

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**Sent:** Monday, April 4, 2022 7:26 PM

**To:** Rob Saemann <[rsaemann@hermosabeach.gov](mailto:rsaemann@hermosabeach.gov)>; Marie Rice <[mrice@hermosabeach.gov](mailto:mrice@hermosabeach.gov)>; David Pedersen <[dpedersen@hermosabeach.gov](mailto:dpedersen@hermosabeach.gov)>; Stephen Izant <[sizant@hermosabeach.gov](mailto:sizant@hermosabeach.gov)>; Peter Hoffman <[phoffman@hermosabeach.gov](mailto:phoffman@hermosabeach.gov)>; Planning <[Planning@hermosabeach.gov](mailto:Planning@hermosabeach.gov)>; Councilmember Stacey Armato <[sarmato@hermosabeach.gov](mailto:sarmato@hermosabeach.gov)>; Mayor Michael Detoy <[mdetoy@hermosabeach.gov](mailto:mdetoy@hermosabeach.gov)>; Mayor Pro Tem Ray Jackson <[rjackson@hermosabeach.gov](mailto:rjackson@hermosabeach.gov)>; Councilmember Mary Campbell <[mcampbell@hermosabeach.gov](mailto:mcampbell@hermosabeach.gov)>; Councilmember Justin Massey <[jmassey@hermosabeach.gov](mailto:jmassey@hermosabeach.gov)>

**Subject:** Fw: 4/6 Zoning Meeting- Due process for Notices of Hearing

Honorable Council Members and Commissioners,

As per my email below on 3/14 to the commission, I asked for the Planning Commission Notices of Hearing time frame to be placed on the **agenda for 4/6**, but that was not done. Josh Krasnegor also emailed all of you on 2/22 explaining the need for the Notices to be extended.

Also, my 3/14 (2:33 pm) email below shows what a resident has to go through to try and get documents for upcoming hearings. First, I asked for current information, and I was given info from 2005. I also wasn't given all the documents as I went to the counter and briefly saw the icons of the file contents on the computer screen and Carlos printed a couple things for me. But oddly these items did not show up in the production of documents except for one letter after I kept telling them it was missing, one day before the hearing along with voluminous documents.

I made my request on **2/4** and it wasn't fully completed until **3/14 at 7:41 pm (night before the hearing)** as shown below re: 911 1st St. It was **over 300 pages** (some of which was previously produced). How is that useful when your written opposition has to already be emailed to the commissioners?

Josh made his request re: Starbucks on **1/12** and it wasn't fully completed until **2/14 at 8:54 pm (night before the hearing)** shown below). It was **over 300 pages** (of which some of it was previously produced).

Naturally, a **10 day Notice of Hearing would not allow any resident to have any documents produced** prior to a hearing so they could be able to comment on any project that would **affect their property value, or quality of living** (depending on the commercial project such as Starbucks Drive Through).

The staff and applicant get six months to a year or more to plan a project, but we are supposed to only have 10 days in which we can't gain any information since everything is digitized now. We are told to do a **document request**, in which the **city has 10 days just to get us an estimated completion date**, which is of course lands past the 10 days, and then they keep **adding on extensions** to the due dates.

No hearings could **ever be a fair hearing with 10 days notice**, and the commission needs the input of the community to make an educated decision, just as they did for Starbucks when the staff recommended approval of the project of the Starbucks Drive Through. The residents **luckily got an extra 30 days** since the staff didn't give proper notice and had to reset the hearing date.

This **allowed the residents to gather information**, albeit piecemeal, from the city and do their own research on the matter, so the commissioners received letters and testimony **about defects in the traffic report, that CEQA was not exempt, and all the unique safety issues with the intersection** regarding Starbucks.

The residents also luckily got extra notice re: 911 1st St through the production of documents on Starbucks since it had future agendas. Again, the residents were able to research the matter and bring up the lack of Land Value Recapture and SB 9 specifics.

Some of these decisions can greatly affect the resident's land value and enjoyment of their property. Even when someone is sued, they get 30 days notice to file an Answer with the court. In both instances below, the city couldn't even produce all the documents within 30 days, so the residents should actually be giving **60 days** notice of a hearing.

Before digitization, I would go to the planning dept counter, pull the file and get copies of what I needed. Although that was still extremely tight to digest all the information to comment on a project with in 10 days, with the city only being open 4 days a week and now the counter hours are 9-12 and the resident is just told that they can't see anything, and they have to do a request for documents.

The 911 1st project was ready for hearing in Jan, but the staff delayed the hearing until March. They could have easily given the residents 60 days notice. This project was being planned for over 2 years with the city.

Considering that residents can't gather information regarding a project, it is **not legal or fair** to make a decision that can affect one's property value or enjoyment of their property **without due notice**, and proper discovery of documents.

I respectfully request that you take the first step forward in changing this injustice by putting the matter on the **agenda for the 6/7 Special Zoning Meeting**, since now is the time that the ordinances are being modified.

Additionally, the item that did get put on the agenda was the lack of Hermosa having a Drive Through ordinance. Long Beach's ordinance requires that drive throughs need to be in a shopping center or by a freeway, which seems prudent, and I encourage Hermosa to do the same.

Respectfully,  
Cynthia Furnberg

PRR 22-48  
Susan Morrow <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>  
To:cynthia furnberg  
Cc:Records Request  
Mon, **Mar 14 at 7:41 PM**

Dear Ms. Furnberg:

This correspondence responds to the your public records act request submitted to the City of Hermosa Beach ("City") on **February 4, 2022** and received by the City on the same date.

**From:** City of Hermosa Beach Public Records <[support@nextrequest.com](mailto:support@nextrequest.com)>  
**Sent:** Monday, **February 14, 2022 8:54 AM**  
**To:** Josh Krasnegor <[josh@mavarx.com](mailto:josh@mavarx.com)>  
**Subject:** [External Message Added] City of Hermosa Beach public records request #22-17

Dear Mr. Krasnegor:

This correspondence responds to the your public records act request submitted to the City of Hermosa Beach ("City") on **January 12, 2022** and received by the City on the same date.

----- Forwarded Message -----

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>  
**To:** Commissioner Rob Saemann <[rsaemann@hermosabeach.gov](mailto:rsaemann@hermosabeach.gov)>; Commissioner Marie Rice <[mrice@hermosabeach.gov](mailto:mrice@hermosabeach.gov)>; Commissioner David Pedersen <[dpedersen@hermosabeach.gov](mailto:dpedersen@hermosabeach.gov)>; Commissioner Stephen Izant <[sizant@hermosabeach.gov](mailto:sizant@hermosabeach.gov)>; Commissioner Peter Hoffman <[phoffman@hermosabeach.gov](mailto:phoffman@hermosabeach.gov)>; [planning@hermosabeach.gov](mailto:planning@hermosabeach.gov) <[planning@hermosabeach.gov](mailto:planning@hermosabeach.gov)>  
**Sent:** Monday, March 14, 2022, 02:33:54 PM PDT  
**Subject:** Fw: [External Message Added] City of Hermosa Beach public records request #22-48 and 22-55.

Honorable Commissioners,

It is one day prior to the hearing and there are still documents missing from request 22-55 and 22-48, and the emails for the last year re: 911 1st have not been produced (requested on 2/4).

The emails for Starbucks were not produced until one day before the hearing for another resident also.

This is what the residents have to go through (below) to try and get documents.

Since the Starbucks first hearing was cancelled due to improper notice, and I the upcoming agenda was in the produced documents for Starbucks and showed the hearing date for 911 1st, we luckily got over 30 days notice.

In the past, I would go into the planning dept and get the file and review it. I did this in February and they said that there isn't a file. Then they said it was on the planner's desk, but that she wouldn't be in that day. So I asked to review it since she wasn't using it, and I was refused.

The normal 10 days notice of a hearing would not allow the residents to have any documents produced. This notice timing needs to be changed to 30 or 60 days, since now most of the file is digital.

Please **add this issue to the agenda for the 4/6 zoning ordinance meeting.**

Thanks,  
Cynthia

----- Forwarded Message -----

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**To:** Myra Maravilla <[mmaravilla@hermosabeach.gov](mailto:mmaravilla@hermosabeach.gov)>

**Cc:** Susan Morrow <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>; 'Patrick Donegan' <[patrick.donegan@bbklaw.com](mailto:patrick.donegan@bbklaw.com)>; Nathalie Camarena <[nathalie.camarena@bbklaw.com](mailto:nathalie.camarena@bbklaw.com)>

**Sent:** Thursday, March 10, 2022, 08:26:37 PM PST

**Subject:** Re: [External Message Added] City of Hermosa Beach public records request #22-48 and 22-55.

Hi,

That is incorrect. There were letters sent to the applicant's agent for the project during the range of 22-55 and 22-48.

Cynthia

On Thursday, March 10, 2022, 06:02:49 PM PST, Myra Maravilla <[mmaravilla@hermosabeach.gov](mailto:mmaravilla@hermosabeach.gov)> wrote:

Hi Cynthia,

Thank you for your inquiry about your public records requests.

I double-checked with the staff about Request 22-55, and there are no other records that fall within the date range you specified. If you would like our team to review a different time frame, please let me know to ensure those documents are released to you via the Next Request portal.

For Request 22-48, our attorney's office has been working expeditiously to ensure any emails and communications are adequately vetted before being released. Thank you for your ongoing patience with this request. We are working diligently on this and expect to release them to you this upcoming Monday.

If you have any other questions or concerns, please feel free to contact our office.

Sincerely,

**Myra Maravilla, MPA, CMC** | *City Clerk*

City of Hermosa Beach

O: 310-318-0204

E: [mmaravilla@hermosabeach.gov](mailto:mmaravilla@hermosabeach.gov)

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**Sent:** Thursday, March 10, 2022 11:01 AM

**To:** Susan Morrow <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>; Bob Rollins <[brollins@hermosabeach.gov](mailto:brollins@hermosabeach.gov)>; Ken Robertson <[krobertson@hermosabeach.gov](mailto:krobertson@hermosabeach.gov)>; [patrick.donegan@bbklaw.com](mailto:patrick.donegan@bbklaw.com)

**Subject:** Fw: [External Message Added] City of Hermosa Beach public records request #22-48 and 22-55.

Hi,

I received notice that 22-55 is closed but there is still missing documents. I know there were letters to the applicant during the time frame in the request as I saw the file icons in the file folder for the project on the computer screen when I was there, but they have not been produced. This makes one wonder what else has been withheld.

Request 22-48 is still marked open, and so far I have not received any documents or communications between the applicant and planning for this request. This request was submitted on 2/4/22. Initially, I was told to go to look at the agenda portion of the city's website which as irrelevant, as there were no hearings for the time frame requested, and I only received documents that were completely outside of my request from 2005.

Govt Code 6253 (c)(4)(d) prohibits obstruction and delays of production of documents. Request 22-55 has been marked as closed without providing all the public documents, which are easily accessed with one click as Carlos showed me.

Additionally, request 22-48 has not been timely completed. If you can claim that 22-55 that requires searching for older documents is complete in 26 days, how is it that newer documents that are easier to access can't still be produced in 34 days (as of today), and that you need until one day prior to the hearing to produce it (38 days). This timing seems very odd.

Cynthia

----- Forwarded Message -----

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**To:** [smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov) <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>; [brollins@hermosabeach.gov](mailto:brollins@hermosabeach.gov) <[brollins@hermosabeach.gov](mailto:brollins@hermosabeach.gov)>

**Sent:** Monday, February 28, 2022, 09:33:42 AM PST

**Subject:** Fw: [External Message Added] City of Hermosa Beach public records request #22-48

Hi,

There are still documents missing from 22-48, and no email was ever sent to me on 2/14 extending this to 2/28. There were other emails on 2/14, but none mentioned an extension. There are still documents missing from 2-28 and 22-55 on 911 1st, besides emails contrary to your 2/17 email below.

I saw the computer screen when the Carlos opened the folder, and there were letters to the applicant and several other documents that have not been provided.

Request 22-48 was done on 2/4, and 22-55 was done on 2/10 and there should be no reason as to why these basic documents have not been provided at this point, especially when Carlos could easily click and open these documents.

Cynthia

----- Forwarded Message -----

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**To:** Susan Morrow <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>

**Sent:** Wednesday, February 23, 2022, 09:37:32 PM PST

**Subject:** Fw: [External Message Added] City of Hermosa Beach public records request #22-48

Hi,

As per my email below of 2/15 on 22-48, the files on the portal for 911st 1st is from **2005**, which I **specifically did not ask for**. There is only one document for 2019, yet you are giving me an update again that the records I requested are there and **they are not**. **This is the third time I am informing you of this (including the email to Carlos)**, yet your update below refers me to agendas for 2021/2022 which is irrelevant as there have not been any hearings during those years for this property.

Your update below also states that **all that is outstanding is emails**, but the all the fundamental documents, letters and forms are still outstanding.

The disclosure of documents not requested does not satisfy the legal requirement of producing documents.

This was request was done on 2/4, so producing the fundamental documents for the current project should be the easiest documents to produce, and should have been done by now.

What is the status on the documents, that are not emails?

Thanks,

Cynthia

Susan Morrow <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>

To:cynthia furnberg

Cc:Records Request

Thu, Feb 17 at 5:23 PM

Hello Cynthia Furnberg:

Here is the information listed in NextRequest under your request for records. Here is an update to date.

22-48

Planning resolution and master building files for 911 1st Street are in the records portal.

Recordings of archive Planning Commission meeting from 2021 through 2022 are posted on our website at: [Agendas / Minutes / Videos | City of Hermosa Beach](#)

**Agendas / Minutes / Videos | City of Hermosa Beach**

City of Hermosa Beach - Public Meeting Agendas, Minutes,  
Video, Captions and MP3 Audio

Outstanding:

Emails are currently in the process of being gathered and then will be examined.

An extension letter was sent to you on February 14, 2022 stating that “he City anticipates producing the records to you on or before February 28, 2022. If the City is able to make the records available before this date, it will do so. Likewise, if additional time will be needed to complete the review and redaction of the responsive documentation, the City will notify you in writing.”

----- Forwarded Message -----

**From:** cynthia furnberg <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**To:** [smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov) <[smorrow@hermosabeach.gov](mailto:smorrow@hermosabeach.gov)>; Records Request <[recordsrequest@hermosabeach.gov](mailto:recordsrequest@hermosabeach.gov)>

**Sent:** Tuesday, February 15, 2022, 02:25:05 PM PST

**Subject:** Fw: [External Message Added] City of Hermosa Beach public records request #22-48

Hi,

These are records that are prior to 2017, which I specifically did not request.

It only has one document from 2019, and I know there are several more, as I viewed the list with Carlos. He said to do a request to get them, yet they were not provided.

Also, the request asks for the Resolution 91-70 for 102 PCH, which has not been provided.

it is now past 10 days, so can you give me the status on this?

Thanks,

Cynthia

----- Forwarded Message -----

**From:** City of Hermosa Beach Public Records <[support@nextrequest.com](mailto:support@nextrequest.com)>

**To:** "[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)" <[cfurnberg@yahoo.com](mailto:cfurnberg@yahoo.com)>

**Sent:** Tuesday, February 15, 2022, 02:01:37 PM PST

**Subject:** [External Message Added] City of Hermosa Beach public records request #22-48

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

## City of Hermosa Beach Public Records

### **A message was sent to you regarding record request #22-48:**

Dear Cynthia Furnberg:

This letter response to your Public Records Act request dated February 4, 2022, and received by the City of Hermosa Beach on the same date.

Your request seeks, Your request seeks, ll documents, records, data, photos, emails, texts, videos regarding the development of 911 1st Street in Hermosa Beach, except the architectural plans if they are proprietary, from 2/1/21 until today.

Additionally, I am requesting the Planning Commission Resolution 91-70 for 102 Pacific Coast Hwy in Hermosa Beach signed 12/3/91 from the meeting of 11/7/91."

2/8/22 Narrowed the focus to the records to Community Development (Planning/Building) Department file with the given

timeframes stated. Confirmed by Cynthia Furnberg this and that she does NOT need architectural plans.

This letter serves to confirm that the City has responsive records to this request inside the records portal. Additionally a letter was sent to you on February 14, 2022 stating that the City is still collecting records and extended the deadline to February 28, 2022. If we can produce records earlier than February 28, 2022, the City will or notify you additional time is required.

If you have any questions, please feel free to contact me at (310) 318-0203 or [recordsrequest@hermosabeach.gov](mailto:recordsrequest@hermosabeach.gov).

Sincerely,

**Susan Morrow, MMC**

Interim Deputy City Clerk

City Clerk's Office | City of Hermosa Beach

Phone: (310) 318-0204 | Email:

[recordsrequest@hermosabeach.gov](mailto:recordsrequest@hermosabeach.gov)

**[View Request 22-48](#)**

<https://cityofhermosabeach-ca.nextrequest.com/requests/22-48>



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