

Request #19-3304

CLOSED

Details

I am writing on behalf of the **Supporters Alliance for Environmental Responsibility and its members ("SAFER")**, a California nonprofit public benefit corporation, regarding The College Station Project (Project No. ENV 2012 2055 EIR; SCH No. 2014061066), including all actions related or referring to the development of a mixed use transit oriented development on 4.92 acres of land located at 129 135 W. College Street and 924 N. Spring Street in the Central North Community Plan Area of the City of Los Angeles ("Project").

Pursuant to the California Public Records Act, Government Code Section 6250 et seq., I request that the City of Los Angeles and the Planning Department of the City of Los Angeles (collectively, the "City") make immediately available for inspection and copying the following documents related to the Project:

Any and all documents consisting of, referring, or relating to:

- All Project application materials.
- All staff reports and related documents prepared by the City with respect to its compliance with the substantive and procedural requirements of the California Environmental Quality Act, Public Resources Code § 21000 et seq., and the CEQA Guidelines, title 14, California Code of Regulations, § 15000 et seq. (collectively "CEQA") and with respect to the action on the Project.
- All staff reports and related documents prepared by the City and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the agency pursuant to CEQA.
- Any transcript or minutes of the proceedings at which the decisionmaking body of the City heard testimony on, or considered any environmental document on, the Project,

and any transcript or minutes of proceedings before any advisory body to the public agency that were presented to the decisionmaking body prior to action on the environmental documents or on the Project.

- All notices issued by the City to comply with CEQA or with any other law governing the processing and approval of the Project.
- All written comments received in response to, or in connection with, environmental documents prepared for the Project, including responses to the notice of preparation.
- All written evidence or correspondence submitted to, or transferred from, the City with respect to compliance with CEQA or with respect to the Project.
- Any proposed decisions or findings submitted to the decisionmaking body of the City by its staff, or the Project proponent, Project opponents, or other persons.
- The documentation of the final City decision and approvals, including the final environmental impact report, mitigated negative declaration, negative declaration, or notice of exemption, and all documents, in addition to those referenced in paragraph (3), cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA.
- Any other written materials relevant to the public agency's compliance with CEQA or to its decision on the merits of the Project, including the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the Project and either made available to the public during the public review period or included in the City's files on the Project, and all internal agency communications, including staff notes and memoranda related to the Project or to compliance with CEQA.
- The full written record before any inferior administrative decisionmaking body whose decision was appealed to a superior administrative decisionmaking body prior to the filing of any litigation.

We request immediate access to review the above documents pursuant to section 6253(a) of the Public Records Act, which requires public records to be “open to inspection *at all times* during the office hours of the state or local agency” and provides that “every person has a right to inspect *any public record.*” (Gov. Code §6253(a) (emphasis added).)

This request seeks access to the above documents for inspection under Section 6253(a) only and does not request that the University provide copies of these documents. Therefore, the ten day response period applicable to a “request for a *copy* of records” under Section 6253(c) does not apply to this request. Furthermore, the City is directed not to take any action to organize or modify the requested documents. We request access to the documents in the existing form maintained by the City. See *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161. The City may not seek recovery of costs for any staff time related to responding to this Public Records Act request. *North County Parents v. Dept. of Education* (1994) 23 Cal.App.4th 144; *County of Los Angeles v. Super. Ct.* (2000) 82 Cal.App.4th 819, 826.

If any of the above requested documents are available online, please provide us with the URL web address at which the documents may be downloaded. If any of the requested documents are retained by the City in electronic computer readable format such as PDF (portable document format), please provide us with pdf copies of the documents via email, or inform us of the location at which we can copy these documents electronically.

We reserve the right to have a copy service make copies of any and all of the requested documents depending on the volume.

Please include in your response to this request the following examples of “documents,” as well as any similar physical or electronic forms of communication: any form of writing such as correspondence, electronic mail records (“email”), legal and factual memoranda, facsimiles, photographs, maps, videotapes, film, data, reports, notes, audiotapes, or drawings. Responsive correspondence should include, inter alia, emails and any and all other forms of internal agency correspondence. *Citizens for Ceres v. Super. Ct.* (“Ceres”) (2013) 217 Cal. App. 4th 889, 909; *Citizens for Open Gov’t v. City of Lodi* (“Lodi”) (2012) 205 Cal.App.4th 296, 307, 311.

In preparing your response, please bear in mind that you have an obligation under Government Code section 6253.1 to (1) identify all records and information responsive to our request or the purpose of our request; (2) describe the information technology and

physical location in which the records exist; and (3) provide suggestions for overcoming any practical basis for denying access to the records or information sought.

In responding to this request, please bear in mind that any exemptions from disclosure you may believe to be applicable are to be narrowly construed. *Marken v. Santa Monica Malibu Unif. Sch. Dist.* (2012) 202 Cal. App. 4th 1250,1262; and may be further narrowed or eliminated by the adoption of Proposition 59, which amended article I, section 3(b)(2) of the California Constitution to direct that any “statute ... or other authority ... [that] limits the right of access” to “information concerning the conduct of the people’s business” must be “narrowly construed.”

As for any records that you nonetheless decline to produce on the grounds of an exemption, please bear in mind that the case law under the Public Records Act imposes a duty on you to distinguish between the exempt and the non exempt portion of any such records, and to attempt in good faith to redact the exempt portion and to disclose the balance of such documents.

Please bear in mind further that should you choose to withhold any document from disclosure, you have a duty under Government Code section 6255, subd. (a) to “justify withholding any record by demonstrating that the record in question is exempt under express provisions” of the Public Records Act or that “the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.”

Thank you for your prompt attention to this request. You may direct any email responses to me at brian@lozeaudrury.com.

— [Read less](#)

Received

June 17, 2019 via web

Departments

City Clerk

Documents

(none)

Staff

Point of Contact

Clerk CPRA Coordinator

Timeline

Request Published

Public

June 21, 2019, 9:51am

Request Closed

Public

Richard Drury provided written confirmation withdrawing this PRA request on June 19, 2019.

June 21, 2019, 9:51am

Department Assignment

Public

City Clerk

June 17, 2019, 2:20pm

Request Opened

Public

Request received via web

June 17, 2019, 2:20pm
