From: Boyles, Drew (Mayor)
Sent: Friday, April 12, 2019 4:02 PM
To: Stephanie Sauter
Cc: Carol Pirsztuk (Mayor pro tem); Weaver, Tracy (City Clerk)
Subject: Re: Amendment for 540 East Imperial- Written Comments

Thank you for your note MS Sauter.

Drew Boyles | Mayor

City of El Segundo
See My LinkedIn Profile

On Apr 12, 2019, at 15:58, Stephanie Sauter <ssauter@gmail.com> wrote:

Good afternoon.
A notice went out about the Amendment for 540 E. Imperial that will be voted on at the City Council meeting Tuesday, April 16th. The notice states that written comments regarding the amendment should be submitted to Eduardo Schonborn. However, when written comments are submitted to Mr. Schonborn via email, an auto-response states that Mr. Schonborn will be out of the office until Wednesday, April 17, the day after the city council meeting. I happened to cc Mr. McClain when I sent the email below, but I would like to bring the matter to your attention. I'm sure the city council would benefit from hearing from any/all concerned residents on the issue. I would hate for city council members to think that there is a lack of interest because written comments were not provided to the council in a timely manner.

Thank you,
Stephanie Sauter

---------- Forwarded message ----------
From: Stephanie Sauter <ssauter@gmail.com>
Date: Fri, Apr 12, 2019 at 3:36 PM
Subject: Amendment for 540 East Imperial- Written Comments
To: Schonborn, Eduardo <eschonborn@elsegundo.org>
Cc: <gmcclain@elsegundo.org>
Dear City Council,

In regard to DR Horton’s request to amend their obligation to provide six low, very low and extremely low-income units at 540 East Imperial, I would like to submit the following comments.

First and foremost, it concerns me that DR Horton made no attempt to create a feasible plan to provide six low, very low and extremely low-income units at 540 E. Imperial. This is evidenced by the fact that DR Horton contracted to provide the low-income units and instead of focusing their efforts on how to fulfill their obligations, worked in concert with the El Segundo planning department to relieve themselves of the responsibility. This scenario makes it very hard to believe that the El Segundo planning department is not intentionally working in contravention of the El Segundo housing element.

Other concerns regarding this amendment include:

- The amendment violates the Housing Element Update (dated January 2014) of the city’s general plan.
- The amendment violates the specific plan written to address development of 540 East Imperial Avenue.
- The amendment subjects the city to future legal action from the California Department of Housing and Community Development (HCD) and the state of California because of the city’s failure to honor its obligations to the Regional Housing Needs Allocation (RHNA).
- The argument that the 8 moderate-income units further the objectives in the RHNA (based on the idea that the sum total of 6 units is less than the sum total of 8) is disingenuous and unpersuasive. The city has consistently honored its obligation to meet its quantified objectives for moderate-income and above moderate-income units, while the city has consistently failed to meet its quantified objectives for extremely low and very low-income units since 2000, when the goal of providing lower-income units was first mentioned in the city’s Housing Element.
- The city has shown a pattern and practice of disregarding its RHNA obligations regarding extremely and very-low housing units.
- The city has shown a pattern and practice of disregarding its Housing Element in regard to extremely and very-low housing units.
- The developer, DR Horton, agreed to and had the opportunity to build units that could have been affordable to extremely and very low-income purchasers. Instead, DR Horton chose to build large, expensive units and then asked the city to amend its obligation to provide these more affordable units.
- The affordability of a newly constructed townhomes was known to DR Horton at the time DR Horton entered into its agreement with the city. There is no change of circumstance that should allow DR Horton to profit from its refusal to adhere to the agreement made to provide extremely low and very low-income units.

Best,
Stephanie Sauter, JD

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Best,
Stephanie Sauter