

# THE SILVERSTEIN LAW FIRM

*A Professional Corporation*

215 NORTH MARENGO AVENUE, 3RD FLOOR  
PASADENA, CALIFORNIA 91101-1504

PHONE: (626) 449-4200 FAX: (626) 449-4205

ROBERT@ROBERTSILVERSTEINLAW.COM

WWW.ROBERTSILVERSTEINLAW.COM

May 1, 2020

**VIA EMAIL [yhorton@cityofinglewood.org](mailto:yhorton@cityofinglewood.org)**

Yvonne Horton, City Clerk  
City Clerk's Office  
City of Inglewood  
1 Manchester Blvd.  
Inglewood, CA 90301

**VIA EMAIL**

**[mwilcox@cityofinglewood.org](mailto:mwilcox@cityofinglewood.org)**

Mindy Wilcox, AICP, Planning  
Manager  
City of Inglewood, Planning Division  
1 West Manchester Boulevard, 4th  
Floor  
Inglewood, CA 90301

Re: Objections to Improper Recordings;  
IBEC Project Case No. SCH 2018021056

Dear Ms. Horton and Ms. Wilcox:

Please include this letter in the administrative record for the IBEC DEIR and matter.

This firm and the undersigned represent Kenneth and Dawn Baines, owners of the property located at 10212 S. Prairie Ave., Inglewood. Please keep this office on the list of interested persons to receive timely notice of all hearings and determinations related to the proposed approval of the IBEC Project, Case No. SCH 2018021056.

It has come to our attention that the video and audio quality of the City's recordings related to the IBEC project – mandatory for inclusion in any administrative record for litigation challenging the validity of the IBEC EIR – are so poor as to be frequently unintelligible. This is true, for example, and without limitation, of the March 24, 2020 hearing, posted at

<https://www.facebook.com/751594431603489/videos/141867820568859/>

and for the August 15, 2017 hearing, posted at

<https://www.facebook.com/cityofinglewood/videos/1420166261412966/>

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Moreover, based on our review of these project hearing videos, the videos have been edited, i.e., the taping is stopped then resumed, without any notification of why or warning that it will be, or clarity as to what has been omitted.

We object that the City's frequently inaudible and amateurish recordings are a violation of Pub. Res. Code 21167.6(e) governing record content. In particular, the City's recordings violate Pub. Res. Code § 21167.6(e), which sets the content of the record and requires "any transcripts or minutes" of the agency proceedings to be included in the record. Obviously, the recordings must be clear, audible and unedited/unaltered in the first place in order for complete and accurate transcripts to be prepared, as CEQA requires. Accordingly, we are putting the City on notice that its faulty recordings are a form of spoliation of evidence for which the City and project applicant will be liable.

While the City might, and we demand that it will, henceforth create clear quality and unadulterated recordings for the benefit of the public and any future judicial proceedings, it appears impossible that the City can rectify its prior spoliation of evidence, i.e., of the actual proceedings, statements and objections made at past hearings or meetings. Has the City had certified court reporters at all past IBEC-related hearings or meetings, and are transcripts presently in existence and publicly available?

Please explain how the City intends to address this situation. Thank you for your response and prompt attention to this matter.

Very truly yours,

*/s/ Robert P. Silverstein*

ROBERT P. SILVERSTEIN

FOR

THE SILVERSTEIN LAW FIRM, APC

RPS:vl

cc: James T. Butts, Jr, Mayor (via email [jbutts@cityofinglewood.org](mailto:jbutts@cityofinglewood.org))  
George W. Dolson, District 1 (via email [gdolson@cityofinglewood.org](mailto:gdolson@cityofinglewood.org))  
Alex Padilla, District 2, (via email [apadilla@cityofinglewood.org](mailto:apadilla@cityofinglewood.org))  
Eloy Morales, Jr., District 3 (via email [emorales@cityofinglewood.org](mailto:emorales@cityofinglewood.org))  
Ralph L. Franklin, District 4 (via email [rfranklin@cityofinglewood.org](mailto:rfranklin@cityofinglewood.org))

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Wanda M. Brown, Treasurer (via email [wbrown@cityofinglewood.org](mailto:wbrown@cityofinglewood.org))  
Artie Fields, Executive Director (via email [afields@cityofinglewood.org](mailto:afields@cityofinglewood.org))  
Kenneth R. Campos, City Attorney (via email [kcampos@cityofinglewood.org](mailto:kcampos@cityofinglewood.org))  
Fred Jackson, Senior Planner (via email [fljackson@cityofinglewood.org](mailto:fljackson@cityofinglewood.org))