

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

astukan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

April 2, 2024

Via Email and U.S. Mail

David Keyon
Planning Department
City of San Jose
200 E. Santa Clara St.
Tower, 3rd Floor
San José, CA 95113
Email: David.Keyon@sanjosecagov;
ZoningQuestions@sanjoseca.gov

Toni Taber, City Clerk
Office of the City Clerk
City of San Jose
200 E. Santa Clara St.
Tower 14th Floor
San José, CA 95113
Email: city.clerk@Sanjoseca.gov

Via Email Only

Bethelhem Telahun, Planner
Email: Bethelhem.Telahun@sanjoseca.gov

Via Online Portal

[https://sanjoseca.govqa.us/WEBAPP/rs/\(S\(1zaxrut0y4nnjib2dvy11ijo\)\)/supporthome.aspx](https://sanjoseca.govqa.us/WEBAPP/rs/(S(1zaxrut0y4nnjib2dvy11ijo))/supporthome.aspx)

Re: Public Records Act Request – 0 Seely Avenue Project (PDC21-035, PD22-002, PT22-003 & ER21-284)

Dear Mr. Keyon, Ms. Taber, and Ms. Telahun:

We are writing on behalf of **Silicon Valley Residents for Responsible Development** (“Silicon Valley Residents”) to request a copy of the water quality assessment prepared by Luhdorff and Scalmanini Consulting Engineers, dated March 2022, referenced on page 172 of the Draft Environmental Impact Report (“DEIR”) for the 0 Seely Avenue Project (PDC21-035, PD22-002, PT22-003 & ER21-284) (“Project”) proposed by The Hanover Company (“Applicant”).

We also request any and all public records referring to or related to the Project since the date of our last request on January 19, 2024. This request includes, but is not limited to, any and all file materials, applications,

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correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project.

This request *excludes* the DEIR prepared for the Project and any appendices made available on the State Clearinghouse website and City's website.

This request is made pursuant to the **California Public Records Act** (Government Code §§ 7920.000, *et seq.*). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

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Cont.

We request access to the above records in their original form, as maintained by the agency.¹ Pursuant to Government Code Section 7922.570, if the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed to me as attachments.

We will pay for any direct costs of duplication associated with filling this request up to \$200.² However, please contact me with a cost estimate before copying/scanning the materials.

Please use the following contact information for all correspondence:

U.S. Mail

Alex Stukan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

astukan@adamsbroadwell.com

¹ Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

² Gov. Code §§ 7922.530, 7922.575; *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.
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If you have any questions, please call me at (650) 589-1660 or email me at the address above. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink that reads "Alex Stukan". The signature is written in a cursive, flowing style.

Alex Stukan
Paralegal

AES:ljl