



Mindy Nguyen <mindy.nguyen@lacity.org>

The Silverstein Law Firm | Request to Comply with CEQA and Golden Door Properties to Retain and Include All Agency Communications into the AR re Hollywood Center Project; Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR, CPC-2018-2115-DA, and VTT-82152; SCH 2018051002

Naira Soghatyan <Naira@robertsilversteinlaw.com>

Mon, Mar 1, 2021 at 6:43 PM

To: mindy.nguyen@lacity.org, vince.bertoni@lacity.org

Cc: Esther Kornfeld <Esther@robertsilversteinlaw.com>, Robert Silverstein <Robert@robertsilversteinlaw.com>, Veronica Lebron <Veronica@robertsilversteinlaw.com>

Dear Ms. Nguyen:

It has been several months since the City announced to the community on October 15, 2020 that the Hollywood Center Project (Project) Applicant requested continuance to a date uncertain. The running administrative record (and your most recent February 9, 2021 and February 17, 2021 communications with Construct Connect and Aerotek) reflects that the City continues to maintain the position that the Project, with all its related cases - including its EIR - are on hold.

Following this October 15, 2020 announcement, the City's online case information consistently showed that three out of four Project-related cases were placed "on hold": 1) CPC-2018-2115-DA; 2) CPC-2018-2114-DB-CU-MCUP-SPR; and 3) ENV-2018-2116-EIR. Yet, the VTT-82152 case, which was the first one presented to the public, on which the Advisory Agency acted by approving the VTT Map and certifying the EIR and adopting the Environmental Findings, MMRP, and the Statement of Overriding Considerations - has not been marked as being "on hold." (**See attached** printouts of the noted cases as of 3-1-21.)

At the same time, the Project's running administrative record - and particularly the correspondence directed to/from you as the Planner on the case - shows almost no communication on any of the cases mentioned above and particularly on the VTT case which is not marked as being "on hold." The only internal communications to/from you since October 15, 2020 (the announcement of continuance) are related to payment defaults by the Project Applicant and your requests to add records to the AR, with the remainder communications being objections, inquiries, and CPRA requests from the community and your responses to same. **See attached** the latest 3-1-21 printout of communications to/from Planner Mindy Nguyen in the running administrative record for the Project.

This lack of intra- or inter-agency communications (and communications with the Applicant) on a VTT case which has not been and is not presently marked "on hold" raises genuine and legitimate concerns as to whether you - as the Planner on the case and the administrator of the running administrative record on behalf of the City - are indeed disclosing all the communications associated with the Project, as required by law and recently reaffirmed through the November 10, 2020 CA Supreme Court's denial of review and depublication requests re Golden Door Properties, LLC v. Superior Court (2020) 53 Cal.App.5th 733. (**See attached** Sohagi Law Group's article re same.)

Consistent with the Golden Door Properties decision noted supra, we hereby request that the City:

1) include all communications - including the intra- and inter-agency communications, as well as those on various internal N or P or any other drives - into the running electronic administrative record for the Project and adjust City's document retention policy to CEQA requirements; and

2) provide reasonably specific details to justify any privilege claims for excluding any documents and/or communications.

Please note that any communications with the Project Applicant must be similarly disclosed since there is no final approval and thereby no common interest between the City and the Applicant. Citizens for Ceres v. Superior Court (2013) 217 Cal.App.4th 889, 922.

Finally, we request that - pursuant to its announcement of the continuance on October 15, 2020 - the City make its "on hold" entry on the VTT-82152 case as well (similar to other Project-related cases noted above) and provide us the reason such "on hold" record has not been so updated on the VTT-82152 case to date.

Please confirm receipt of this communication and attachments. And please include this communication and attachments in the running record for the above-referenced matter.

Thank you.

Naira Soghatyan, Esq.
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6 attachments

 **DA - as of 3-1-21.pdf**
116K

 **SPR - as of 3-1-21.pdf**
116K

 **EIR - as of 3-1-21.pdf**
116K

 **VTT - as of 3-1-21.pdf**
123K

 **Mindy Nguyen - as of 3-1-21.pdf**
1047K

 **201112-Golden-Door-II - Sohagi Law Group Article re Golden Door Properties.pdf**

Case Summary & Documents

Case Number Ordinance Zoning Information CPC Cards ZA Cards

Case Number: Format: AA-YYYY-1234 Example: ZA-2011-3269

Case Number: CPC-2018-2115-DA
Case Filed On: 04/12/2018
Accepted For Review On: 12/27/2019
Assigned Date: 10/29/2018
Staff Assigned: MINDY NGUYEN
Hearing Waived / Date Waived : No
Hearing Location: VIRTUAL EVENT
Hearing Date : 08/26/2020 9:30 AM
CPC Action:
CPC Action Date:
End of Appeal Period:
Appealed: No
BOE Reference Number: 0
Case on Hold?: Yes

Primary Address

Address	CNC	CD
1750 N VINE ST 90028	Hollywood United	13

[View All Addresses](#)

Project Description: PROJECT/ALT 8 PRESERVE CAPITOL RECORDS COMPLEX,NEW MIXED-USE DEVELOPMENT W/ 1,005 DUS/903 DUS(INCLUDING 133 SENIOR AFFORDABLE UNITS) AND 30,176 SF COMML/385,943 SF OFFICE AND 25,874 SF COMML

Applicant: [Company: MCAF VINE LLC]

Representative: EDGAR KHALATIAN [Company: MAYER BROWN LLP]

[View Related Cases](#)

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjIwMzY30>

Approved Documents		Initial Submittal Documents	
0 Approved Documents found for Case Number: CPC-2018-2115-DA			
Type	Scan Date	Signed	
No Approved Documents Found			

HELPFUL LINKS

- [City of Los Angeles](#)
- [City Departments and Bureaus](#)

PLANNING TOOLKIT



- [Department of City Planning](#)
- [Zoning/Property Info \(ZIMAS\)](#)



Case Summary & Documents

Case Number Ordinance Zoning Information CPC Cards ZA Cards

Case Number: Format: AA-YYYY-1234 Example: ZA-2011-3269

Case Number: CPC-2018-2114-DB-CU-MCUP-SPR
Case Filed On: 04/12/2018
Accepted For Review On: 12/27/2019
Assigned Date: 10/29/2018
Staff Assigned: MINDY NGUYEN
Hearing Waived / Date Waived : No
Hearing Location: VIRTUAL EVENT
Hearing Date : 08/26/2020 9:30 AM
CPC Action:
CPC Action Date:
End of Appeal Period:
Appealed: No
BOE Reference Number: 0
Case on Hold?: Yes

Primary Address

Address	CNC	CD
1750 N VINE ST 90028	Hollywood United	13

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Applicant: [Company: MCAF VINE LLC]
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Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjIwMzY20>

Approved Documents		Initial Submittal Documents	
0 Approved Documents found for Case Number: CPC-2018-2114-DB-CU-MCUP-SPR			
Type	Scan Date	Signed	
No Approved Documents Found			

HELPFUL LINKS

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- [City Departments and Bureaus](#)

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- [Department of City Planning](#)
- [Zoning/Property Info \(ZIMAS\)](#)



Case Summary & Documents

Case Number Ordinance Zoning Information CPC Cards ZA Cards

Case Number: Format: AA-YYYY-1234 Example: ZA-2011-3269

Case Number: ENV-2018-2116-EIR
Case Filed On: 04/12/2018
Staff Assigned: MINDY NGUYEN
EIR Notice of Prep. Start Date: 09/04/2018
EIR Notice of Prep. End Date: 10/04/2018
Scoping Meeting Date: 09/12/2018
Draft EIR Notice of Completion Date:
Draft EIR Circulation Start Date: 04/16/2020
Draft EIR Circulation End Date: 06/01/2020
Final EIR Distribution Date:
Termination Date:
End of Appeal Period:
Appealed: No
Case on Hold?: Yes

Primary Address

Address	CNC	CD
1750 N VINE ST 90028	Hollywood United	13

[View All Addresses](#)

Project Description: PROJECT/ALT 8 PRESERVE CAPITOL RECORDS COMPLEX,NEW MIXED-USE DEVELOPMENT W/ 1,005 DUS/903 DUS(INCLUDING 133 SENIOR AFFORDABLE UNITS) AND 30,176 SF COMML/385,943 SF OFFICE AND 25,874 SF COMML
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Representative: EDGAR KHALATIAN [Company: MAYER BROWN LLP]

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Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjIwMzY40>

Approved Documents		Initial Submittal Documents	
0 Approved Documents found for Case Number: ENV-2018-2116-EIR			
Type	Scan Date	Signed	
No Approved Documents Found			

HELPFUL LINKS

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PLANNING TOOLKIT



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Case Summary & Documents

Case Number Ordinance Zoning Information CPC Cards ZA Cards

Case Number: Format: AA-YYYY-1234 Example: ZA-2011-3269

Case Number: VTT-82152
Case Filed On: 04/12/2018
Accepted For Review On: 06/26/2018
Assigned Date: 10/29/2018
Staff Assigned: MINDY NGUYEN
Hearing Waived / Date Waived : No
Hearing Location: VIRTUAL EVENT
Hearing Date : 08/26/2020 9:30 AM
VTT Action: APPROVED WITH CONDITIONS
VTT Action Date: 09/14/2020
End of Appeal Period:
Appealed: Yes
BOE Reference Number: 0
Case on Hold?: No

Approved Documents		Initial Submittal Documents	
1 Approved Documents found for Case Number: VTT-82152			
Type	Scan Date	Signed	
▼ Initial Actions (1)			
Tentative Tract	2/12/2020		View

Primary Address

Address	CNC	CD
1750 N VINE ST 90028	Hollywood United	13

[View All Addresses](#)

Project Description: PROJECT/ALT 8 PRESERVE CAPITOL RECORDS COMPLEX,NEW MIXED-USE DEVELOPMENT W/ 1,005 DUS/903 DUS(INCLUDING 133 SENIOR AFFORDABLE UNITS) AND 30,176 SF COMML/385,943 SF OFFICE AND 25,874 SF COMML

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Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjIwMzY50>

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- [Zoning/Property Info \(ZIMAS\)](#)



Mindy Nguyen

- **20181030 1544 E. Nuno-O_Donnell Invitation_Gabrieleno - Kizh Nation.pdf**
- **20181101 0816 E. Nuno-O_Donnell AB52 CR - HCP.pdf**
- **20181107 0834 E. Nuno-O_Donnell HCP.pdf**
- **20181107 1025 G. Indians HCP.pdf**
- **20181107 1026 M. Nguyen HCP.pdf**
- **20181107 1029 G. Indians Auto Response_Invitation.pdf**
- **20181107 1041 G. Indians HCP.pdf**
- **20181107 1044 M. Nguyen HCP.pdf**
- **20181107 1734 C. Gaskill EIR Question.pdf**
- **20181108 1030 B. Freeman EIR Question.pdf**
- **20181108 1159 A. Farrell HC CEQA.pdf**
- **20181108 1618 M. Nguyen EIR Question.pdf**
- **20181202 0934 G. Indians HCP.pdf**
- **20181206 0809 E. Nuno-O-Donnell Dec 11, 2018 board meeting.pdf**
- **20181206 0947 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20181206 1100 M. Nguyen Dec 11, 2018 board meeting.pdf**

- **20181206 1108 J. Hwang Dec 11, 2018 board meeting.pdf**
- **20181206 1219 J. Fan Dec 11, 2018 board meeting.pdf**
- **20181206 1247 J. Hwang Dec 11, 2018 board meeting.pdf**
- **20181206 1255 J. Hwang Dec 11, 2018 board meeting.pdf**
- **20181210 1408 J. Hwang Dec 11, 2018 board meeting.pdf**
- **20181210 1411 J. Fan Dec 11, 2018 board meeting.pdf**
- **20181211 1121 J. Hwang Dec 11, 2018 board meeting.pdf**
- **20181211 1123 M. Nguyen Dec 11, 2018 board meeting.pdf**
- **20181213 0731 Y. Whitaker ENV-2018-2116-EIR.pdf**
- **20181213 0738 E. Nuno-O_Donnell ENV-2018-2116-EIR.pdf**
- **20181213 0803 M. Nguyen ENV-2018-2116-EIR_0001.pdf**
- **20181213 0838 M. Nguyen ENV-2018-2116-EIR.pdf**
- **20181213 0946 E. Nuno-O_Donnell HCP - RF Library Services Info.pdf**
- **20181213 0949 M. Nguyen HCP - RF Library Services Info.pdf**
- **20181213 0952 E. Nuno-O_Donnell HCP - RF Library Services Info.pdf**

- **20181213 0954 M. Nguyen HCP - RF Library Services Info.pdf**
- **20181213 0957 E. Nuno-O_Donnell HCP - RF Library Services Info.pdf**
- **20181213 0958 M. Nguyen HCP - RF Library Services Info.pdf**
- **20181218 0908 AB 52 Consultation on 12_5 @ 1pm.pdf**
- **20181227 0932 J. Hwang HC - WSA.pdf**
- **20190102 0244 N. Cho AB 52 Consultation on 12_5 @ 1pm.pdf**
- **20190103 1621 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190104 1219 M. Nguyen HCP DEIR.pdf**
- **20190104 1808 A. Farrell HC First Screencheck Sections.pdf**
- **20190105 1454 G. Indians AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190107 0937 M. Marcelo HCP DEIR.pdf**
- **20190107 0938 M. Nguyen HCP DEIR.pdf**
- **20190107 0941 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190107 1004 M. Nguyen HC First Screencheck Sections.pdf**
- **20190107 1034 R. Nichols EXTERNAL_HCFirst Screencheck Sections.pdf**
- **20190107 1118 E. Khalatian HC.pdf**
- **20190107 1124 M. Nguyen HC.pdf**

- **20190108 1554 E. Nuno-O_Donnell HC.pdf**
- **20190108 1558 G. Godek HC.pdf**
- **20190108 1600 M. Nguyen HC.pdf**
- **20190108 1605 G. Godek HC.pdf**
- **20190108 1609 M. Nguyen HC.pdf**
- **20190108 1612 G. Godek HC.pdf**
- **20190109 1201 G. Indians AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190109 1356 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190109 1601 H. Bleemers AB 900-HCP.pdf**
- **20190109 1602 J. Chan HC - Development Agreement.pdf**
- **20190109 1603 M. Nguyen HC - Development Agreement.pdf**
- **20190111 1258 M. Marcelo HC First Screencheck Sections.pdf**
- **20190111 1323 M. Nguyen HC First Screencheck Sections.pdf**
- **20190111 1334 J. Fan HC First Screencheck Sections.pdf**
- **20190111 1335 M. Nguyen HC First Screencheck Sections.pdf**
- **20190114 0654 E. Nuno-O_Donnell HCP - ENV-2018-2116-EIR.pdf**
- **20190114 0927 M. Marcelo HC First Screencheck Sections.pdf**

- **20190114 1312 M. Nguyen HC First Screencheck Sections.pdf**
- **20190122 1103 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190124 1432 J. Hawang Dec 11, 2018 board meeting.pdf**
- **20190128 1431 L. Berbhardt HCP - ENV-2018-2116-EIR.pdf**
- **20190129 0947 M. Nguyen HCP - ENV-2018-2116-EIR.pdf**
- **20190129 0951 L. Bernhardt HCP - ENV-2018-2116-EIR.pdf**
- **20190225 1128 G. Whittmann Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190226 1329 J. Fan HC- Fire and Tribal.pdf**
- **20190301 1721 J. Fan HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 0917 M. Nguyen Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190304 0936 G. Wittmann Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190304 0950 M. Nguyen HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 0952 M. Nguyen HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 1019 M. Marcelo HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 1024 M. Nguyen HC - 1st Screencheck Water Supply and Energy.pdf**

- **20190304 1048 M. Marcelo HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 1201 M. Nguyen HC - 1st Screencheck Water Supply and Energy.pdf**
- **20190304 1301 M. Nguyen AB 52 Consultation Follow Up for 1750 North Vine St.pdf**
- **20190304 1340 M. Nguyen Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190304 1651 G. Wittmann Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190304 1653 M. Nguyen Review CPC-2018-2114-ZCJ-HD-CU-MCUP-SPR.pdf**
- **20190312 1706 M. Harden HC EIR Aesthetics.pdf**
- **20190314 1223 J. Fan HC EIR Aesthetics.pdf**
- **20190318 1304 J. Fan HC - 1st Screencheck DEIR Sections.pdf**
- **20190318 1306 M. Nguyen HC - 1st Screencheck DEIR Sections.pdf**
- **20190322 1458 J. Fan HC - 1st Screencheck DEIR Sections.pdf**
- **20190326 0900 M. Nguyen HC - 1st Screencheck DEIR Sections.pdf**
- **20190326 1635 M. Marcelo HC - 1st Screencheck DEIR Sections.pdf**
- **20190326 1638 M. Nguyen HC - 1st Screencheck DEIR Sections.pdf**
- **20190327 1014 M. Nguyen AB52 CR - HCP.pdf**
- **20190327 1455 J. Fan HC - 1st Screencheck DEIR Sections.pdf**

- **20190327 1534 M. Nguyen HC - 1st Screencheck Sections.pdf**
- **20190328 1816 J. Fan HC - 1st Screencheck Sections.pdf**
- **20190401 0952 M. Harden RE.pdf**
- **20190402 0926 M. Harden RE.pdf**
- **20190402 0928 M. Nguyen RE.pdf**
- **20190402 0932 M. Harden RE.pdf**
- **20190402 0936 M. Nguyen RE.pdf**
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- **20190402 1157 M. Harden RE.pdf**
- **20190403 0928 H. Bleemers MBI review services are temporarily suspended.pdf**
- **20190405 1317 J. Fan HC - 1st Screencheck Sections.pdf**
- **20190405 1318 M. Nguyen HC - 1st Screencheck Sections.pdf**
- **20190410 1741 J. Bellas EXTERNAL_ Mindy Nguyen shared _HCP.pdf**
- **20190411 0846 M. Nguyen EXTERNAL_ Mindy Nguyen shared _HCP.pdf**
- **20190411 1112 M. Nguyen AB52 CR - HCP.pdf**
- **20190422 1606 A. Lin SCH 2018051002 HCP.pdf**
- **20190422 1625 M. Nguyen SCH 2018051002 HCP.pdf**
- **20190503 1503 S. Hunter Interested party for ENV-2018-2116-EIR.pdf**

- **20190503 1515 M. Nguyen Interested party for ENV-2018-2116-EIR.pdf**
- **20190503 1556 S. Hunter Interested party for ENV-2018-2116-EIR.pdf**
- **20190510 1732 J. Fan HC - Energy.pdf**
- **20190515 1114 J. Fan HC - AB 52 Report.pdf**
- **20190524 1643 J. Fan HC - Aesthetics.pdf**
- **20190529 0853 M. Nguyen HCP - ENV-2018-2116-EIR.pdf**
- **20190529 0922 L. Bernhardt HCP - ENV-2018-2116-EIR.pdf**
- **20190529 0928 M. Nguyen HC - Aesthetics.pdf**
- **20190529 1148 L. Bernhardt HCP - ENV-2018-2116-EIR.pdf**
- **20190611 1156 PlanningctsIntranet Fund Status Alert for ENV-2018-2116-EIR.pdf**
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- **20190611 1200 M. Nguyen Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
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- **20190611 1227 M. Nguyen Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
- **20190611 1228 M. Nguyen Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
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- **20190611 1230 E. Khalatian Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
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- **20190617 1649 L. Chang Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
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- **20190618 1129 L. Chang Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
- **20190618 1129 M. Nguyen Fund Status Alert for Case ENV-2018-2294-EIR.pdf**
- **20190618 1130 R. Duroy Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
- **20190717 1333 J. Fan HC - Cultural Resources.pdf**
- **20190722 0936 H. Bleemers Overview HCP _ 6AM.pdf**
- **20190814 1837 M. Harden HC - Tribal Report.pdf**
- **20190814 1850 M. Nguyen HC - Tribal Report.pdf**
- **20190917 1422 PlanningctsIntranet Fund Status Alert for ENV-2018-2116-EIR_0001.pdf**
- **20190918 1627 M. Nguyen Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
- **20190918 1634 R. Duroy Fund Status Alert for Case ENV-2018-2116-EIR.pdf**
- **20190924 1645 R. Duroy Project Invoice Payments.pdf**

- **20190926 1730 M. Nguyen Work Order Request for CPC-2019-4639.pdf**
- **20191001 0816 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191001 0818 I. Ross Work Order RF CPC-2019-4639.pdf**
- **20191001 0835 G. Ginete Work Order RF CPC-2019-4639.pdf**
- **20191001 08`9 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191001 1125 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191001 1256 G. Ginete Work Order RF CPC-2019-4639.pdf**
- **20191001 1346 M. Chan Work Order RF CPC-2019-4639.pdf**
- **20191001 1348 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191002 1017 M. Chan Work Order RF CPC-2019-4639.pdf**
- **20191002 1228 M. Chan Work Order RF CPC-2019-4639.pdf**
- **20191003 0814 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191003 0849 M. Chan Work Order RF CPC-2019-4639.pdf**
- **20191003 0901 M. Nguyen Work Order RF CPC-2019-4639.pdf**

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- **20191003 1015 G. Ginete Work Order RF CPC-2019-4639.pdf**
- **20191003 1335 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20191003 1708 M. Nguyen Project Invoice Payments.pdf**
- **20191204 1511 M. Marcelo Schedule Change.pdf**
- **20191220 2040 M. Harden HC - Alternatives.pdf**
- **20200117 1911 M. Nguyen HCP.pdf**
- **20200121 1655 M. Nguyen Friday Phone Call.pdf**
- **20200121 1742 D. Lawrence Friday Phone Call.pdf**
- **20200121 1744 D. Lawrence Friday Phone Call.pdf**
- **20200122 0649 A. Orellana Friday Phone Call.pdf**
- **20200129 0852 M. Marcelo HC - Invitation to collaborate.pdf**
- **20200203 1317 M. Nguyen Work Order RF CPC-2019-4639.pdf**
- **20200204 0344 M. Nguyen HCP CR.pdf**
- **20200204 1208 M. Nguyen HCP CR.pdf**
- **20200204 1209 A. Cao Automatic reply [EXTERNAL] HCP CR.pdf**
- **20200204 1209 H. Bleemers Out of Office.pdf**
- **20200204 1209 M. Moshkar HCP CR.pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure) (2).pdf**

- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure) (3).pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure) (4).pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure) (5).pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure) (6).pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure).pdf**
- **20200204 1209 Mail Delivery Subsystem Delivery Status (Failure)2.pdf**
- **20200204 1215 N. Schuman Hollywood Center.pdf**
- **20200204 1254 C. Jensen HCP CR.pdf**
- **20200204 1306 S. Melgar HCP CR.pdf**
- **20200204 1337 M. Nguyen VTT-82152 Haul Route App.pdf**
- **20200204 1338 Mail Delivery Subsystem Delivery Status (Failure) (2).pdf**
- **20200204 1338 Mail Delivery Subsystem Delivery Status (Failure).pdf**
- **20200204 1339 M. Nguyen HCP CR.pdf**
- **20200204 1341 M. Nguyen VTT-82152 Haul Route App.pdf**
- **20200204 1418 M. Nguyen HCP CR.pdf**
- **20200204 1427 K. Bowie VTT-82152 Haul Route App.pdf**
- **20200204 1642 C. Jensen HCP CR.pdf**

- **20200205 0941 G. Godek HCP.pdf**
- **20200205 1133 M. Nguyen Re Hollywood Center.pdf**
- **20200205 1343 M. Nguyen HCP.pdf**
- **20200205 1633 G. Godek HCP.pdf**
- **20200205 1652 A. Lew HCP CR.pdf**
- **20200205 1723 M. Nguyen HCP CR.pdf**
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- **20201016 0717 B. Pacheco The Silverstein Law Firm CA PRA Requests re the HCP....pdf**
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- **20201016 1802 G. Garcia Millennium Hollywood Public Record**
- **20201019 0854 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201019 0945 M. Nguyen The Silverstein Law Firm Inquiry re 10.15.20 CPC Hearing...Transcript for the HCP...**
- **20201019 0949 M. Nguyen More documents missing from the public record**
- **20201019 1239 History of Soul Millennium hearing extended**

- **20201019 1608 V. Lebron The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201020 1316 Turtle Tracks More attachments missing from the record**
- **20201020 1649 V. Lebron The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201020 1740 ITA CPRA Coordinator The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201020 LADWP CA PRA Request No. R20-408...**
- **20201021 1352 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201021 1517 V. Lebron The Silverstein Law Firm Follow-up to CA PRA Requests re the HCP...**
- **20201021 1601 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201025 1327 The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201025 1343 The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201026 0816 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201026 0932 E. Hermoso Hollywood Center Folder**
- **20201026 0935 E. Hermoso Hollywood Center Folder**
- **20201026 0941 E. Hermoso Hollywood Center Folder**

- **20201026 0942 M. Nguyen Hollywood Center Folder**
- **20201026 1212 E. Hermoso Hollywood Center Project Correspondence Request**
- **20201026 1402 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201029 0826 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201029 1202 M. Zasadzien Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201029 1314 Turtle Tracks Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201029 1740 Turtle Tracks Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201029 1811 M. Nguyen Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201029 1832 Turtle Tracks Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201030 800 M. Nguyen Millennium Hollywood Center Public Record Dearth [email 2]**
- **20201030 1450 ITA CPRA Coordinator The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201030 1512 V. Lebron The Silverstein Law Firm CA PRA Requests re the HCP...**
- **20201030 1518 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201030 1750 J. Min The Silverstein Law Firm CA PRA Requests re the HCP...**

- **20201101 1557 M. Martin Hollywood Center Project UPDATE**
- **20201102 0835 M. Nguyen We demand trenching of the proposed Hollywood Center site**
- **20201102 0837 M. Nguyen Hollywood Center site Millenium Hollywood**
- **20201102 0918 M. Nguyen Hollywood Center Project UPDATE**
- **20201102 1420 M. Martin Hollywood Center Project UPDATE**
- **20201102 1517 M. Nguyen Millennium Hollywood**
- **20201102 1518 M. Nguyen The Millennium Hollywood Project**
- **20201102 1519 M. Nguyen Hollywood Center**
- **20201102 1525 F. Melendez Hollywood Center**
- **202011021156 M. Nguyen Millennium Hollywood**
- **20201104 1539 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201106 0819 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201110 1256 A. Lew CEQA HCP - Notice of Public Hearing October 2020**
- **20201112 0702 A. Lew CEQA HCP - NOA of fEIR**
- **20201112 0938 M. Nguyen CEQA HCP - NOA of fEIR**
- **20201112 0938 M. Nguyen CEQA HCP - Notice of Public Hearing October 2020**
- **20201112 0942 M. Nguyen The Hollywood Center**

- **20201112 0943 M. Nguyen The Hollywood Center**
- **20201113 1522 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201117 1546 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201123 1250 V. Lebron The Silverstein Law Firm CA Public Records Act Requests re the HCP...**
- **20201123 1253 V. Lebron The Silverstein Law Firm CA Public Records Act Requests re the HCP...**
- **20201129 1629 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201201 0841 M. Nguyen Millennium project**
- **20201201 0842 M. Nguyen Stop this Disaster from Happening**
- **20201201 0855 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201202 0934 M. Nguyen Hollywood Center Project Correspondence Request**
- **20201202 1012 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201202 1211 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201202 1503 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201203 0854 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**

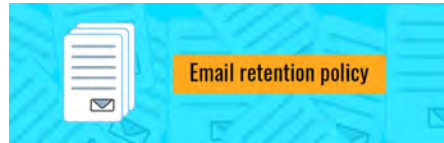
- **20201203 0905 M. Nguyen Hollywood Center Project Correspondence Request**
- **20201203 0909 M. Nguyen Millennium Hollywood Center Public Record Dearth email 2**
- **20201203 0925 LADBS Custodian Hollywood Center Project Correspondence Request**
- **20201203 0945 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**
- **20201204 0958 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201005 1833 J. Yarfitz Hollywood Millennium Project Poses Danger to Hollywood Hills Neighborhood**
- **20201007 1337 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201207 1430 M. Nguyen Millennium Hollywood Center Public Record Dearth email 2**
- **20201208 1016 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**
- **20201209 0930 E. Kornfield HCP Notice of Violations of Administrative Record Preparation Rules and Demand to Correct**
- **20201209 1430 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**
- **20201209 1837 M. Nguyen Millennium Hollywood Center Public Record Dearth email 2**
- **20201209 1840 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**

- **20201209 1857 V. Lebron The Silverstein Law Firm Demand to Preserve Intact All Project-related Documents re ... AR for HCP**
- **20201210 0853 M. Nguyen HCP Notice of Violations of Administrative Record Preparation Rules and Demand to Correct**
- **20201210 0853 M. Nguyen The Silverstein Law Firm Demand to Preserve Intact All Project-related Documents re ... AR for HCP**
- **20201210 1008 R. Silverstein Hollywood Center Project status seismic issues Public Records Act request**
- **20201210 1010 B. Pacheco Hollywood Center Project status seismic issues Public Records Act request**
- **20201210 1012 R. Silverstein Hollywood Center Project status seismic issues Public Records Act request**
- **20201210 1721 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201211 1631 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201217 1241 V. Lebron Hollywood Center Project status seismic issues Public Records Act request**
- **20201218 1128 PlanningctsIntranet Fund Status Alert for Case Number ENV-2018-2116-EIR**
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- **20201221 1903 R. Silverstein Hollywood Center questions and CPRA issues**
- **20201223 1137 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201223 1359 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20201224 1403 V. Lebron Hollywood Center questions and CPRA issues**
- **20201224 1405 V. Lebron Hollywood Center questions and CPRA issues**
- **20201226 1309 S. Lambert Against the Millennium development**
- **20201229 1610 V. Lebron The Silverstein Law Firm CA PRA Requests re the HCP**
- **20201229 1136 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20201230 1424 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**
- **20210104 0847 M. Nguyen Against the Millennium development**
- **20210104 0850 M. Nguyen Millennium Hollywood Center Public Record Dearth email 2**
- **20210104 1128 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**
- **20210104 1134 M. Nguyen Millennium Hollywood Center Public Record Dearth email 2**
- **20210104 1147 Turtle Tracks Millennium Hollywood Center Public Record Dearth email 2**

- **20210104 1718 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20210105 1609 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20210107 1021 B. Pacheco CPRA - LADBS - no response**
- **20210107 1025 B. Pacheco CPRA - LADBS - no response**
- **20210121 1540 V. Lebron The Silverstein Law Firm Demand for Response re Status of HCP**
- **20210122 0751 M. Nguyen The Silverstein Law Firm Demand for Response re Status of HCP**
- **20210122 1026 R. Silverstein The Silverstein Law Firm Demand for Response re Status of HCP**
- **20210126 0843 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
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- **20210127 1552 D. Case Hollywood Center Project Draft EIR (ENV-2018-2116-EIR)**
- **20210128 0922 M. Nguyen Hollywood Center Project Draft EIR (ENV-2018-2116-EIR)**
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- **20210201 0951 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**
- **20210201 1353 PWP Addendum Web Request for Hollywood Center Project DEIR**
- **20210209 1002 C. Stanger ENV-2018-2116-EIR**
- **20210209 1004 M. Nguyen ENV-2018-2116-EIR**
- **20210217 0939 S. Johnson - Notice of Public Hearing for the HCP ...**
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- **20210217 1334 S. Johnson - Notice of Public Hearing for the HCP ...**
- **20210217 1423 M. Nguyen Notice of Public Hearing for the Hollywood Center Project ...**
- **20210217 1425 S. Johnson - Notice of Public Hearing for the HCP ...**
- **20210222 0851 M. Nguyen Addendum Web Request for Hollywood Center Project DEIR**



California Supreme Court Denies Review and Depublication of Golden Door II

Keep saving those e-mails, lead agencies! On November 10, 2020, the California Supreme Court denied review and requests for depublication of the highly contentious *Golden Door Properties, LLC v. Superior Court of San Diego*, Lead Case No. D076605, also known as *Golden Door II*. Now that the decision is final, lead agencies must ensure that their record retention policies align with the Fourth District Court of Appeal's bright-line reading of Public Resources Code section 21167.6.

Background on Appellate Court's Opinion

On July 30, 2020, the Fourth District Court of Appeal held that Public Resources Code section 21167.6 requires a lead agency to retain all writings comprising the CEQA administrative record of proceedings, regardless of any records retention policy to the contrary. The Court noted that these writings include "all written evidence or correspondence submitted to, or transferred from, the respondent public agency with respect" to CEQA compliance and also include "all internal agency communications, including staff notes and memoranda related to the project or to compliance with this division." However, the Court did limit this retention requirement by clarifying that the e-mail equivalent of "sticky notes, calendar faxes, and social hallway conversations" (i.e., "e-mails that do not provide insight into the project or the agency's CEQA compliance with respect to the project") are not within the scope of Section 21167.6 and are not required to be retained for the purposes of compliance with that section. The Court also expressed that "the lapse of the applicable limitations period is a relevant consideration" when determining how long to preserve these writings.

The Fourth District Court of Appeal also concluded that if a party withholds administrative record documents on the basis of the preliminary draft exemption or the deliberative process privilege, the party "must describe the justification for nondisclosure with reasonably specific detail and demonstrate that the information withheld is within the claimed privilege or exception." Parties claiming the privilege must explain its specific interest in nondisclosure.

Summary of Major Holdings

In summary, two of the Court's major holdings are:

- All information identified in Public Resources Code section 21167.6 relevant to a project's CEQA process are mandatory parts of the administrative record of proceedings and must be retained by lead agencies regardless of agency retention policies that allow for document destruction prior to project challenges. This information must be retained *at least* until the expiration of the statute of limitations; and
- The preliminary draft exemption and deliberative process privilege require a party to "describe the justification for nondisclosure with reasonably specific detail and demonstrate that the information withheld is within the claimed privilege or exception."

Practical Tips:

Here are some practical implications for CEQA practitioners:

- For any project undergoing CEQA review, the lead agency should retain all items listed under Public Resources Code section 21167.6(e), including internal agency e-mail communications.
- To successfully claim the preliminary draft exemption or deliberative process privilege, an agency is required to support its assertion with "reasonably specific detail" and properly demonstrate the applicability of the privilege or exemption. A bare-bones declaration is not adequate.

Golden Door Properties, LLC v. Superior Court (2020) 53 Cal.App.5th 733. The 3-0 opinion was authored by Justice McConnell, and joined by Justices Haller and O'Rourke. A full copy of the decision is available [HERE](#).