

Lia Renee Memsic

334 Aderno Way, City of Los Angeles, CA 90272

email: lia@pilarus.com

Date:

10/24/17

Submitted in PLUM Committee

Council File No: 07-1175

Item No.: Special Meeting - Item 1

Communication from
public

October 24, 2017

Councilmember JOSE HUIZAR, Chair of Planning and Land Use Committee

Councilmember MITCHELL ENGLANDER

Councilmember BOB BLUMENFIELD

Councilmember MARQUEECE HARRIS-DAWSON

Councilmember CURREN D. PRICE, JR

Vince Bertoni, Director of City Planning

Submitted to City Council Committee Planning and Land Use Committee

Dear Councilmembers and Vince Bertoni,

Re: Corruptly¹ provided information in multiple documents for 283 Trino Way that were offered or filed in City of Los Angeles ("LACity") **public offices**, as well as in State public offices, **are false or forged** (CA PEN 115)². Each false or forged document is a separate offense (CA PEN 115(d))³. No false, forged, inconsistent or void documents can be used for a lawful approval (CA PEN 31⁴; CCR title 24 sec.105.4⁵; CCR title 24 sec.110.1⁶; LAMC 11.02⁷; LAMC 91.106.4.3.2⁸; LAMC 91.106.3.2.4⁹).

Reference: 283 Trino Way, (Lot 21 or portion of Lots 20 and 21?), Tract 10179 ("283 Trino") in LACity, as well as Case DIR-2016-2561-CDP-MEL; ENV-2016-2560-EAF; ENV-2016-2560-CE; DIR-2016-2560-CE collectively "Application", Scott MacPherson, individual, and as trustee, the SBM trust, and LACity.

The actions of 283 Trino Way and LACity officials and public employees include deliberate acts of corruptly offering and filing false or forged records in public offices. False or forged records are not errors as LACity, and 283 Trino Owner(s), trust, trustee and agents, collectively "MacPherson", knew and did not correct wrongful acts. There is no vested right at 283 Trino. Unlawful action(s) could not, and do not vest any right.

LACity, Mayor Garcetti, Vince Bertoni, Bertoni's staff and public employees cannot legally approve 283 Trino Way's project with the current false, forged, inconsistent, void, and layered documents filed to LACity, State and County Recorder public offices. The 283 Trino site must be restored immediately.

The trustee/owner may submit legal applications (the trustee/owner has not yet submitted legal applications that do not violate CA PEN 115, other State laws, or that do not layer documents on top of documents that violate CA PEN 115 and other State laws) once trustee/owner has met the requirements of the LAMC, State law, State regulations, including but not limited to CCR title 14, div 5.5, 13056.1¹⁰.

LACity would put taxpayers at serious risk of further injury and harm^{11, 12, 13, 14} if LACity and its Officials were to approve 283 Trino Way project, development, and its continued layering of false, forged, void, not valid, and inconsistent documents.

Any and all LACity policies, practices, or patterns to approve false, forged, void, not valid, or inconsistent applications, and other documents, or projects that omit required information, must be stopped, see LACity patterns in *Horwitz v. City of Los Angeles*¹⁵ and *Haggis v. City of Los Angeles*, etc.

Per Federal and State Law, and the LAMC, you must reject Application for 283 Trino.

Sincerely,

Lia Renee Memsic

Evidence, facts, and other things, collectively “Things” reveal that 283 Trino Way is in violation of law and has been abusive and continues to be abusive and has caused harm and injury to my property, my family, community, the impacted taxpayers, and me. Some LACity Officials and employees have helped and continue to help 283 Trino, MacPherson, and the SBM trust to continue their abusive ways and violations of law. See all public comment and documents submitted by me, Lia Renee, Lia Renee Memsic to City of Los Angeles from September 21, 2012 to the present.

LACity, its Officials, and employees must comply with the Los Angeles Municipal Code (“LAMC”), Federal, and State laws, codes, statutes, rules, regulations, ordinances, procedures, processes, and State and US Constitutions (collectively “Law”), but they did not. See Examples.

283 Trino and Macpherson and the SBM trust must comply with procedural and substantive Law, but they did not. See examples.

Examples of Forged, False, Fraudulent, Altered, Inconsistent, Misleading, Not Valid and Void documents and other Things,

1. CA PEN 115¹⁶, False or Fraudulent, and Corruptly Altered Municipal Code LAMC 12.20.2.G.1. (f).
 - a. In recent publishing in Law books and online, City officials corruptly altered LAMC 12.20.2.G.1.(f) word “**Quality**” to read “**Coastal**” instead, which effectively misled and continues to mislead the Judiciary branch of our government, the People, well-meaning government employees, and interested persons.
 - b. The Harm is that the whole body of law CA PRC 21000-21889 and CCR title 14, Div 6, sections 15000-15387 and appendix for the California Environmental Quality Act “CEQA” and its protections have been corruptly removed from the LACity’s Coastal Act determinations in LAMC 12.20.2.G.1.(f)
 - c. LACity Ordinance 150,603, which was codified in LAMC 12.20.2 includes the California Environmental Quality Act “CEQA” in LAMC 12.20.2. G.1.(f), which states,

TRUE: 12.20.2.G. Determination. 1. Authority. (f) *Any other finding or findings as may be required by the California Environmental Quality Act.*

- d. It is false, misleading and fraudulent to state, as in present corrupt writings,

FALSE: 12.20.2.G.1.(f) *Any other finding or findings as may be required by the California Environmental Coastal Act.*

- e. There is no State Act known as the “California Environmental Coastal Act”.
- f. On October 20, 2017 notice letter submitted to City Councilmembers in public hearing
- g. The omission of CEQA from the LAMC 12.20.2.G Determination attempts to provide a pecuniary benefit to Macpherson and the SBM trust.
- h. The omission of CEQA from the LAMC 12.20.2.G Determination fraudulently misleads readers to believe that the City does not have a mandatory duty to uphold a CEQA in the Coastal Act, when the City does have a mandatory duty to uphold CEQA in the Pacific Palisades Bluffs
- i. LAMC 12.20.2.D.1 defines “significant adverse impact on the environment” as “in the California Environmental Quality Act”, but LAMC 12.20.2.D.1 does not replace the language for LAMC 12.20.2.G.1.(f) Determination, must make (f) *Any other finding or findings as may be required by the California Environmental Quality Act.*

2. Please explain the U.S. dollar with Mike Bonin’s face on it, found at his reception desk room # 475.

- a. Is that legal?
- b. It appears that he expects to be paid dollars before he does the job that he is already being paid to do.

3. Please note that on September 19, 2017, I received a response from City Planning titled

"Public Records Act Request for Records 283 Trino Way and its application for a City Coastal Development Permit per L.A.M.C. 12.20.2"

- a. The Letter makes numerous false or fraudulent statements, such as item # 16

"... that there is no Work Program in the Pacific Palisades Coastal Zone."

There is a City of Los Angeles Work Program for the City of Los Angeles Coastal Zone's Pacific Palisades Bluffs, which was approved by the City Council and then the California Coastal Commission June 21, 1979.

The rest of the 9-19-2017 City Planning letter continues with more false or fraudulent or misleading statements or makes material omissions or conceals material facts. I am in the process of putting the records together because the LA Department of City Planning refused to do the work, and stated as such in their September 19, 2017 letter as it was "unduly burdensome".

For obvious reasons, including costs and the fact that I am not a City employee, it is even more unduly burdensome for me. Nevertheless, I am putting the records together. I will put the records online and deliver them to you as soon as they become available or as soon as time allows.

For reasons stated above, in public comment, and in previous submissions to the City of Los Angeles, it is impossible for the City of Los Angeles, Vince Bertoni, or any other City employee or official to approve any application for 283 Trino Way. Please advise when all City records and the records for 283 Trino reflect the truth, are complete and are accurate as required by LAMC 12.20.2.D.3.

I am doing the best I can, but it is worse than unduly burdensome, it is cruel, malicious and oppressive to require me, a property tax payer, to do the job that City Officials and Employees are required to do.

Respectfully,

Lia Renee Memsic
Lia@pilarus.com

¹ CA PEN 7(3) Definition, Corruptly

² CA PEN 115, Filing False, Forged documents

³ CA PEN 115(d), Filing False, Forged documents

⁴ CA PEN 31, Aiding and Abetting

⁵ CCR title 24, 105.4, permits violate or cancel...not valid

⁶ CCR title 24, 110.1, inspection violate or cancel ... not valid

⁷ LAMC 11.02, Inconsistent Permits are Void

⁸ LAMC 91.106.4.3.2, Documents purporting to give authority to violate any law shall not be valid

⁹ LAMC 91.106.3.2.4, Stamp or Approval shall not be held to permit violation of LAMC

¹⁰ CCR Title 14, div 5.5, 13056.1

¹¹ Case no. 2:11 CV-11-00974, City of LA, false or fraudulent statements, this one on disabled people. Outstanding billion-dollar claim with treble damages in United States v. City of Los Angeles for continual false or fraudulent statements. See prior settlement of \$200 million dollars in similar case, acknowledgement of wrongdoing?

¹² HAGGIS v. CITY of Los Angeles S074364, Highlighted, failure to inspect has safe harbor of government immunity.

¹³ 2011-04-00_USG_Affidavit re/ misconduct at City of LA, FBI Confidential informant of Systemic issue in City of Los Angeles

¹⁴ See all submissions by those other than Macpherson and LACity that were submitted into file, many of which are inconsistent as they are each responding to different, inconsistent, false, and fraudulent records submitted into public offices by Macpherson and LACity Officials and Employees.

¹⁵ Horwitz v. City of Los Angeles case no. B172053

¹⁶ CA PEN 115, Filing False, Forged documents





#LACity
Please
Explain.

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

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DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

September 19, 2017

SENT VIA EMAIL TO LIA@PILARUS.COM, NOT FOLLOWED BY U.S. MAIL

Ms. Memsic:

RE: Public Records Act Request For Records 283 Trino Way and its Application for a City Coastal Development Permit per L.A.M.C 12.20.2

This letter is a follow up to our letter dated September 7, 2017, and is in response to your request dated August 26, 2017, received in our office on August 28, 2017, seeking records from the Department of City Planning pursuant to the California Public Records Act (CPRA) regarding the above.

Please be advised that this office has made its determination on your request as required by Government Code section 6253(c). See below for our responses to your requests #1 through 30.

1. All environmental records for the Pacific Palisades Bluffs, including but not limited to the Coastal Bluffs in tract 10179;

The Department of City Planning's correspondence is kept in cases related to projects which are then filed by case number. These cases can only be readily retrieved by either file number or the project's address. To comply fully with this portion of your request would, in effect, require our office to search for specific information which may or may not exist somewhere in hundreds of separate records that are not categorized by the subject matter you requested. Any hand search would be completely random and result in significant use of public resources. To continue forward with just such a search, would be unduly burdensome. As a result, this office asserts the exemption under Government Code 6255 with respect to this portion of your request. If you have knowledge of a specific street address or file number that is likely to contain records that are responsive to your request, we will be able to provide you with those records. That being said, a query could be performed that would give you a list of Environmental case files in either the Pacific Palisades Community Council or the enclosing Community Plan area which you can then use for your further research. Please be further advised that you would be responsible for the cost of this report which is \$192.16 and is for 4 hours of programming time. We would need payment prior to the work being done. If you are interested in this report, please let us know and we will advise you of where to remit payment.

2. All records that define the Coastal Resources of Pacific Palisades Coastal zone;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is the on Coastal Commission website <https://www.coastal.ca.gov/>

3. The City of Los Angeles ordinance governing the Coastal Act in the City of LA;

The Department of City Planning has determined that this is Section 12.20 of the Los Angeles Municipal Code, accessible from the City Planning website at <http://planning.lacity.org/> Click on Zoning Information and then click on Planning and Zoning Code. If you are not able to access the link, please let us know. Debbie Lawrence provided this link to you on September 8, 2017.

4. The California Coastal Act and the California Code of Regulations for the Coastal Act;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is <http://leginfo.ca.gov>

5. The California Environmental Quality Act "CEQA" and its Code of Regulations;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is <https://www.califaep.org/shop/2017-ceqa-book-non-member>

6. The Brentwood-Pacific Palisades Community Plan;

The Department of City Planning has determined that this is accessible from our website and further, on September 8, 2017, Debbie Lawrence gave you the following link for this which is <http://planning.lacity.org/> On the website, click on General Plan then click on 35 Community Plans then click on Brentwood Pacific Palisades on the map. Please let us know if you are not able to access the website.

7. All Interpretive Guidelines (both state and regional Interpretive guidelines);

On September 8, 2017, Debbie Lawrence advised you that she could provide you copies. These documents are in Room 721 and you may access them there during normal business hours. Should you like a copy of any of the documents, the cost is .10 cents per page. (Los Angeles Administrative Code section 12.40).

8. The maps that show the location of the Coastal zone area subject to CA PRC 30601;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is located on Coastal Commission website <https://www.coastal.ca.gov/>

9. The maps that show the location of the Coastal Bluff area in Pacific Palisades Bluffs;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is located on Coastal Commission website <https://www.coastal.ca.gov/>

10. All reports, studies, and maps for the Pacific Palisades Coastal Zone Hillslides, and Bluffs:

a. Geology; Coastal Bluff Development; Bluff Top Development;

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Department of Building and Safety as they may have records responsive to this portion of your request.

b. Landslides, failures, slope failures, and house failures;

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Department of Building and Safety as they may have records responsive to this portion of your request.

c. Watercourse, water tables, natural drainage and manmade drainage through tract 10179;

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Bureau of Engineering as they may have records responsive to this portion of your request.

d. Geologically unstable conditions, adverse planer surfaces, faults, hazards, and hazard maps;

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Bureau of Engineering as they may have records responsive to this portion of your request.

e. Ordinances for Landslides and Fire Hazards

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Office of the City Clerk as they may have records responsive to this portion of your request.

and respective mitigation for tract 10179;

The Department of City Planning has determined that tract 10179 was recorded in 1929, before environmental analysis and mitigation were required.

f. Environmentally sensitive habitat areas;

The Department of City Planning has determined that it is not in possession of records related to this portion of your request.

- g. All native plants for Pacific Palisades bluffs;

The Department of City Planning has determined that it is not in possession of records related to this portion of your request.

- h. Geologic characteristics for tract 10179 and its slope failures from Sunset Blvd to PCH;

The Department of City Planning has determined this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

- i. Preservation of Natural Landforms criteria of the Coastal Act;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is located on Coastal Commission website <https://www.coastal.ca.gov/>

- j. Earth movement for Arno Way, Trino Way, and Pintesca in 90272;

The Department of City Planning has determined that this is not a City Planning record.

- k. Mitigation taken and Mitigation proposed to address water table in Tract 10179;

The Department of City Planning has determined that tract 10179 was recorded in 1929, before environmental analysis and mitigation were required.

11. All previously developed environmental impact reports for projects in Pacific Palisades Bluffs;

The Department of City Planning has determined that this can be provided as per our response to your request #1, see page 1.

12. All reports on causes and the mitigations measures taken for the landslides, slope failures, ground water, slope movement, and other hazards in tract 10179;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

13. All reports related to the Arno Way and the Bel-Air bay Club property slope indicators and monitoring wells for slope movement and for groundwater and their causes and impacts;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

14. All reports and photographs for the City's public sanitary sewer that was installed in July - October 2016 in 283 Trino Way and how the City and 283 Trino will make sure sewer does not break again;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

15. Evidence that the LADBS applications submitted into the file comply with CA HSC 19825;

The Department of City Planning has determined that this is not a City Planning record. You may want to reach out to the Department of Building and Safety as they may have records responsive to this portion of your request.

16. The City of Los Angeles Work Program of Local Coastal Program;

The Department of City Planning has determined that there is no Work Program in the Pacific Palisades Coastal zone. For the Venice Work Program these records are exempt from production under Government Code section 6255 because they protected by deliberative process.

17. All reports on the capacity of the public sanitary sewers and storm drains that traverse through 283 Trino, Trino Way, and Arno Way;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

18. All reports on the capacity and safety of the public street Trino Way, Arno Way, and Aderno Way;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

19. All reports on the heights of the existing single family dwellings in tract 10179;

The Department of City Planning has determined that it is not in possession of records related to this portion of your request. Please send a separate request to the Department of Building and Safety as they may have records responsive to your request.

20. All reports on how the City will protect and ensure the views to the ocean and to the state park for other existing property taxpayers;

The Department of City Planning has determined that it is not in possession of records related to this portion of your request.

21. The City report on the impacts of wildlife by changing the density or intensity of construction in the hillside;

The Department of City Planning has determined that it is not in possession of records related to this portion of your request.

22. The City report on how the adjoining properties are to be protected per LAMC 91.3307 and 91.3307.3.2, and the resulting impacts of 283 Trino's failure to restore its slope since October 2012;

The Department of City Planning has determined that these are not City Planning LAMC Sections. On September 8, 2017, Debbie Lawrence advised you that the Department of Building and Safety may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

23. The City report on the cause and impacts of the severely broken public sanitary sewer on 283 Trino;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

24. The City report on areas identified to the Native Americans in tract 10179;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence gave you the following link for this which is <http://www.lanaic.org/resources/tribal-governments/>

25. The City report on altering the existing drainage patterns through changes of new house footprints, retaining walls, excavations, grading, fill, and change of landscaping and native plants;

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

26. The City Planning landscape requirements for the Pacific Palisades Coastal bluffs;

The Department of City Planning has determined that this is not a City Planning record. Please be further advised that there is no code requirement for the Pacific Palisades Coastal bluffs.

27. All City Planning records approving parcel modifications in tract 10179, including for 283 Trino;

The Department of City Planning's correspondence is kept in cases related to projects which are then filed by case number. These cases can only be readily retrieved by either file number or the project's address. To comply fully with this portion of your request would, in effect, require our office to search for specific information which may or may not exist somewhere in hundreds of separate records that are not categorized by the subject matter you requested. Any hand search would be completely random and result in significant use of public resources. To continue forward with just such a search, would be unduly burdensome. As a result, this office asserts the exemption under Government Code 6255 with respect to this portion of your request. If you have knowledge of a specific street address or file number that is likely to contain records that are responsive to your request, we will be able to provide you with those records. That being said, a query could be performed that would give you a list of case files with the suffix of Parcel Map Cases in Tract 10179 which you can then use for your further research. Please be further advised that you would be responsible for the cost of this report which is \$192.16 and is for 4 hours of programming time. We would need payment prior to the work being done. If you are interested in this report, please let us know and we will advise you of where to remit payment.

28. All City Planning records for street widening Trino Way Coastal bluff, including but not limited to liability, geotechnical engineering, and the safety factor of the slope.

The Department of City Planning has determined that this is not a City Planning record. On September 8, 2017, Debbie Lawrence advised you that the City of LA Bureau of Engineering may have this record. You may want to reach out to them as they may have records responsive to this portion of your request.

29. The explanation for why some Coastal applications start with ZA and some with DIR for same area.

The Department of City Planning has determined that prior to 2016, CDPs were processed by the ZA, now they are processed by the Director so they are filed with the prefix DIR, and not ZA. On September 8, 2017, Debbie Lawrence advised you this.

30. As marked on document in application file, the definition, report, and/or basis

- a. YD-14710 (YV) The Department of City Planning has determined that this case is at Piper Tech, 555 E. Ramirez St., in Box # 5560, call them at 213-473-8440, one day ahead of your visit so they can pull the box for you and give you access to the file. Should you then like a copy of any of the documents, the cost is .10 cents per page.
- b. YD-15955 (YV) The Department of City Planning has determined that this case is at Piper Tech, 555 E. Ramirez St., in Box # 40353, call them at 213-473-8440, one day ahead of your visit so they can pull the box for you and give you access to the file. At that time, should you then like a copy of any of the documents, the cost is .10 cents per page. (Los Angeles Administrative Code section 12.40).

- c. YD-18824 (YV) The Department of City Planning has determined that this case is at Piper Tech, 555 E. Ramirez St., in Box # 70054, call them at 213-473-8440, one day ahead of your visit so they can pull the box for you and give you access to the file. At that time, should you then like a copy of any of the documents, the cost is .10 cents per page.
(Los Angeles Administrative Code section 12.40).
- d. YD-1538 (YD) The Department of City Planning has determined that this case is only available on Microfilm in Room 575 of City Hall (200 N. Spring Street). You may view it during normal business hours. At that time, should you then like a copy of any of the documents, the cost is .10 cents per page. (Los Angeles Administrative Code section 12.40).
- e. ZI-1534 The Department of City Planning has determined that this a Zoning Interpretation of the Department of Building and Safety. It is attached in the same email that contained this letter.
- f. A1-1XL The Department of City Planning has determined that this a zone code and is in Section 12.05 of the Los Angeles Municipal Code, accessible from the City Planning website <http://planning.lacity.org/> At the website, click on Zoning Information and then click on Planning and Zoning Code. Please let us know if you are not able to access the website.
- g. MND-93-134-CDP The Department of City Planning has determined that this case is at Piper Tech, 555 E. Ramirez St., in Box # 614077, call them at 213-473-8440, one day ahead of your visit so they can pull the box for you and give you access to the file. At that time, should you then like a copy of any of the documents, the cost is .10 cents per page. (Los Angeles Administrative Code section 12.40).

If I can be of further assistance, please contact me at (213) 978-1260.

Sincerely,



Beatrice Pacheco
Custodian of Records

BP:bp