

**BELL, McANDREWS & HILTACHK, LLP**

Attorneys and Counselors at Law

455 CAPITOL MALL, SUITE 600  
SACRAMENTO, CA 95814

(916) 442-7757  
FAX (916) 442-7759

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VIA EMAIL [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov)

Fair Political Practices Commission  
1102 Q Street  
Suite 3000  
Sacramento, CA 95811

**RE: Comment to August 17, 2017 Agenda**  
**Item 3 *In the Matter of The Huntley Hotel* FPPC No. 15/246**  
**Item 4 *In the Matter of Richardson Patel and Pure Pilates, Inc.* FPPC No. 17/00182**

Dear Honorable Chair Remke and Commissioners Audero, Hatch and Hayward,

I write on behalf of Ocean Avenue LLC, the owner of the Fairmont Miramar Hotel in Santa Monica, California. My client appreciates the efforts of the FPPC and its staff for uncovering the years-long practice of laundering campaign contributions by the Huntley Hotel in Santa Monica.

That said, the proposed Stipulations themselves contain several important inaccuracies, which compels me to write to specifically correct the record.

By way of background, Ocean Avenue LLC brought forward a proposed redevelopment plan in 2011. There were extensive public hearings. As was their right, the Huntley Hotel opposed the proposed project, which was approved for further study and negotiation by a 6-1 vote of the Santa Monica City Council in April 2012. Since that time, my client has been working with stakeholders in the community to solicit input on its proposed project. Conversely, the Huntley Hotel undertook an ill-conceived campaign to oppose the proposed redevelopment, including a program of illegal campaign contributions intended to elect to the City Council candidates more inclined to consider their point of view.

Even now, the Huntley Hotel seeks to use the proposed Stipulations to misrepresent the facts about the Miramar's proposed redevelopment plan.

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My client disputes the “Statement of Facts” set forth in the both of the proposed Stipulations. On page 3, lines 4-8 in case number 15/246, and similarly on page 2, lines 17-23 of case number 17/00182, the Statement of Facts falsely reads:

*“As did many other businesses and residents in the immediate neighborhood and throughout the city, The Huntley took issue with the Miramar’s proposed expansion, primarily due to its adverse impacts on local traffic, its blocking of the sunlight and views of adjacent and nearby buildings, and the disruption to the quality of life that would be caused by its lengthy construction timetable.”*

This statement, as written, is inaccurate and misleading, and unnecessary. While some members of the community admittedly did express their concerns about the Miramar project at the public hearings in 2012, many stakeholders across the city expressed their support. The alleged environmental impacts cited in the proposed Stipulations are purely the opinion of the Huntley Hotel – not facts, and in any event do not justify their illegal actions. First, no formal studies have been completed by the City of Santa Monica on the Miramar’s proposed redevelopment, as all of these environmental issues will be studied and commented upon in a forthcoming environmental impact report. Second, preliminary traffic studies have concluded that the redeveloped Miramar Hotel is estimated to be close to traffic neutral, with almost zero net new car trips at peak hours. Third, no formal studies have been prepared regarding sunlight and views. Fourth, the assertion about “disruption to the quality of life” and the characterization of the construction timetable as “lengthy” are simply the Huntley’s opinions. The record should reflect that these “Facts” are actually all opinions of the Huntley without any supporting studies or documentation. Clearly, the Huntley is using an inappropriate forum (namely, its formal admission of guilt) to promote its opinions about the Miramar’s proposed redevelopment plan. We respectfully submit that the Huntley’s opinions about the Miramar redevelopment do not belong in the Stipulations.

My client also disputes the sentence in the “Statement of Facts” on pages 2 and 3 of case number 15/246 that reads:

*“In 2012, the Miramar Hotel was actively pursuing plans before the Planning Commission of Santa Monica that involved a significant expansion and redevelopment of its property, constructing three new buildings (including a 21-story high rise tower)....”*

This statement as written is also false, as the proposed redevelopment plan for the Miramar in front of the Planning Commission and City Council in 2012 was at the time actually a 12-story building, not a 21-story tower. Ironically, it was the direction from the City Council that suggested – in the interest of protecting ocean views from our neighbors to the east, *including the Huntley* – that my client study a taller and thinner building in the center of the site.

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We note that none of these “facts” about the proposed Miramar redevelopment are relevant to the FPPC’s findings that the Huntley Hotel laundered campaign contributions, and could be completely omitted without impairing the remaining narrative concerning the Huntley’s campaign laundering violations.

Finally, we only recently learned about the FPPC’s investigation, and only recently received a copy of the proposed Stipulations. We have begun our own review of the campaign contribution history which is the subject of the proposed Stipulations in order to confirm that the proposed Stipulations are comprehensive. In that regard, we respectfully request that, to correct the public record and in accordance with the Commission’s past practices, the Huntley be required to promptly file amended Major Donor campaign statements for all applicable reporting periods showing its direct and indirect contributions, and identifying each “intermediary” through whom these unlawful contributions were made, in order to match up these contributions with how they were reported by the recipients.

Ocean Avenue LLC again thanks the staff of the Commission for its diligence in initiating this investigation and for its thoroughness in bringing the true facts to light.

Respectfully submitted,



Ashlee Titus  
On behalf of Ocean Avenue LLC