

From: John Given <john@johngivenlaw.com>
Sent time: 09/18/2020 12:34:25 PM
To: Mindy Nguyen <Mindy.Nguyen@lacity.org>
Cc: Kevin Keller <kevin.keller@lacity.org>; vince.bertoni@lacity.org; william.lamborn@lacity.org
Subject: Re: Letter of Determination for Hollywood Center Project Vesting Tentative Tract No. 82152

Ms. Nguyen -

The City appears once again to be short-changing community members by permitting only a nine-day appeal period for the Hollywood Center project. Bad enough that the City has taken a full-steam ahead approach at every turn with this project despite the complex nature of the project and the pandemic which has dramatically curtailed public access to hearings and project documents. But now the City has cut the already too-brief appeal period for the VTT approval shorter than the City's own municipal code permits. The appearance is that the City simply doesn't care to receive input from concerned community members as it rushes to issue project approvals to benefit the project applicant in the shortest possible time.

The time to file an appeal of a tract map approval issued by the Deputy Advisory Agency is within 10 days from the mailing of the Deputy Advisory Agency's written decision. (LAMC § 17.06 A(3).) The standard legal convention to calculate deadlines to act does not count the date of action or decision from which the appeal is taken. (*See* California Civil Code § 10.) In my experience, the City of Los Angeles has always followed this mandatory legal duty. (Upon request I can provide countless examples showing this to be the case.) If the written statement of decision was issued September 14, then the 10-day deadline to appeal the VTT cannot be earlier than September 24.

Planning must correct and re-issue the VTT and CEQA letter of determination to reflect the proper appeal deadline so community members are not further shortchanged following the City's truly outrageous decision to hold a hearing on a final environmental document before that document had even been issued to the public.

Note that the corrective remedy here should not simply be a one-day extension to the originally proper deadline, because it is impossible to know whether any particular community members interested in the matter were dissuaded from filing an appeal based on the perception they could not finish in time, especially since a significant portion of our community celebrates the Jewish holiday of Rosh Hashanah over the next two days.

The VTT approval and CEQA determination must be re-issued and the revised appeal calculated from the date the corrected notice is issued.

Sincerely,

John Given

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On Sep 14, 2020, at 9:14 AM, Mindy Nguyen <Mindy.Nguyen@lacity.org> wrote:

Hello,

You are receiving this email because you are an interested party and/or a mandated recipient of the **Letter of Determination for Vesting Tentative Tract Map No. 82152**, attached.

Please be advised that related Case Nos. CPC-2018-2114-DB-CU-MCUP-SPR and CPC-2018-2115-DA are tentatively scheduled for a City Planning Commission meeting on October 15, 2020. More information will be provided following the close of the appeal period for VTT No. 82152.

Thank you.

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Mindy Nguyen

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