below, we detail large land development projects that have come before City of Los Angeles decision-making entities, including but not limited to, the Office of the Mayor, the Los Angeles City Planning Commission, Area Planning Commissions, the Los Angeles City Council and the Los Angeles City Council's Planning and Land Use Management Committee (PLUM).

Millennium

The Millennium project is disturbing example of L.A. City leaders trying to get a massive development approved despite formal warnings by the State of California of the project's proximity to the Hollywood Earthquake Fault.

This "rupture fault" is capable of actually rupturing the surface of the land, splitting buildings into pieces.

In 2013, when the project was being considered by the City Council, a rare letter was sent to Council President Herb Wesson by the head of the state's California Geological Survey, alerting Wesson that the project "may fall within an earthquake fault zone."

State Geologist John Parrish said his agency launched a study of the Hollywood fault after several independent studies suggested it may be active. He warned that that if a deeper study, expected by 2014, found the Hollywood fault to be active, the City of L.A. would be required by state law to withhold permits for new development projects *until testing could prove that there is no risk*. (See Attachment 20. Letter from John Parrish, State Geologist, California Geological Survey).

LA Weekly reported: "State geologists released a long-awaited new map of the Hollywood fault, which confirmed that the Millennium twin skyscraper project, as activists claimed, sits directly atop a fault trace – an old rupture that marks the active fault – and thus is illegal to build."

Caltrans also jumped in, warning that the massive proposed twin skyscrapers, of a precedent-setting height and size for Hollywood, would severely back up the 101 Freeway, creating hazards and environmental effects that could not be mitigated.

Community activist George Abrahams called for a Grand Jury investigation to review how the Millennium project won backing from the city geologist, Building & Safety, Planning Commission, City Council and the mayor. He told *LA Weekly*: "This whole matter stinks so badly that it's time for a criminal investigation to get to the bottom of how City Hall colluded with the developer for so long to hide the truth." (See Attachment 21. *LA Weekly*, March 6, 2014, "[An Earthquake Could Topple Hundreds of Buildings, and L.A. Leaders Are Doing Nothing](#)")

City safety officials agreed with the developer and ignored the California State Geologist, using old maps pre-dating the new findings, and insisting that there was no active fault and the proposed twin skyscrapers were appropriate.

On July 24, 2013, in a 13-0 vote and backed by Mayor Eric Garcetti, the project was approved by City Council.

In 2015, a judge halted the project, ruling that the City of Los Angeles failed to fully assess how the \$1-billion project would affect surrounding neighborhoods.

According to the *Los Angeles Times*, "In a 46-page decision, Los Angeles County Superior Court Judge James C. Chalfant said Los Angeles inappropriately disregarded the concerns of Caltrans that traffic on the 101 Freeway might significantly worsen with the development and be unsafe." (See Attachment 22. [Los Angeles Times, "Judge halts Millennium Hollywood skyscraper project"](#))

It is chilling that today, the investor-developers still seeking to build the Millennium skyscrapers in Hollywood, are the same investment partners who built the disastrous sinking Millennium Tower in San Francisco. That building is sinking into the earth, and leaning over because of its failing foundation. Millennium Partners anchored the building in sand, not rock.

In 2015, residents of the luxury condo units, which range from \$1.6 to \$10 million, realized their building was sinking. By 2018, Millennium Tower had sunk 17 inches and tilted 14 inches. In September 2018, large cracks appeared in a thick window, prompting the City of San Francisco to issue a notice of violation. (See Attachment 23. *NBC Bay News*, September 4, 2018, "[New Crack in San Francisco's Tilting Millennium Tower](#)")

More than 50 lawsuits are underway in San Francisco by condominium owners living the tilting and sinking Tower. This rare disaster has been widely exposed by *New York Times*, *The Wall Street Journal* and "60 Minutes."

Yet today, same Millennium Partners group of investor-developers are trying, a second time, to get their twin skyscrapers approved — and they have moved one of their proposed tower directly atop the Hollywood Quake Fault, in defiance of the California State Geologist.

The proposed Millennium twin skyscrapers also have a new name, "Hollywood Center," to escape the Millennium Partners' stained name from its sinking building in San Francisco. The name change has worked so far: there's been no L.A. media coverage linking the sinking San Francisco skyscraper to the two men proposing twin skyscrapers next to and atop an L.A. quake fault.

However, the *Los Angeles Times* did report the following: "Most alarming is the fact that the proposed new project is sited astride the Hollywood Fault Zone and the 7.0 magnitude active Hollywood Earthquake Fault, as officially Alquist-Priolo mapped by the State of California." Any construction of an occupied building across this fault is unsafe folly. (See Attachment 24. *Los Angeles Times*, April 12, 2018, "[Controversial \\$1-billion Hollywood high-rise project relaunched by developer](#)").

In the fall of 2018, *The New York Times* reported even worse news: Earthquake scientists gathering in Los Angeles unveiled a seminal new study that upwardly revises estimates of damage to West Coast skyscrapers from a quake. The Southern California Earthquake Center, a research organization of seismologists and engineers, has found that the severity of shaking in L.A. and West Coast cities *has been significantly under-estimated. L.A.'s tall buildings are, as a result, dangerously under-designed.*

Engineers found that buildings higher than 20 stories can suffer far more damage, with greater potential for collapse and widespread death, than believed by local engineers.

The mayor, City Council and city departments took no steps to respond, yet researchers at the Southern California Earthquake Center warned that municipal engineers would undoubtedly push back against the shocking findings. (See Attachment 25. *New York Times*, June 27, 2018, "[A Seismic Change in Predicting How Earthquakes Will Shake Tall Buildings](#)").

<https://www.2preservela.org/grand-jury-complaint-investigate-pay-to-play/>

Editorial: Just how dirty is L.A. City Hall?

The Times Editorial Board

18 May 2020

Just how dirty is Los Angeles City Hall?

The guilty pleas are piling up in the ongoing federal pay-to-play corruption investigation. Already, former City Councilman Mitch Englander [has admitted](#) to taking envelopes of cash and other gifts from a businessman who wanted to do more work in the city. Then a [political fundraiser](#) admitted to helping a real estate developer pay off another council member — presumably Councilman Jose Huizar, based on the descriptions in court documents — to clear the way for a major project.

And now a [consultant has admitted](#) to being part of a [scheme to bribe a councilman](#) — again, presumably Huizar — with cash, political contributions, concert and sports tickets and other gifts.

Huizar hasn't been named by prosecutors, but the details in the court filings make clear he is at the heart of the federal City Hall investigation. His home and office were raided by the FBI in November 2018. Huizar hasn't been charged, but on Thursday, Council President Nury Martinez moved to suspend him from the council, which would block him from attending meetings or voting on city matters.

These recent cases paint a horrifying picture of how business is conducted in the city, with charges of bribery, racketeering and other illicit schemes orchestrated by city officials with businessmen trying to buy special treatment.

And you know what's really galling? Until this week, there was barely a peep of concern from city leaders, including Mayor Eric Garcetti and Martinez and their colleagues. Only two council members, [Bob Blumenfield](#) and [David Ryu](#), put out statements lamenting the corruption charges.

Where was the shock? The outrage? Where was the righteous indignation that the government they represented had been tarnished? Or the embarrassment that the soft corruption of political contributions from favor-seeking individuals had transformed into raw bribery complete with bags of cash?

If these were normal times, not a pandemic, the plea deals would have rocked City Hall and put its leaders on the defensive. But the all-consuming focus on COVID-19 has allowed them to push the pay-to-play scandal to the side and avoid confronting the systematic problems that enable corruption.

The unwritten understanding in Los Angeles is that council districts are fiefdoms over which council members have sole discretion to make real estate development decisions, including whether a project gets a tax break or an exemption from land-use rules.

That concentration of power leads developers and other business interests to woo council members. Usually people curry favor with campaign contributions or donations to a politician's favorite charity. In some cases, apparently, businesses will resort to bribes and other illegal means to try to get what they want.

Ultimately, Los Angeles has to fundamentally change how real estate developments are approved and land-use decisions are made. That won't end corruption; there will always be some elected officials who abuse their power and some business people who think they can bribe their way to approval. But clear rules for officials and developers and transparent decision-making are obvious, necessary and overdue steps toward a cleaner City Hall.

<https://www.latimes.com/opinion/story/2020-05-15/city-hall-corruption-huizar-silent>