



April 1, 2024

Sent via Email and U.S. Mail to:

[MayorToddGloria@sandiego.gov](mailto:MayorToddGloria@sandiego.gov) ; [jennifercampbell@sandiego.gov](mailto:jennifercampbell@sandiego.gov)

CITY OF SAN DIEGO

Attn: Mayor Gloria and Councilmember Campbell

202 C Street, 10th and 11th Floor

San Diego, CA 92101

Re: **LETTER #1A: RC’PRA: REQUEST FOR COMPLIANCE WITH  
CALIFORNIA PUBLIC RECORDS ACT CODE SECTION 6250 ET SEQ.  
REGARDING NTC-H-BARRACKS HOMELESS PROJECT**

Project: NTC H-Barracks Homeless Compound (“**Homeless Project**”)

CIP #: S-24010

Letter #: 1A of 16

Dear Mayor Gloria and Councilmember Campbell,

As you know, our law firm represents Point Loma CARES, a neighborhood and community-based nonprofit association (“**PL CARES**”) located near the Barracks H site where the City of San Diego (“**City**”) intends to create a facility for a significant number of unhoused residents of San Diego.

This is the first of what may be numerous letters expressing our concerns regarding further request for compliance with public records act code section 6250 et seq. regarding NTC-Barracks Homeless Project and is a follow up to our correspondences to you from March 14, 2024, and March 28, 2024.

We are deeply dissatisfied with the handling of our public record requests referenced as: 24-1461, 24-1462, 24-1463, 24-2095 submitted between February 26, 2024 and March 22, 2024 and pertaining to the Homeless Project. Despite our clear requests made pursuant to state rules and regulations, we have received an alarmingly insufficient amount of documentation, which fails to adequately address the scope and details of the Homeless Project.

Our requests were made in accordance with the California Public Records Act (California Government Code Division 7, Title 1, Chapter 3.5 Sections 6250-6276.48) (“**CPRA**”), a foundational statute designed to ensure transparency and accountability in government

operations<sup>1</sup>. Under this statute, government entities, including the City of San Diego, are mandated to facilitate public access to records in their possession, unless such records fall within specific exemptions delineated in the law.

The California Public Records Act establishes a fundamental right for citizens to inspect and obtain copies of public records, thereby fostering an informed citizenry capable of engaging in meaningful participation in the democratic process. It imposes a duty upon governmental agencies to promptly respond to requests for public records, within specified timeframes, and to provide all non-exempt records for inspection or copying.

The City of San Diego is therefore obligated by law to fulfill our requests for records pertaining to the Homeless Project, in strict accordance with the procedures and requirements outlined in the California Public Records Act. Failure to adhere to these statutory obligations undermines the principles of transparency, accountability, justice, due process, and equal protection that form the cornerstone of democratic governance.

However, the response we have received thus far falls far short of fulfilling these legal and governance requirements. The lack of comprehensive documentation impedes our ability to assess the full impact and implications of the Homeless Project. As representatives of PL CARES, concerned citizens, it is imperative that we have access to all requested information to engage in informed dialogue and decision-making regarding matters that significantly affect our community.

In light of the above, we request immediate action to rectify this situation. Specifically, we expect the City of San Diego to promptly provide the following documents:

1. Detailed plans and specifications regarding the proposed Homeless Project, including but not limited to all drafts, architectural designs, site surveys, and environmental impact assessments.
2. All drafts and final versions of budgetary allocations and financial statements related to the establishment and operation of the Homeless Project, as well as any and funding sources or grants secured or anticipated for this purpose.
3. Correspondence and communications between city officials, contractors, and other relevant parties regarding the planning, bids, development, and implementation of the Homeless Project.
4. Any studies, reports, or evaluations conducted on the anticipated social, economic, and environmental effects of the Homeless Project on the Surrounding Community.

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<sup>1</sup> It is imperative to acknowledge that while this correspondence predominately invokes the provisions of the CPRA, the complexity and scope of the Homeless Project may involve intersections with federal agencies or federally funded initiatives, thereby potentially invoking the purview of the Freedom of Information Act primarily within Title 5, Section 552 of the United States Codes ("FOIA") which confers upon individuals the prerogative to petition for access to federal agency records, encompassing documentation pertinent to federal engagement in local undertakings or collaborations between federal and municipal entities. This delineation is provided without prejudice to any rights or remedies accorded under FOIA or any other pertinent federal statutes.

5. All financial projections, analysis, drafts, and all related documents.
6. Any and all analysis ordered, requested, or completed that would feed into a full CEQA analysis of the Homeless Project.
7. Any and all correspondence regarding the Homeless Project between City Officials or staff and officials or staff of other affected entities including but not limited to the San Diego County Regional Airport Authority, the Port of San Diego, the Port of San Diego Harbor Police, the City of San Diego Parks & Recreation Department, the San Diego Working Waterfront, the California Coastal Commission, San Diego Association of Governments, the San Diego Tourism Authority, the NTC Foundation, the Liberty Station Community Association, the United States Navy, the Department of Defense, the Federal Aviation Administration, the Transportation Security Administration, the Department of Homeland Security, etc.
8. Any and all correspondence relating to the Homeless Project between City Officials or staff with business stakeholders, landowners, and/or ownership groups having commercial interest in the area nearby the Homeless Project.

Failure to promptly provide the requested documents will compel us to pursue all available legal remedies to enforce our rights under the applicable laws. We trust that the City of San Diego takes its obligations related to transparency, accountability, justice, due process and equal protection seriously and will take immediate steps to comply with our request.

We anticipate your swift response and cooperation in this matter. Please acknowledge receipt of this letter and provide an estimated timeline for the provision of the requested documents.

Thank you for your attention to this urgent matter.

Sincerely,

**G10 LAW**  
a Professional Law Corporation



**MELANIA MIRZAKHANIAN, ESQ.**

cc:

- Paola Avila, Chief of Staff to Mayor Todd Gloria, [Pavila@sandiego.gov](mailto:Pavila@sandiego.gov)
- Sandra Sisouvanh, Executive Assistant to the Chief of Staff Paola Avila, [SSisouvanh@sandiego.gov](mailto:SSisouvanh@sandiego.gov)
- Venus Molina, Chief of Staff to Councilmember Campbell, [vmmolina@sandiego.gov](mailto:vmmolina@sandiego.gov)
- Tara Lawson-Remer, Vice Chair of the San Diego County Board of Supervisors, [Terra.Lawson-Remer@sdcounty.ca.gov](mailto:Terra.Lawson-Remer@sdcounty.ca.gov)



- Frank Urtasun, Chairman of Board of Port Commissioners, Port of San Diego, [furtasun@portofsandiego.org](mailto:furtasun@portofsandiego.org)
- Danielle Moore, Vice Chair of Board of Port Commissioners, Port of San Diego, [dmoore@portofsandiego.org](mailto:dmoore@portofsandiego.org)
- Guillermo Cabrera, Board Chair of San Diego County Regional Airport Authority, [gil@cabrerafirm.com](mailto:gil@cabrerafirm.com)
- Summer Stephan, District Attorney, [summer@summerstephan.com](mailto:summer@summerstephan.com)
- Eugene Mitchel, Chair of the Board, San Diego Housing Commission
- Ryan Clumpner, Vice Chair of the Board, San Diego Housing Commission
- Sarah Jarman, Deputy Director, Homelessness Strategies & Solutions Department, City of San Diego, [sjarman@sandiego.gov](mailto:sjarman@sandiego.gov)
- Sarah Ferry, Assistant Deputy Director, Homelessness Strategies & Solutions Department, City of San Diego, [sferry@sandiego.gov](mailto:sferry@sandiego.gov)
- Sheila Bose, Senior Engineer, Development Department, [sbose@sandiego.gov](mailto:sbose@sandiego.gov)
- Jason Guise, Project Manager, City of San Diego, [jguise@sandiego.gov](mailto:jguise@sandiego.gov)
- Saif Salomy, Project Engineer, City of San Diego, [ssalomy@sandiego.gov](mailto:ssalomy@sandiego.gov)
- Jeff Guzman, Sr Analyst, City of San Diego, [jguzman@sandiego.gov](mailto:jguzman@sandiego.gov)
- Brady Balolong, Supervisor Analyst, [bbalolong@sandiego.gov](mailto:bbalolong@sandiego.gov)
- Semiera Palaseyed, Interim Program Manager, [spalaseyed@sandiego.gov](mailto:spalaseyed@sandiego.gov)
- Michael Pelayo, Financial Operations Manager, City of San Diego, [mpelayo@sandiego.com](mailto:mpelayo@sandiego.com)
- James Long, Comptroller, [jlong@sandiego.gov](mailto:jlong@sandiego.gov)
- Adrian Granda, Director, Department of Government Affairs, Office of Mayor Todd Gloria, [ADGranda@sandiego.gov](mailto:ADGranda@sandiego.gov)
- Kristina Peralta, Deputy Chief Operating Officer, Office of Mayor Todd Gloria, [KPeralta@sandiego.gov](mailto:KPeralta@sandiego.gov)
- Raynard Abalos, Deputy Director, Development Services, City of San Diego, [rabalos@sandiego.gov](mailto:rabalos@sandiego.gov)
- Blake McCormick Assistant Environmental Planner, City of San Diego, [bmccormick@sandiego.gov](mailto:bmccormick@sandiego.gov)
- Juan Baligad, City of San Diego Engineering & Capital Projects Department, [jbaligad@sandiego.gov](mailto:jbaligad@sandiego.gov)
- CA Coastal Commission:
  - Kate Huckelbridge, executive director CA Coastal Commission, [Kate.Huckelbridge@coastal.ca.gov](mailto:Kate.Huckelbridge@coastal.ca.gov)
  - Melody Lasiter, Coastal Program Analyst, CA Coastal Commission, [Melody.Lasiter@coastal.ca.gov](mailto:Melody.Lasiter@coastal.ca.gov)
  - Alexander Llerandi, Coastal Program Analyst, CA Coastal Commission, [Alexander.Llerandi@coastal.ca.gov](mailto:Alexander.Llerandi@coastal.ca.gov)
  - Diana Lilly, [diana.lilly@coastal.ca.gov](mailto:diana.lilly@coastal.ca.gov)
  - Leslie Kanani, [Leslie.kanani@coastal.ca.gov](mailto:Leslie.kanani@coastal.ca.gov)
  - Javier Padilla, [Javier.padilla@coastal.ca.gov](mailto:Javier.padilla@coastal.ca.gov)
  - Liz Plascencia, [liz.plascencia@coastal.ca.gov](mailto:liz.plascencia@coastal.ca.gov)
  - Marsha Venegas, [marsha.venegas@coastal.ca.gov](mailto:marsha.venegas@coastal.ca.gov)
  - Andrew Willis, [Andrew.willis@coastal.ca.gov](mailto:Andrew.willis@coastal.ca.gov)
  - Karl Schwing, [karl.schwing@coastal.ca.gov](mailto:karl.schwing@coastal.ca.gov)