

BLUE FOLDER ITEM

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

CITY COUNCIL MEETING JUNE 14, 2022

J.1 PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

PUBLIC COMMUNICATIONS

From: Wendy Weber
To: CityClerk: shiggins31@aol.com
Subject: Acquiring permanent pickleball courts
Date: Sunday, June 12, 2022 2:08:53 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

I would like to see permanent Pickleball courts in Redondo Beach. The demand is enormous and it is America's fastest growing sport. Redondo Beach could greatly benefit from hosting tournaments because the potential for revenue is significant. Revenue is not only generated from tournament fees but vendors, food and merchandise sales. Please support this amazing sport and allocate permanent courts preferably next to the Ruby's parking lot.

Wendy Weber

Below is an example of El Segundo's upcoming tournament fees which generated close to 40k.

Competition Events

Amateur - Men's Doubles (Skill/Age) - (3.0 or greater skill levels only) (5.0 or lower skill levels only): Thu 06/23/22	\$40.00	8	\$320.00
Amateur - Men's Singles (Skill/Age) - 19+,35+ (3.0 or greater skill levels only) (5.0 or lower skill levels only): Fri 06/24/22	\$40.00	8	\$320.00
Amateur - Men's Singles (Skill/Age) - 50+,60+ (3.0 or greater skill levels only) (5.0 or lower skill levels only): Sat 06/25/22	\$40.00	8	\$320.00
Amateur - Mixed Doubles (Skill/Age) - 50 and older (3.0 or greater skill levels only) (5.0 or lower skill levels only): Fri 06/24/22	\$40.00	8	\$320.00
Amateur - Mixed Doubles (Skill/Age) - below age 50 (3.0 or greater skill levels only) (5.0 or lower skill levels only): Sat 06/25/22	\$40.00	8	\$320.00
Amateur - Women's Doubles (Skill/Age) - 50 and older (3.0 or greater skill levels only) (5.0 or lower skill levels only): Thu 06/23/22	\$40.00	8	\$320.00
Amateur - Women's Doubles (Skill/Age) - below age 50 (3.0 or greater skill levels only) (5.0 or lower skill levels only): Sun 06/26/22	\$40.00	8	\$320.00
Amateur - Women's Singles (Skill/Age) - 19+,35+ (3.0 or greater skill levels only) (5.0 or lower skill levels only): Fri 06/24/22	\$40.00	8	\$320.00
Amateur - Women's Singles (Skill/Age) - 50+,60+ : Sat 06/25/22	\$40.00	8	\$320.00
Los Angeles Shootout \$1000 (Prize Money) (4.5 or greater skill levels only) (5.0 or lower skill levels only): Wed 06/22/22 3:00pm	\$70.00	16	\$1,120.00
Men's PRO Doubles (4.5 or greater skill levels only): Sat 06/25/22	\$130.00	28	\$3,640.00
Men's Pro Singles (4.5 or greater skill levels only): Sun 06/26/22	\$130.00	32	\$4,160.00
Men's Senior PRO Doubles: Sat 06/25/22	\$120.00	28	\$3,360.00
Men's Senior PRO Singles: Sun 06/26/22	\$120.00	28	\$3,360.00
Mixed PRO Doubles (4.5 or greater skill levels only): Fri 06/24/22	\$130.00	28	\$3,640.00
Mixed Senior PRO Doubles: Fri 06/24/22	\$120.00	28	\$3,360.00
Women's PRO Doubles (4.5 or greater skill levels only): Sat 06/25/22	\$130.00	28	\$3,640.00
Women's PRO Singles (4.5 or greater skill levels only): Sun 06/26/22	\$130.00	28	\$3,640.00
Women's Senior PRO Doubles: Sat 06/25/22	\$120.00	28	\$3,360.00
Women's Senior PRO Singles: Sun 06/26/22	\$120.00	28	\$3,360.00
Total Tournament Fees =			\$39,520.00

From: [Lynn Carroll-Carter](#)
To: [CityClerk](#)
Subject: Pickleball in Redondo Beach
Date: Sunday, June 12, 2022 9:47:18 AM


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Redondo Beach City Council:

I am a Redondo Beach resident in district 2 and would like to see dedicated pickle ball courts in Redondo Beach. I play 5-6 days per week and would love to see the city that I live in have a facility comparable to the Alta Vista tennis facility.

As we all know, pickleball is the fastest growing sport in America. Let's get our Redondo Beach residents moving, on our own pickleball courts! Both young and "older" players!
The sooner, the better.

Thank you.

Lynn Carter

Redondo Beach

From: [Susuan Gallagher](#)
To: [CityClerk](#)
Subject: Pickleball Courts
Date: Tuesday, June 14, 2022 1:15:09 PM

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I am a PB player. I live in RB. We need courts. This is the fastest growing sport. It started for retirees...which is me...but has grown to include all ages. Calif. is noted for sun and exercise...making us all healthier long living people. Please vote for courts in our community.

From: [BOBBY TREVINO](#)
To: [CityClerk](#)
Subject: Pickleball courts
Date: Tuesday, June 14, 2022 1:55:33 PM

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To City council , I'm requesting that you pass a motion to budget for the funds necessary for a dedicated pickleball facility next to the gymnasium at the Aviation site. As you've been made aware, we are in need of facilities as the number of players is growing every day and there is a shortage of places to play. If you're not willing to give us one tennis court at Alta Vista, it makes it of utmost importance that we have a permanent facility for pickleball.

Thank you for your consideration.

Bobby Trevino
Redondo Beach resident
69 year native of the South Bay

From: [Stop BCHD](#)
To: [CityClerk](#); cityclerk@torranceca.gov
Cc: Al.Muratsuchi@asm.ca.gov; pnovak@jalafco.org; Ben.Allen@sen.ca.gov; HollyJMitchell@bos.lacounty.gov
Subject: Non-Agenda Item Public Comment Highlighting BCHD Self Assessment of Elective Failure to "Strive" for Consistency and Balance in Bulk and Mass
Date: Thursday, June 9, 2022 9:47:37 AM
Attachments: [BCHD Plan Fails RBMC 10-2-2502 Planning Commission Design Review Sect b\(4\) Balance and Integration Update with BCHD Language.pdf](#)

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Mayors, Councils, Planning Commissions:

At the following link, there are excerpts from BCHD FEIR demonstrating that BCHD made no attempt to "strive" to be i balance and integration in mass and bulk, and instead, chose as PROJECT PROPONENT to supplant the judgement of the City of Redondo Beach and further, take the rights in the RBMC from residents and property owners.

<https://www.stopbchd.com/post/bchd-plan-fails-rbmc-10-2-2502-planning-commission-design-review-sect-b-4-balance-and-integration>

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STOP BCHD (StopBCHD@gmail.com) is a neighborhood community of residents concerned about the economic and quality-of-life damages that BCHDs 110-foot above the street, 800,000 sqft commercial development will inflict on our families for the next 50-100 years. Our neighborhoods have been burdened since 1960 and the damages outweigh any benefits.



stopbchd 🏰 3 days ago 4 min read

BCHD Plan Fails RBMC 10-2.2502 Planning Commission Design Review Sect b(4) "Balance and Integration

Updated: 1 minute ago

The full statement in the RBMC for b(4) is "Balance and integration with the neighborhood. The overall design shall be integrated and compatible with the neighborhood and shall strive to be in harmony with the scale and bulk of surrounding properties."

IN BCHDs OWN WORDS

"the height and mass of the proposed RCFE Building would be greater than what currently exists and is visible on-site" FEIR 3.1-43

"The proposed RCFE Building would be visually prominent from this viewpoint, rising above the retaining walls and vegetation along eastern slope in the mid-ground. The proposed 6-story RCFE Building would be substantially taller and larger than the existing 1- to 5-story buildings currently on-site, as well as the adjacent 1- to 4-story buildings. The RCFE Building would reduce access to views of the open sky for motorists, bicyclists, and pedestrians traveling westbound Towers Street and turning on Flagler Lane." FEIR 3.1-43

"the proposed RCFE Building would be substantially taller and would have substantially more massing than buildings in the vicinity, thereby reducing the view of open sky above" FEIR 3.1-55

BCHDs FAULTY AND SELF SERVING CONCLUSION

BCHD does not have the authority to draw conclusions on RBMC and TMC. As a result, it cannot. RBMC is intended to protect Redondo Beach residents and property values, and BCHD fails, despite its false assertion that "the Phase 1 preliminary site development plan would meet the development standards described in the Redondo Beach and Torrance General plans and municipal codes" FEIR 3.1-55. **Adoption of such a flawed opinion from the project proponent would leave the City open to litigation from property owners who are clearly not having their property values protected, nor, are they being protected through enforcement of the RBMC.**

Height

BCHD proposed height fail any reasonable scale integration standard. BCHD is proposing 109.7-feet above Beryl & Flagler streets. BCHD will be approximately 150-feet above Redbeam neighborhood properties in Torrance. All surrounding zoning for BCHD, and existing structures, are 30-foot maximum zoning in Redondo Beach, and 27-foot maximum zoning in Torrance. That includes the light commercial zoning of the Vons Plaza.

Size

BCHD proposed square feet in size fails any reasonable scale integration standard. BCHD is proposing a single 300,000 sqft building in Phase 1 that will be at 109.7-feet above Beryl & Flagler streets, and 83-feet above the internal courtyard. At 300,000 sqft, the single proposed building in Phase 1 is roughly the same size as the entire

312,000 sqft current campus buildings (according to BCHD EIR NOP). Following Phase 2, BCHD will be 800,000 sqft of buildings, which is larger than all Beryl Heights properties added together. Clearly, a facility that is larger than the entire adjacent neighborhood can make no claim of balance, integration or harmony in scale and bulk with surrounding properties.

BCHDs proposed height of 83-feet above the internal courtyard is for Phase 1 provides 300,000 sqft at 83-feet. Except for a single 968-sqft mechanical room ("the Penthouse"), the rest of the 311,000 sqft of the existing campus buildings are at 52-feet or lower. Thus, BCHD has made no attempt to integrate with the neighborhood scale for Redondo Beach or Torrance, both of which are 30-feet or less. Further, BCHD has not even been balanced with the existing campus, as it nearly doubles the campus sqft of size while increasing the height to 160% of 311,000 sqft feet of existing campus.

This all fails to consider that BCHD's Phase 2 is an 8-10 story parking ramp on the south perimeter of campus and a 4-story, approximately 70-foot structure on the west side, rounding out the 800,000 sqft. Those two structures further ignore integration with the neighborhoods in scale and bulk.

Perimeter Bulk/Mass/Height Maximization

BCHD proposed development is nearly all on the perimeter of the site, maximizing, not minimizing the bulk and visual size of the structures. BCHD is also ignoring its obligation to respect the natural terrain of the existing 30-foot elevated site, thereby creating a massive visual out-of-scale compound on the north, east and south where it is 100 to 150-feet above neighboring development.

Admitted Failure to Integrate by BCHD

In conclusion, BCHD has made no attempt to integrate in scale or bulk, nor has it met its obligation to "strive". Instead, it has ignored the neighborhood input and that of CWG members from the neighborhoods.

BCHDs Proposal is Significantly out of Scale with Surrounding Property Heights



BCHDs Proposal is Significantly Taller than the Existing Campus Buildings

BCHD is proposing 300,000 sqft at 83-feet while the existing campus buildings are 311,000+ sqft at less than 52-feet. Only one single 968-sqft mechanical room is 76-feet and it is located in the center of campus.

South Bay Hospital Campus Buildings Elevation Review

Per BCHD EIR NOP, the SBHD campus is 76-feet tall and 312,000 sqft

Per BCHD PRA Response, only 968 sqft or 0.3% is 76-feet tall

That leaves **99.7% or 311,032 sqft at 51-feet tall or less (4 stories)**

Average campus height is approximately 30-feet per Google Earth Pro review

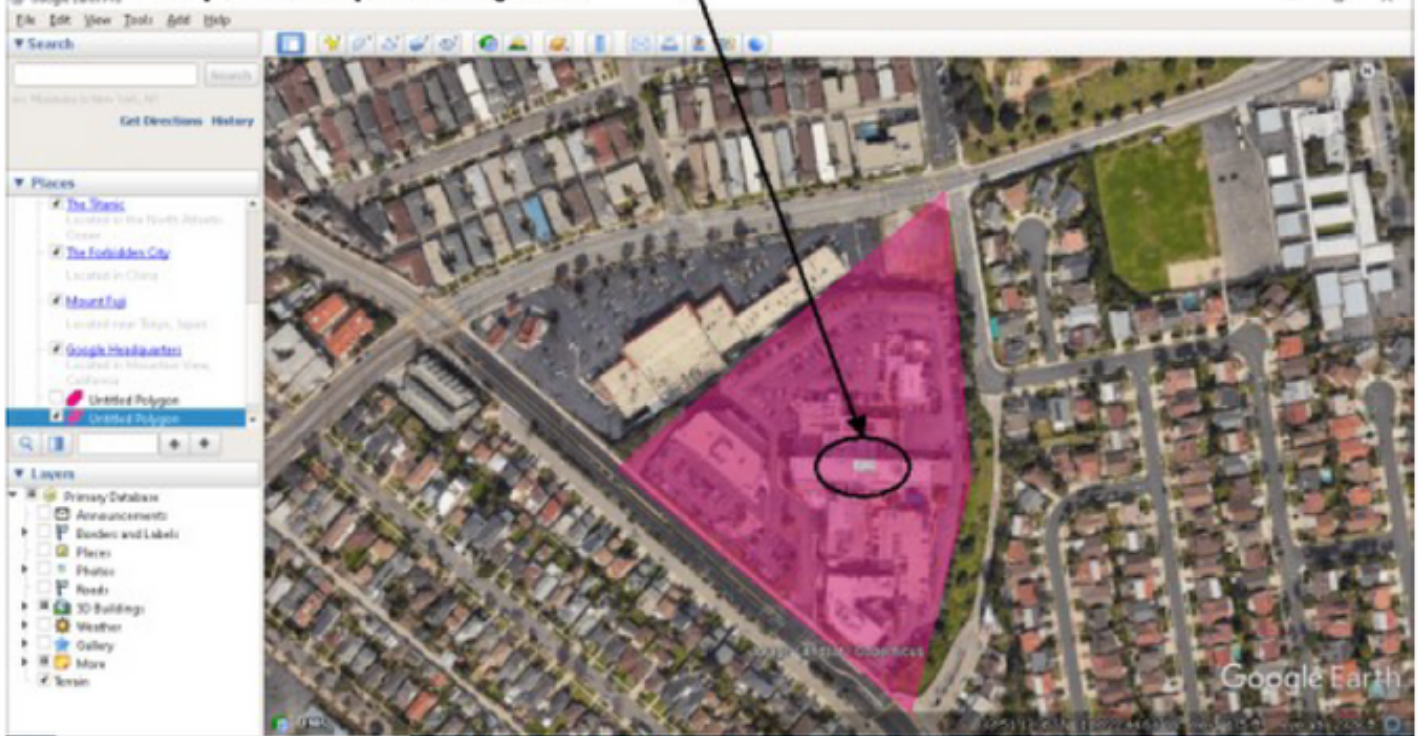


BCHDs Current 76-foot Projection is located far from perimeter of campus in a mass and height minimizing position. The remainder of the campus buildings are 52-feet or lower.

BCHD's environmental report states the campus has 312,000 sqft of buildings. Only one little tiny "penthouse" is 76-feet tall and that 0.3% of the buildings.

Google Earth Pro Simulation

BCHD will not provide compatible design files

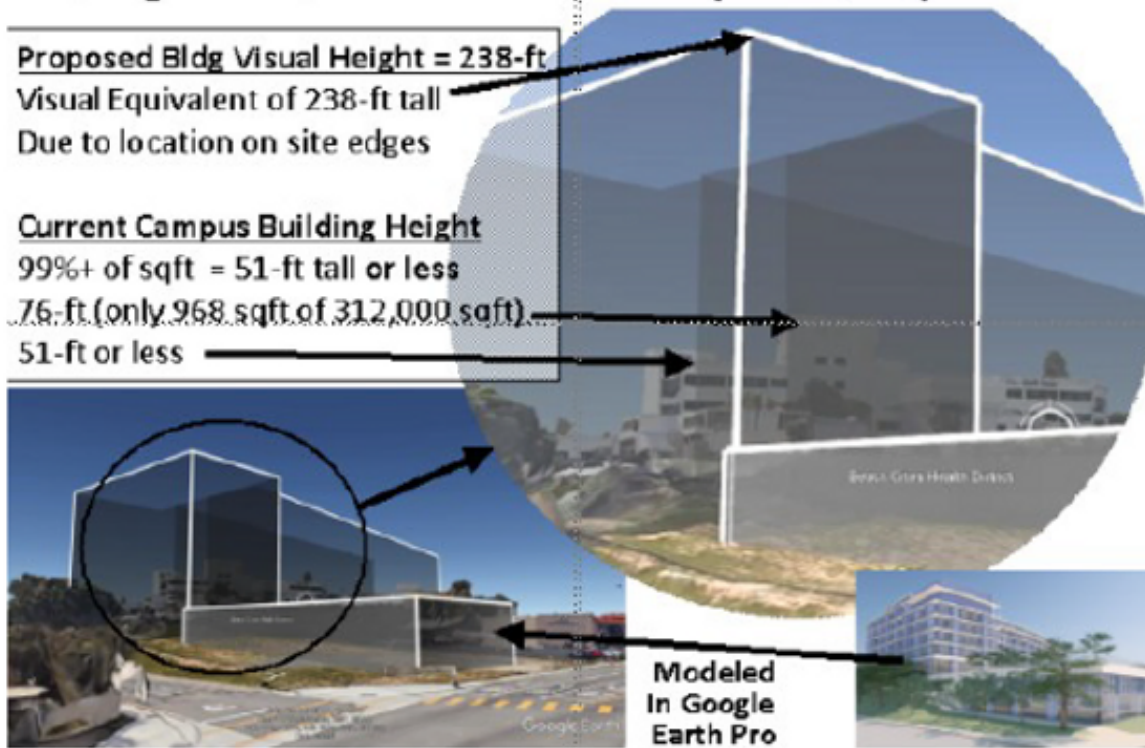


BCHDs Proposed Placement on the Perimeter of Campus Maximizes Bulk and Mass Compared to the Existing Hospital Building. BCHD Fails the "Strive" Test.

By not respecting the elevated site terrain, BCHD creates an equivalent height of 238-feet tall from the N/NE/E Views

Proposed Bldg Visual Height = 238-ft
Visual Equivalent of 238-ft tall
Due to location on site edges

Current Campus Building Height
99%+ of sqft = 51-ft tall or less
76-ft (only 968 sqft of 312,000 sqft)
51-ft or less



BCHDs Proposed Commercial 1950s Miami-Style Hotel Design is Clearly Makes No Attempt to be Compatible with Residential Neighborhoods



FONTAINEBLEAU
Miami Beach by VESPER

**1955 South Beach
Commercial Area**

**2022 BCHD Redondo Beach
Residential Neighborhoods**

The Healthy Living
Campus Project

From: [Glen and Nancy Yokoe](#)
To: [CityClerk](#)
Cc: stopbchd@gmail.com
Subject: Non-Agenda Item Public Comments for 6/16/22 Planning Commission Meeting
Date: Thursday, June 9, 2022 4:47:09 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Honorable Mayor, Councilpersons and Planning Commissioners of Redondo Beach,

We respectfully ask that you refer to the Public Comment RE: BCHD to the Redondo Beach Planning Commissioners, dated 6/6/22, already provided to the CityClerk@redondo for inclusion into the Public Record at the Redondo Beach Planning Commission meeting on 6/16/22.

We ask Commissioners to strictly enforce the RB Municipal Code regarding Conditional Use Permits and Planning Commission Design Review in order to protect surrounding property values and deny adverse impacts from BCHD's 110 ft tall, 800,000 square foot proposed development.

Additionally, there is immense concern about the assault the 5+ years project subjects the surrounding citizenry and businesses to.

The CEO and Board of Directors fail to remember what the "H" in their acronym, BCHD, represents. Through misguided actions and feckless inactions, BCHD's showpiece Healthy Living Campus(HLC), is about all things other than HEALTH.

Parents transporting or walking their children to and from local schools cite already existing traffic safety issues. Increasing the number of vehicles(on site workers, etc.), then adding heavy trucks, dangerously compounds an unsafe environment for anxious car drivers and pedestrians crossing nearby intersections.

BCHD's own DEIR denotes unmitigable noise that will far exceed maximum allowable levels in residential neighborhoods. Besides the distractions from daily excessive noise, this can be associated with but not limited to increased blood pressure, depression, agitation, anxiety, stress and insomnia. Imagine nighttime workers counting on sleeping during the day at home near this project.

BCHD's Phase II Environmental Assessment Report by Converse Consultants(dated 2/26/20) found hazardous VOC(volatile organic compounds) and carcinogens on site.

PCE(perchloroethylene)was detected in 29 of 30 samples, in amounts up to 150 times the allowable residential screening levels. Chloroform and Benzene were detected at 13 and 7 times the allowable residential levels, respectively.

Any concerned person might ask, "who might be breathing these toxins" on a daily basis through excavation, demolition and debris transport? The area residents, and, critically, children on the playgrounds and classrooms of TWO elementary schools both less than 1/8 of a mile from the pollution source, BCHD. The affected schools: Beryl Heights in RB and Towers Elementary in West Torrance, the latter situated adjacent to Beryl St., the proposed route for dump trucks hauling debris from the worksite. Furthermore, normal frequent wind and sea breezes in the area will be a 24/7 conduit for the airborne hazards aforementioned.

BCHD's CEO and Board of Directors are inconceivably unconcerned about the SAFETY and WELLBEING of their neighbors. While they preach health as their impetus and in their messaging, they fail dismally in their concern for BCHD's unnecessary and irreversible consequences from an overdone, incompatible, ill-conceived, unsafe and unhealthy HLC project.

Respectfully,

Glen H. and Nancy N. Yokoe, 45+ years residents of West Torrance

From: [Susan Oliver](#)
To: [CityClerk](#); [Stop BCHD](#)
Cc: [Stop BCHD](#)
Subject: on-Agenda Item Public Comments for 6/16/22 Planning Commission Meeting
Date: Friday, June 10, 2022 3:57:34 PM

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Dear Counsel Members,

The Beach City Health Department plans to expand the facility will adversely impact property values and quality of life for residents and property owners. The size and plan does not fit the area or surrounding infrastructure further aggravating the existing density and traffic issues to arguably the busiest area of Redondo Beach which includes the existing BCHD, Redondo High, Beryl and Towers elementary schools, Parris Middle School, the library, police department and city administrative facilities. The proposed public park space will ultimately serve as a breeding ground homeless encampments and drug use. The currently closed service road below BCHD frequently has homeless people many of whom suffer from mental illness and drug addiction issues. It took months for the city to finally cut back the trees and shrubbery in that area to remove areas where the homeless could set up encampments. Despite cutting back the trees there continues to be a homeless and trash problem in that area.

The current facility is already an eye sore, high traffic and high noise nuisance. However, it was in place prior to many of the residences moving to the area, my family included. But to knowingly increase the negative impact by building a large structure that will be out of balance for the neighborhood, cause more traffic in a residential area and increase noise including sirens and heavy trucks plus automotive noise is irresponsible. Building or increasing the size of the facility is irresponsible to the community and not fair to the neighborhood.

Please do not approve the increased or additional facilities of the BCHD.

Sue Oliver


Redondo Beach, CA

From: Stop BCHD
To: Al.Muratsuchi@asm.ca.gov; Ben.Allen@sen.ca.gov; Holly.Mitchell@bos.lacounty.gov; CityClerk; cityclerk@torranceca.gov; cityclerk@hermosabeach.gov; cityclerk@manhattanbeach.gov; Lisa.Jacobs; Kevin.Cody
Cc: Communications; pnovak@lalafco.org; Vanessa.I.Poster; martha.koo@bchd.org; Martinez, Oscar; Noel.Chun; Jane.Diehl; Michelle.Bholat; Stop.BCHD
Subject: Press Release - Discretionary Permitting Activity Regarding BCHD
Date: Saturday, June 11, 2022 11:02:48 AM
Attachments: [image.png](#)
[Slide3.PNG](#)
[Slide1.PNG](#)
[Slide2.PNG](#)
[BCHD.Press.Release.6-11-22.pdf](#)

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For Public Record Inclusion, Mayors, Councils, Planning Commissions Torrance, Redondo, Hermosa, and Manhattan Beach

StopBCHD.com
StopBCHD@gmail.com



Stop BCHD Overdevelopment
Enforce Municipal Codes and Protect Quality of Life

FOR IMMEDIATE RELEASE

STOPBCHD.COM TO PARTICIPATE WITH CITIES IN DISCRETIONARY PERMITTING OF 110-FOOT TALL, 800,000 SQFT DEVELOPMENT ON LEASED BCHD SITE *StopBCHD.com Will Not Engage in Bilateral Discussions With Beach Cities Health District*

Hermosa Beach/Manhattan Beach/Redondo Beach ("Beach Cities")

Along with other groups and individuals, BCHD has asked to meet with StopBCHD.com regarding BCHDs proposed 110-foot tall, 800,000 sqft project permitting on an elevated site above over 2,500 residents in the surrounding one-half mile alone.

After discussions with other Neighborhood Quality-of-Life groups and proponents, StopBCHD.com is declining a meeting with BCHD and continuing our efforts to gain a valid, impartial forum at the Cities of Redondo Beach and Torrance using their required discretionary permit hearings.

From the perspective of surrounding residents, BCHDs actions to date have INCREASED project mass, bulk, visual height, noise transmission, privacy loss, and Quality-of-Life damages to the surrounding neighborhoods, as opposed to BCHD "striving" to MINIMIZE such damages as mandated in Municipal Codes.

StopBCHD.com observes that prior public comments to BCHD have not resulted in enhanced Neighborhood Quality-of-Life actions by the taxpayer-owned and funded agency and former voter-approved hospital district (public acute care hospital ceased operations in 1984 after only 24 years of public operation).

StopBCHD.com will consider discussions with the project's Developer/Owner/Operator when that firm steps forward out of the shadows. The D/O/O will be leasing the public, P-CF zoned land BCHD site to build a facility that will be Owned and Operated by the private Developer according to materials from BCHD's Investment Banking Firm and Permitting Project Management Consultants.

BCHD is slated to continue spending more than one year's annual operating budget on permitting the project (approximately \$16M).

Attachment: Real Estate Development Chronology

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StopBCHD.com (StopBCHD@gmail.com) is a Neighborhood Quality-of-Life Community concerned about the quality-of-life, health, and economic damages that BCHDs 110-foot above the street, 800,000 sqft commercial development will inflict for the next 50-100 years. Our neighborhoods have been burdened since 1960 by the failed South Bay Hospital project and have not received the benefit of the voter-approved acute care public hospital since 1984. Yet we still suffer 100% of the damages and we will suffer 100% of the damages of BCHDs proposal.

Chronology of BCHD Negative Responses to Surrounding Residents

	Baseline 2017	Reference	EIR NOP 2019	FEIR 2021	Pre-CUP 2022
Description	BCHD represented to the CWG that the HLC concept to protect surrounding properties and uses was to buffer the main compound with surface parking and greenspace	All Beryl Heights neighborhood residential homes added together	BCHD proposed the "Great Wall of Redondo" design that was 60-feet tall on the elevated site and built on the north, east and south perimeter of the site, with the pavilion on the west perimeter	BCHD moved the RCFE to the north and east perimeter, removed underground parking, added a parking ramp at Prospect & Diamond, and left the pavilion on the west perimeter	BCHD reduced the height of the RCFE very modestly, all other factors substantially unchanged
Height (above elevated site)	N/A	N/A	60-feet	103-feet	83-feet
Height (above Beryl St)	N/A	30-feet (max)	87-feet	133-feet	109.7-feet
Size (sqft above ground)	N/A	633,500-sqft	729,000-sqft	792,000-sqft	792,000-sqft
Size (sqft below ground)	N/A	N/A	160,000-sqft parking	0 (parking moved to surface ramp)	0 (parking moved to surface ramp)

Chronology of BCHD Negative Responses to Surrounding Residents

2017



60-ft tall / 160,000 sqft underground / 729,000 sqft surface

2019



103-ft tall / 0 sqft underground / 792,000 sqft surface

2021



83-ft tall / 0 sqft underground / 792,000 sqft surface

2022



Chronology of BCHD Negative Responses to Surrounding Residents

2017

BCHD Committed to Protect Neighborhoods with Buffer/Setbacks and then Ignored Commitment



60-ft tall / 160,000 sqft underground / 729,000 sqft surface

Proposed Little to No Buffer or Setback

2019



2021

103-ft tall / 0 sqft underground / 792,000 sqft surface

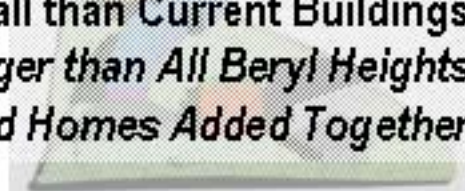
1. Removed Underground Parking
2. Increased Surface SQFT of Buildings
3. Height Increased from 60 to 103-feet



83-ft tall / 0 sqft underground / 792,000 sqft surface

2022

1. Marginal Reduction in Height
2. Phase 1 is 300-Times More Sqft above 52-feet Tall than Current Buildings
3. Phase 2 is 600-Times More Sqft above 52-feet Tall than Current Buildings
4. *Larger than All Beryl Heights Neighborhood Homes Added Together*



From: [Mark Nelson \(Home Gmail\)](#)
To: [CityClerk](#); [Michael Webb](#)
Cc: [Al.Muratsuchi@asm.ca.gov](#); [Ben.Allen@sen.ca.gov](#); [HollyJMitchell@bos.lacounty.gov](#)
Subject: Public Comment - Non-agenda Item - BCHD
Date: Wednesday, June 8, 2022 2:04:37 PM
Attachments: [Gmail - RE_CPRA - PACE.pdf](#)

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Mayor, Council, Planning Commissioners, City Attorney:

BCHD asserts there is a need in the District for a 400 person PACE facility, yet, BCHD continues to withhold any documentation of the need. According to the National PACE Association, only 1 in 1000 seniors utilizes PACE, therefore, predicting only 17 PACE participants in the 3 beach cities. 100% of PACE participants must be nursing home certified. Further, 99% of PACE participants are funded by MediCaid/MediCal, a demographic that is less common in the 3 beach cities than in the country or LA county in general. Therefore, PACE has little to no NEED and is therefore of virtually NO VALUE to the 3 beach cities.

Note that BCHD withheld its administrative response to a CPRA for nearly 6 months. There is NO CONTENT in the response, so there is no reason for the delay.

Mark Nelson
Redondo Beach

Attachment, BCHD CPRA non-response



Mark Nelson <menelson@gmail.com>

RE: CPRA - PACE

PRR <PRR@bchd.org>

Wed, Jun 8, 2022 at 1:49 PM

To: "Mark Nelson (Home Gmail)" <menelson@gmail.com>, PRR <PRR@bchd.org>

Mark,

Please see below (in red) for the District's response to your public records request received 1/28/22 that reads:

CPRA REQUEST - Provide all documents demonstrating BCHDs estimate usage of the planned 400 person PACE by zip code.

To the extent that your request seeks records that are not related to final determinations, or to records that have not already been published, such information remains privileged by the District. The District plans to announce the proposed partner for the PACE program this summer/fall.

Below is additional information/context:

Under the Public Records Act ("PRA"), Cal. Gov. Code § 6254 sets forth certain categories of records that have been exempted from the disclosure requirements of the PRA. These exemptions have been enumerated due to concerns regarding the confidentiality and sensitivity of the information contained therein. Additionally, Cal. Gov. Code § 6255 recognizes that not every specific category of records can be detailed in a statute, and instead sets forth a standard under which any record may be exempt from disclosure if "the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." This same balancing-of-interests test is also set forth in the §6254(a) exemption related to preliminary drafts, notes and intra-agency memoranda. One of the important public interests that the California Supreme Court has recognized as exempting documents from disclosure is known as the "deliberative process privilege."

Under the deliberative process privilege, senior officials of all three branches of government are not required to disclose or to be examined concerning the mental processes by which a given decision was reached, as well as the substance of conversations, discussions, debates, deliberations, and like materials reflecting advice, opinions, and recommendations by which government policy is processed and formulated. California courts have recognized three policy bases for the deliberative process privilege: (1) It protects creative debate and candid consideration of alternatives within an agency, (2) it protects the public from the confusion that would result from premature exposure to discussions occurring before the policies affecting it had actually been settled on, and (3) it protects the integrity of the decision-making process itself by confirming that officials should be judged by what they decide, not for matters they considered before making up their minds. Cal. First Amendment Coalition v. Superior Court, 67 Cal. App. 4th 159 (quoting Times Mirror Co. v. Superior Court, 53 Cal. 3d 1325, 1351 [1991], Jordan v. United States Dept. of Justice 591 F.2d 753, 772-773 [D.C. Cir. 1978]). "Courts have been particularly vigilant to protect communications to the decision maker before the decision is made." Times Mirror Co. v. Superior Court, 53 Cal. 3d 1325, 1341 (1991).

Additionally, Cal. Gov. Code § 6254(k) exempts from disclosure records that are otherwise privileged under state law, such as "official information", which is information provided to a government entity on a confidential basis, and "trade

secrets", such as proprietary tools and assessments developed by a third party.

The identified requests seek exactly the type of pre-decisional information that is protected by the deliberative process privilege, such as proposals, analyses, and preliminary reports that may contain internal discussions and recommendations considered by the District prior to reaching final conclusions.

Per the District Notice to you dated March 1, 2022, Re: Notice of Suspension of Document Production, and after the District has notified you in accordance with this Notice that the back-log of your Public Records Requests have been fully processed, if you believe we have not correctly interpreted your request, you may thereafter resubmit your request with a description of the identifiable record or records that you are seeking.

Thank you.

Creating a healthy beach community.

Protect Yourself and Others from COVID-19



Get Vaccinated and Boosted • Upgrade Your Mask • Wash Your Hands • Stay Home and Test When Sick

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From: Mark Nelson (Home Gmail) <menelson@gmail.com>
Sent: Friday, January 28, 2022 12:40 PM
To: PRR <PRR@bchd.org>
Cc: Paul Novak <pnovak@lalafco.org>
Subject: CPRA - PACE

Based on the following facts, use of PACE will be de minimis in the 3 beach cities

1) PACE requires nursing home need certification

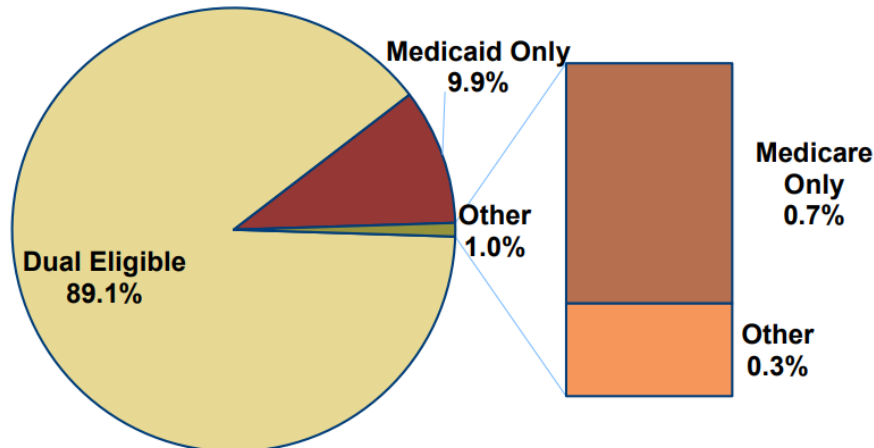
Who can get PACE?

You can have either Medicare or Medicaid, or both, to join PACE. PACE is only available in some states that offer PACE under Medicaid. To qualify for PACE, you must:

- Be 55 or older
- Live in the service area of a PACE organization
- Need a nursing home-level of care (as certified by your state)
- Be able to live safely in the community with help from PACE

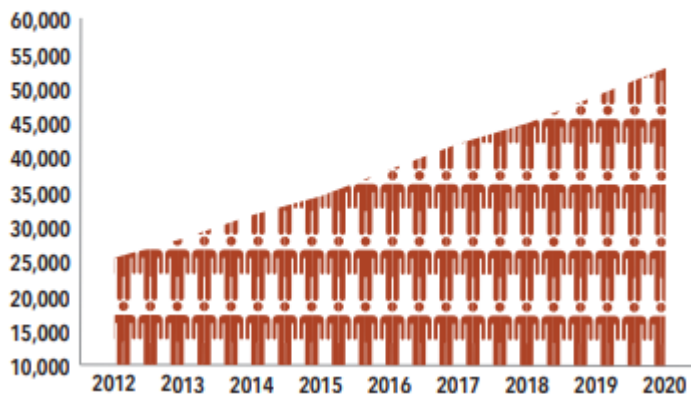
2) Only 1% of participants are cash buyers, 99% have Medicaid for nursing home coverage

99% of PACE enrollees are Medicaid eligible



3. Only 1 in 1000 seniors participates, with a consistent, roughly 10% linear growth rate that doubles every 7 years

PACE ENROLLMENT APPROXIMATELY 55,000



4. PACE is available in the 3 beach cities, there are 16,000 seniors in the 3 beach cities, which implies only 16 participants "IF AND ONLY IF" the 3 beach cities have the same Medicare+Medicaid population fraction as the US, and that is very doubtful, especially for anyone with the asset of a residence.

CPRA REQUEST -

Provide all documents demonstrating BCHDs estimate usage of the planned 400 person PACE by zip code.

From: [Frank Briganti](#)
To: [CityClerk](#)
Subject: Re: BCHD Massive Constructive Long Term Project -AGAINST ANY PERMITS
Date: Sunday, June 12, 2022 1:37:59 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Fro Public Record

CC. Mayor, City Council , City Attorney, Planning Comm, All City Depts

**** NO CONDITIONAL or UNCONDITIONAL PERMITS BE ISSUED***

ALL THE ABOVE PLEASE ADDRESS THE AFFECT OF BCHD PROJECT ON THE ADJACENT
NEIGHBORHOODS (300 HOMES & SCHOOLS(3 SCHOOLS)

1. Endangerment to resident & school children)health !!!
 2. Major Safety regarding major auto traffic cut through paths(homes & schools)
 - 3 + 20 issues already sent to RBC & BCHD * an NOT ADDRESSED?
- Thanks Dr. Frank Briganti

Sent from my iPad