

From: [Sia Poursabahian](#)
To: [Leo Pustilnikov](#)
Cc: [Adam Kent](#); [James Brewster](#); [Jing Yeo](#); [Joe Cavin](#); [William Nathan](#); [Jeff Nespor](#); [Laurie Craft](#); [Jeff S. McConnell](#); [Dave Rand](#)
Subject: RE: Fw: 413 & 825 Ocean Avenue
Date: Thursday, September 11, 2025 12:39:12 PM

Good afternoon, Leo,

We are discussing these projects internally and I will get back to you as soon as possible.

Have you applied for the city business licenses for the proposed uses for the buildings?

Thank you

From: Leo Pustilnikov <leo@slhinvestments.com>
Sent: Wednesday, September 10, 2025 7:17 AM
To: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Cc: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; Laurie Craft <lcraft@stjosephctr.org>; Jeff S. McConnell <jeff@ekapr.com>; Dave Rand <Dave@rpnllp.com>
Subject: Re: Fw: 413 & 825 Ocean Avenue

EXTERNAL

Sia,

Again, you are jumping to the idea that the proposed use is a "residential facility" but i don't see the connection for the actual use and a "residential facility".

CBC 310.3.1 lists uses but says "include but not limited to." This type of use doesn't really match anything in the code but it more closely matches "housing clients, on a 24 hour basis" which is R-2.1 than CBC 310.3 where "the occupants are primarily permanent in nature" or R-2.

That part is very clear as the main distinction is permanency (R-2) versus transience (R-2.1). The goal of the program as noted in the RFP is to 'bring people off the streets to provide temporary shelter where they can stabilize and then move into permanent housing' so again, the use is transient and not permanent. There is absolutely no basis to argue its permanence or R2 occupancy.

This is a new program funded by the state and county to address an existing crisis/need. Please confirm the proposed use is R-2.1 so we can be done with this back and forth over a non-existent issue.

leo

On Tue, Sep 9, 2025 at 5:39 PM Sia Poursabahian
<Sia.Poursabahian@santamonica.gov> wrote:

Good afternoon, Leo,

For the Occupancy to be classified as R-2.1 occupancy per Section 310.3.1 of the California Building Code, you will need a license from the State Department of Social Services per Section 1502 of the Health and Safety Code, see the attachment.

Without the required state license, the occupancy will be R-2, Section 310.3, and could be any of the uses listed.

Any nontransient occupancy (> 30 days) will be considered as permanent.

We will need to issue a building permit for the Change of Occupancy from R-2.1 to R-2.

Also, any alterations to the existing buildings need a building permit regardless of the occupancy type of the building(s).

Thank you

Health and Safety Code:



RFP:





From: Leo Pustilnikov <leo@slhinvestments.com>
Sent: Monday, September 8, 2025 10:22 PM
To: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Subject: Re: Fw: 413 & 825 Ocean Avenue

EXTERNAL

Sia,

I was forwarded your email.

You acknowledge the prior occupancy was R-2.1 per the CBC. R-2.1 is to house clients, on a 24-hour basis (this refers to occupancy, not care per CBC 202), who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. (CBC 310.3.1).

The RFP clearly states this is interim housing to assist with those suffering from mental illness which seems to closely align with the above. The facilities have Public Health permits from LA County which is a "governmental agency" and further aligns with R-2.1 as further regulated by CBC 435 (for 24 hour facilities).

In fact, it can't be R-2 occupancy (CBC 310.3) because that requires the housing be "primarily permanent in nature".

Please confirm in light of the above, we do not require a change of use per the above and this issue can be closed out.

James,

It was nice to meet you earlier. I do agree that the bathroom vanity in the middle unit upstairs at 825 needs to be replaced with a stand alone sink and some bathrooms (likely about 2 per building but as many as 5 per) require a threshold. What kind of

permit are we required for those items?

best,
leo

From: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Sent: Monday, September 8, 2025 6:02:56 PM
To: Laurie Craft <lcraft@stjosephctr.org>
Cc: Jing Yeo <Jing.Yeo@santamonica.gov>; James Brewster <James.Brewster@santamonica.gov>; Steve Ghobrial <Steve.Ghobrial@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>
Subject: 413 & 825 Ocean Avenue

Good evening, Laura,

We are following up on our conversation regarding the proposed bridge housing at 413 and 825 Ocean Ave.

As we discussed on September 3, the prior use was a residential care facility for the elderly which is a R-2.1 occupancy per the current California Building Code (CBC) which corresponds to the “D-3” occupancy per 1953 California Building Code. See below.

On our call, you described the proposed use to generally include the following:

- Stays of anywhere from a couple of day to a few months
- Private bath and sleeping quarters
- No kitchen on-site (packaged food only)
- Non-medical care provided on-site (counseling and therapy to connect to services)
- Facility is **unlicensed** by State of California

Note: A state license is required for a “Residential facility (RF)” per Section 1502 of the Health and Safety Code. See below.

Based on what is being proposed and my reading of the building code, the proposed use is a R-2 occupancy. Therefore, there is a change of occupancy proposed on both properties and a building permit is required for the change in occupancy.

A Change of Occupancy in an existing building is subject to Section 506 of the current California Existing Building Code.

Fire Sprinkler throughout

Per SMMC, a Change of Occupancy triggers sprinkler throughout. Based on the pictures provided by the Code Enforcement, the building could be sprinklered throughout already. This will be subject to SMFD inspection.

Smoke Alarms & Fire Alarm

Each room used for sleeping will need to be provided with the smoke detector and the windows will need to comply with the emergency escape requirements. The building should have a fire alarm.

Accessibility

The building was built prior to 1991 and therefore, not subject to Chapter 11A of the building code.

Kitchen

The central kitchen serving all units is considered as commercial kitchen and could be subject to LA County Health Department, unless it is existing with a building permit.

Please note that the attached Zoning letter, dated Dember 12, 2013, addresses the zoning requirements and not the building code requirements. In addition to the required building

permit for change of occupancy, any alteration to the existing buildings are required a building permit. A separate building permit will be required for each building on a parcel.

To obtain a building permit, you will need to have a licensed architect to prepare plans for submittal.

Please let me know if you have any questions.

Thank you

Section 1502 of the Health and Safety Code:

[Codes Display Text](#)

<image001.png>

1953 California Building Code “D-3” occupancy:



Sia Poursabahian

Building and Safety Building Official, ECE, PE, SE, CBO

Office Phone No. (310) 458-2201 Ext. 6993

[Permit Services Center](#) | [Permit Issuance](#) | [Schedule Inspection](#)

[Plan Review and Building Permit Information](#)

SJC Warning!

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From: [Everth Gonzalez](#)
To: [Adam Kent](#)
Cc: [Leo Pustilnikov](#); [Maurice Cochee](#); [James Brewster](#); [Sia Poursabahian](#)
Subject: RE: 413 Ocean NOV
Date: Wednesday, September 17, 2025 9:36:43 AM
Attachments: [image001.png](#)

Good morning Adam,

As you may have noticed, the Notice of Violation was made out to the property owners, BFG Santa Monica Propco LLC. They are ultimately responsible for all of these violations noted on the Notice and any noncompliance on this Notice would direct us to take enforcement action against them. It does not matter **WHO** did the work, what matters is that it was not permitted and has not been inspected to ensure safety and that it was done correctly. We are not holding **YOU** responsible for the work that you did not do. Please note that we are holding you responsible for the work that you performed. You can discuss this with BFG to see how you guys can work together to get this sorted out, but it will need to be permitted and corrected.

If you have any issues regarding what you believe does not need a permit, you are welcome to reach out to James Brewster and Sia Poursabahian in building and safety. They can provide further clarification on why certain things need a permit, as they are the department that follows the building code and require said permits. I have CC'd them in this email for ease of contact.

Lastly, the elevator was not functional at the time of inspection. Once your replacement parts come in, are installed and the elevator is plugged in, I will conduct a follow up to ensure that it is operational.

Our job is to ensure that the building is safe and does not pose any hazards to both employees and the people you will be housing.

Best,



Everth R. Gonzalez
Code Enforcement Officer
City of Santa Monica

310-458-4984 x2340

everth.gonzalez@santamonica.gov

santamonica.gov

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From: Adam Kent <adam@hope4la.org>

Sent: Tuesday, September 16, 2025 5:03 PM

To: Everth Gonzalez <Everth.Gonzalez@santamonica.gov>

Cc: Lana Negrete <Lana.Negrete@santamonica.gov>; Dave Rand <dave@rpnllp.com>; Elisa Paster <elisa@rpnllp.com>; Leo Pustilnikov <leo@slhinvestments.com>

Subject: Re: 413 Ocean NOV

EXTERNAL

Everth, following up on this:

We were not involved in any light installation, bathroom remodels, or the installation of heating/HVAC units from years ago -- why do we need a permit for work we did not complete?

I spoke with Fire Inspector Ryan Demirdjian about fire sprinkler heads and he told me that so long as sprinkler configuration is not changed, changing corroded heads does not require a permit; confirmed by my licensed contractor who did the corroded head replacement. You can speak with him as well. What permit is needed?

As I explained when you and the team of officers were at the property, there was a small section of the drywall ceiling that we repaired -- it was purely cosmetic and not structural or impactful to any systems. I have pictures. We were told no permit was needed for this. What permit is needed?

The security cameras that we installed at the property are not over 12V, and 8.08.050(f) (13) provides that "Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five volts and not capable of supplying more than fifty watts of energy" are exempt from an electrical permit. Why did you list this in your notice?

As explained, the elevator is operational (i.e., it works), it has been unplugged by our technician as he has ordered parts (a light and a sensor) and we are following up

daily.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Tue, Sep 9, 2025 at 3:20 PM Leo Pustilnikov <leo@slhinvestments.com> wrote:

Everth,

Who do we speak to about this as it is beyond absurd. This is borderline harassment.

The fact that the heaters, recess lighting, hvac, plumbing and bathroom tile is 25-50 years old but not 75 years old and the city can't find a record of the work being done has nothing to do with us. You can see it's not work done in the last 12 months or even 12 years during which ownership has changed multiple times and with no issues.

We can pull a low voltage permit for the cameras but I am told this has absolutely never been flagged on any other project for cameras in santa monica so it is quite clear we are being singled out.

Also, we spoke to the fire inspector (Ryan Demirdjian) who said sprinkler head replacements don't require a permit and the elevator vendor has ordered the required part to fix the elevator.

Please let me know who to discuss this with as we cannot pull permits for work we did not do.

leo

----- Forwarded message -----

From: **Everth Gonzalez** <Everth.Gonzalez@santamonica.gov>

Date: Tue, Sep 9, 2025 at 1:40 PM

Subject: 413 Ocean NOV

To: adam@hope4la.org <adam@hope4la.org>

Good afternoon Adam,

Please see the NOV attached for the work that took place inside of 413 Ocean. I also included the maintenance requirement of the elevator. You'll have to have it back in operation in order to close this case out. Please make sure to obtain the required permits to avoid further enforcement action.

Best,



Everth R. Gonzalez

Code Enforcement Officer

City of Santa Monica

310-458-4984 x2340

everth.gonzalez@santamonica.gov

santamonica.gov

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From: Leo Pustilnikov
To: Sia Poursabahian; Elisa Pastor; Jeff S. McConnell
Cc: Michelle M. Hugard; Jing Yeo; Joe Cavin; Jeff Nespor; William Nathan; Dave Rand; Adam
Subject: Re: 413 & 825 Ocean Avenue
Date: Thursday, September 18, 2025 8:59:40 AM
Attachments: image001.png

EXTERNAL

Sia,

Thank you for this. It appears we are much closer than when we started but i believe the program that the properties will be used for only requires a county health permit which SJC is securing. Adding Elisa, Jeff and Dave to reply re your DSS and occupancy comments below.

With regards to the permits for work we have done, we agree. We are requesting to see if we can go under our existing 825 permit for putting back the drywall and inspector asked us to remove because of concerns with mold (which we did an air clearance for) and to replace a cabinet in a bathroom and install thresholds in some of the units. Can we please resolve those asap so that we open the facilities to the public and hopefully see improvement on the streets?

Separately, we received a NOV for new low voltage (which we did install but my understanding was a permit is not required), for replaced sprinkler heads (which the fire inspector unequivocally told us required no permits), and for bathrooms and heaters that are not original but are decades old. Can we hope on a call and resolve these things. If the city's concern is safety, we have no problem with inspections and corrections that may be necessary but we can't pull permits to replace 1950's heaters that don't exist with 1980's heaters we didn't install. We can test them, confirm they work and move forward.

We are eager to open these facilities for the community and hopefully see marked improvement on the streets as a result.

Thanks,
Leo

Sent from my iPhone

On Sep 18, 2025, at 8:48 AM, Sia Poursabahian <Sia.Poursabahian@santamonica.gov> wrote:

Good morning, Leo,

Based on our permit records, the permitted use for the buildings at 413 & 825 Ocean Avenue are "Hotel for well-aged people" and "Rest Home" which could correspond to the "Residential care Facilities for Elderly" per Section 310.3.1 of the current California Building Code (CBC) provided you have the required licenses from the Department of Social Services (DSS).

The City Planning Zoning Conformance Letter, dated December 12, 2013, indicates that "..., *the residential care facility for the elderly is a legal, nonconforming use...*"

If the existing buildings are used as Residential Care Facility for Elderly (RCFE) with the required licenses by DSS, the occupancy for the buildings will be classified as R-2.1 per Section 310.3.1 of the CBC and you only need to apply for a building permit for the work done without permit, if any.

Based on the information we have received, the buildings will not be used as "Residential Care Facility for elderly" and there is a question of whether a state license will be required for the proposed use(s) for either building. The Section 1505 of the Health and Safety Code lists the uses for which no license will be required as determined by the Department of Social Services (DSS) such as:

(h) A house, institution, hotel, homeless shelter, or other similar place that supplies board and room only, or room only, or board only, provided that no resident thereof requires any element of care, as determined by the department.

and/or

(x) Any similar facility determined by the department.

Based on the above information, we recommend that you contact DSS for a determination based on the proposed use(s) for the buildings and whether a state license is required. Based on the DSS determination, we will determine what the next action should be to assist you with these projects.

If DSS determines that the proposed uses for the buildings are still classified as "Residential Group R2.1 Occupancy" and no licenses are required, then we will issue a permit for Change of Use from "Residential Care Facility for Elderly" to the proposed use. We will need the following information to be submitted along with the permit application:

- Site Plan
- Floor plan for each story showing the uses for each of the spaces.

Please let me know if you have any questions.

Thank you

From: Leo Pustilnikov <leo@slhinvestments.com>
Sent: Thursday, September 11, 2025 4:45 PM
To: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Cc: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; Laurie Craft <lcrafft@stjosephctr.org>; Jeff S. McConnell <jeff@ekapr.com>; Dave Rand <dave@rpnllp.com>
Subject: Re: 413 & 825 Ocean Avenue

EXTERNAL

Sia,

Thank you! Much appreciated.

I defer to Adam re business license but i believe at Joseph is applying for the use.

Adam,

Plz confirm we have one and discuss w Laurie.

Best,
Leo
Sent from my iPhone

On Sep 11, 2025, at 12:39 PM, Sia Poursabahian <Sia.Poursabahian@santamonica.gov> wrote:

Good afternoon, Leo,

We are discussing these projects internally and I will get back to you as soon as possible.

Have you applied for the city business licenses for the proposed uses for the buildings?

Thank you

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Sent: Wednesday, September 10, 2025 7:17 AM
To: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Cc: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; Laurie Craft <lcraft@stosephctr.org>; Jeff S. McConnell <jeff@ekapr.com>; Dave Rand <Dave@rpnlp.com>
Subject: Re: Fw: 413 & 825 Ocean Avenue

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Again, you are jumping to the idea that the proposed use is a "residential facility" but i don't see the connection for the actual use and a "residential facility".

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That part is very clear as the main distinction is permanency (R-2) versus transience (R-2.1). The goal of the program as noted in the RFP is to 'bring people off the streets to provide temporary shelter where they can stabilize and then move into permanent housing' so again, the use is transient and not permanent. There is absolutely no basis to argue its permanence or R2 occupancy.

This is a new program funded by the state and county to address an existing crisis/need. Please confirm the proposed use is R-2.1 so we can be done with this back and forth over a non existent issue.

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Also, any alterations to the existing buildings need a building permit regardless of the occupancy type of the building(s).

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Health and Safety Code:



RFP:



From: Leo Pustilnikov <leo@slhinvestments.com>
Sent: Monday, September 8, 2025 10:22 PM
To: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Subject: Re: Fw: 413 & 825 Ocean Avenue

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Sia,

I was forwarded your email.

You acknowledge the prior occupancy was R-2.1 per the CBC. R-2.1 is to house clients, on a 24-hour basis (this refers to occupancy, not care per CBC 202), who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. (CBC 310.3.1).

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In fact, it can't be R-2 occupancy (CBC 310.3) because that requires the housing be "primarily permanent in nature".

Please confirm in light of the above, we do not require a change of use per the above and this issue can be closed out.

James,

It was nice to meet you earlier. I do agree that the bathroom vanity in the middle unit upstairs at 825 needs to be replaced with a stand alone sink and some bathrooms (likely about 2 per building but as many as 5 per) require a threshold. What kind of permit are we required for those items?

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leo

From: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>

Sent: Monday, September 8, 2025 6:02:56 PM

To: Laurie Craft <lcraft@stjosephctr.org>

Cc: Jing Yeo <Jing.Yeo@santamonica.gov>; James Brewster <James.Brewster@santamonica.gov>; Steve Ghobrial <Steve.Ghobrial@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Joe Gavin <Joe.Gavin@santamonica.gov>

Subject: 413 & 825 Ocean Avenue

Good evening, Laura,

We are following up on our conversation regarding the proposed bridge housing at 413 and 825 Ocean Ave.

As we discussed on September 3, the prior use was a residential care facility for the elderly which is a R-2.1 occupancy per the current California Building Code (CBC) which corresponds to the "D-3" occupancy per 1953 California Building Code. See below.

On our call, you described the proposed use to generally include the following:

1. Stays of anywhere from a couple of day to a few months
2. Private bath and sleeping quarters
3. No kitchen on-site (packaged food only)
4. Non-medical care provided on-site (counseling and therapy to connect to services)
5. Facility is **unlicensed** by State of California

Note: A state license is required for a "Residential facility (RF)" per Section 1502 of the Health and Safety Code. See below.

Based on what is being proposed and my reading of the building code, the proposed use is a R-2 occupancy. Therefore, there is a change of occupancy proposed on both properties and a building permit is required for the change in occupancy.

A Change of Occupancy in an existing building is subject to Section 506 of the current California Existing Building Code.

Fire Sprinkler throughout

Per SMMC, a Change of Occupancy triggers sprinkler throughout. Based on the pictures provided by the Code Enforcement, the building could be sprinklered throughout already. This will be subject to SMFD inspection.

Smoke Alarms & Fire Alarm

Each room used for sleeping will need to be provided with the smoke detector and the windows will need to comply with the emergency escape requirements. The building should have a fire alarm.

Accessibility

The building was built prior to 1991 and therefore, not subject to Chapter 11A of the building code.

Kitchen

The central kitchen serving all units is considered as commercial kitchen and could be subject to LA County Health Department, unless it is existing with a building permit.

Please note that the attached Zoning letter, dated Dember 12, 2013, addresses the zoning requirements and not the building code requirements. In addition to the required building permit for change of occupancy, any alteration to the existing buildings are required a building permit. A separate building permit will be required for each building on a parcel.

To obtain a building permit, you will need to have a licensed architect to prepare plans for submittal.

Please let me know if you have any questions.

Thank you

Section 1502 of the Health and Safety Code:

[Codes Display Text](#)

<image001.png>

1953 California Building Code "D-3" occupancy:



Sia Poursabahian

Building and Safety Building Official, ECE, PE, SE, CBO

Office Phone No. (310) 458-2201 Ext. 6993

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[Plan Review and Building Permit Information](#)

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From: [Sia Poursabahian](#)
To: [Leo Pustilnikov](#); [Adam](#)
Cc: [Everth Gonzalez](#); [Joe Cavin](#); [James Brewster](#)
Subject: RE: 413 & 825 Ocean Avenue
Date: Thursday, September 18, 2025 12:13:20 PM

Hi, Leo,

No building or electrical permit is required for the cameras.

Thank you

From: Leo Pustilnikov <leo@slhinvestments.com>
Sent: Thursday, September 18, 2025 10:06 AM
To: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Adam <adam@hope4la.org>
Cc: Everth Gonzalez <Everth.Gonzalez@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>; James Brewster <James.Brewster@santamonica.gov>
Subject: Re: 413 & 825 Ocean Avenue

EXTERNAL

Sia,

Do you agree to permit for cameras?

There was no electrical work as far as i know.

Bathrooms were not remodeled and hvac was not installed. Adam, am i incorrect?

Thanks,

Leo

Sent from my iPhone

On Sep 18, 2025, at 9:34 AM, Sia Poursabahian
<Sia.Poursabahian@santamonica.gov> wrote:

Good morning, Leo,

The Code Enforcement will send you an updated NOV indicating that no permit will be required for the cameras, but an electrical permit will be

required for any other electrical work (e.g., “electrical work done in the bathroom remodels and the hvac that was installed.”).

I just received confirmation from the Fire Department that *“... for replaced sprinkler heads (which the fire inspector unequivocally told us required no permits),...”*.

Thank you



Sia Poursabahian

Building and Safety Building Official, ECE, PE, SE, CBO

Office Phone No. (310) 458-2201 Ext. 6993

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[Plan Review and Building Permit Information](#)

From: [Leo Pustilnikov](#)
To: [Heather Averick](#)
Cc: [Adam Kent](#); [Maia Eaglin](#); [Allyson Crosby](#); [Ryan Smith](#); [Sia Poursabahian](#); [Jing Yeo](#); [Michelle M. Hugar](#); [Dave Rand](#); [Elisa Paster](#); [Jeff S. McConnell](#)
Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS
Date: Thursday, September 18, 2025 11:53:48 AM
Attachments: [image001.png](#)
[image002.png](#)

EXTERNAL

a few points of clarification:

City

1. replace "getting license" with "inquiring of DSS of the need for a license"

Development team

1. correct, adam is working on it.
2. plans only need to be submitted if there's a change of use. we have questions re permits we need to address. we receive a NOV for fire sprinklers, low voltage, bathrooms, hvac, and something else. as of this am, we have confirmed sprinklers and low voltage never required permits, we are not stating the bathrooms and hvac are decades old so we cannot submit a permit to replace and would instead like inspectors to come out and see it and we can correct any concerns they have if the concern is safety... we were also requested to remove ceiling in 1 place and want to replace 1 bathroom vanity (both at 825) and would like to know if we can wrap up into the existing permit there).
3. we will reach out to dss re license as discussed. does anyone have a contact at dss?

best,
leo

On Thu, Sep 18, 2025 at 11:43 AM Heather Averick <Heather.Averick@santamonica.gov> wrote:

Hi All,

Quick recap to confirm next steps:

City:

1. will meet internally today to discuss any flexibility to allow move-ins at 413 concurrent with Development team getting license

Development team:

1. **Adam** will share summary of the project description, **please share this in advance of 1pm**

today

2. Submit plans to Sia (given the tight turnaround, **we suggest by EOD tomorrow** to ensure there is no further delay)
3. Reach out to DSS regarding the licensing issue discussed

We will circle back with any updates as we have them.

Thanks,



Heather Averick

Director of Housing and Human Services

(310) 458-8310

santamonica.gov

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My working hours may look different than your working hours, there is no expectation for a response outside of your normal business hours. Our offices are closed every other Friday.

-----Original Appointment-----

From: Ryan Smith <rsmith@stjosephctr.org>

Sent: Tuesday, September 16, 2025 9:51 AM

To: Ryan Smith; Heather Averick; Allyson Crosby; Leo Pustilnikov; Adam Kent; Lupe Madrid; Maia Eaglin; Dave Rand

Subject: HOLD: BHBH Follow Up Conversation

When: Thursday, September 18, 2025 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: Microsoft Teams Meeting

EXTERNAL

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 246 086 359 615 2

Passcode: Sa69PK3F

For organizers: [Meeting options](#)

From: [Sia Poursabastian](#)
To: [Leo Pustilnikov](#); [Adam Kent](#); [James Brewster](#); [Jing Yeo](#)
Cc: [Joe Cavin](#); [William Nathan](#); [Jeff Nespor](#)
Subject: RE: Fw: 413 & 825 Ocean Avenue
Date: Tuesday, September 9, 2025 5:38:45 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Section 1502 of the Health and Safety Code.pdf](#)
[Residential Care facility Definition per CBC.pdf](#)
[Interim Housing RFP.pdf](#)
[CBC Section 310.3.pdf](#)

Good afternoon, Leo,

For the Occupancy to be classified as R-2.1 occupancy per Section 310.3.1 of the California Building Code, you will need a license from the State Department of Social Services per Section 1502 of the health and Safety Code, see the attachment.

Without the required state license, the occupancy will be R-2, Section 310.3, and could be any of the uses listed.

Any nontransient occupancy (> 30 days) will be considered as permanent.

We will need to issue a building permit for the Change of Occupancy from R-2.1 to R-2.

Also, any alterations to the existing buildings need a building permit regardless of the occupancy type of the building(s).

Thank you

Health and Safety Code:

1502. As used in this chapter:

(a) "Community care facility" means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult daycare, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following:

(1) "Residential facility" means any family home, group care facility, or similar facility **determined by the department, for 24-hour nonmedical care** of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

(2) "Adult day program" means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

(3) "Therapeutic day services facility" means any facility that provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are

RFP:

1. INTRODUCTION AND PURPOSE

SHINE BC LA is issuing this Request for Applications (RFA), in conjunction with the Los Angeles County (County) Department of Mental Health (DMH). The goal is to expand and enhance interim housing settings and services managed by the DMH Interim Housing Program (IHP) using funds provided through the State of California's Behavioral Health Bridge Housing (BHBH) Program and the Mental Health Services Act (MHSA). Through this RFA, DMH aims to increase the number of interim housing beds available in the County for people experiencing homelessness who have a serious mental illness (SMI), including those with co-occurring substance use disorders (SUD), and to fill resource and service gaps in the interim housing system.

Any applicant, regardless of whether they are an existing or prospective DMH IHP provider, must attest and provide proof as needed that they meet the below minimum mandatory requirements at the time of application submission.

1. Applicant must be a legally established entity authorized to conduct business in the State of California.

11

October 2024

1. On-site Mental Health Clinical Services

On-site Mental Health Clinical Services shall be provided by a licensed or **license** eligible Mental Health Clinician, (LCSW/MSW, LMFT/MFT, LPCC, PsyD, or PhD). In smaller programs, a program manager may also provide these services in addition to their other job duties. The on-site Mental Health Clinician is not intended to provide individual or group therapy or to serve as a client's mental health provider.

From: Leo Pustilnikov <leo@slhinvestments.com>

Sent: Monday, September 8, 2025 10:22 PM

To: Adam Kent <adam@hope4la.org>; James Brewster <James.Brewster@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>

Subject: Re: Fw: 413 & 825 Ocean Avenue

EXTERNAL

Sia,

I was forwarded your email.

You acknowledge the prior occupancy was R-2.1 per the CBC. R-2.1 is to house clients, on a 24-hour basis (this refers to occupancy, not care per CBC 202), who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. (CBC 310.3.1).

The RFP clearly states this is interim housing to assist with those suffering from mental illness which seems to closely align with the above. The facilities have Public Health permits from LA County which is a "governmental agency" and further aligns with R-2.1 as further regulated by CBC 435 (for 24 hour facilities).

In fact, it can't be R-2 occupancy (CBC 310.3) because that requires the housing be "primarily permanent in nature".

Please confirm in light of the above, we do not require a change of use per the above and this issue can be closed out.

James,

It was nice to meet you earlier. I do agree that the bathroom vanity in the middle unit upstairs at 825 needs to be replaced with a stand alone sink and some bathrooms (likely about 2 per building but as many as 5 per) require a threshold. What kind of permit are we required for those items?

best,
leo

From: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>

Sent: Monday, September 8, 2025 6:02:56 PM

To: Laurie Craft <craft@stjosephctr.org>

Cc: Jing Yeo <Jing.Yeo@santamonica.gov>; James Brewster <James.Brewster@santamonica.gov>; Steve Ghobrial <Steve.Ghobrial@santamonica.gov>; Jeff Nespor <Jeff.Nespor@santamonica.gov>; William Nathan <William.Nathan@santamonica.gov>; Joe Cavin <Joe.Cavin@santamonica.gov>

Subject: 413 & 825 Ocean Avenue

Good evening, Laura,

We are following up on our conversation regarding the proposed bridge housing at 413 and 825 Ocean Ave.

As we discussed on September 3, the prior use was a residential care facility for the elderly which is a R-2.1 occupancy per the current California Building Code (CBC) which corresponds to the "D-3" occupancy per 1953 California Building Code. See below.

On our call, you described the proposed use to generally include the following:

- Stays of anywhere from a couple of day to a few months
- Private bath and sleeping quarters
- No kitchen on-site (packaged food only)
- Non-medical care provided on-site (counseling and therapy to connect to services)
- Facility is **unlicensed** by State of California

Note: A state license is required for a "Residential facility (RF)" per Section 1502 of the Health and Safety Code. See below.

Based on what is being proposed and my reading of the building code, the proposed use is a R-2 occupancy. Therefore, there is a change of occupancy proposed on both properties and a building permit is required for the change in occupancy.

A Change of Occupancy in an existing building is subject to Section 506 of the current California Existing Building Code.

Fire Sprinkler throughout

Per SMMC, a Change of Occupancy triggers sprinkler throughout. Based on the pictures provided by the Code Enforcement, the building could be sprinklered throughout already. This will be subject to SMFD inspection.

Smoke Alarms & Fire Alarm

Each room used for sleeping will need to be provided with the smoke detector and the windows will need to comply with the emergency escape requirements. The building should have a fire alarm.

Accessibility

The building was built prior to 1991 and therefore, not subject to Chapter 11A of the building code.

Kitchen

The central kitchen serving all units is considered as commercial kitchen and could be subject to LA County Health Department, unless it is existing with a building permit.

Please note that the attached Zoning letter, dated Dember 12, 2013, addresses the zoning requirements and not the building code requirements. In addition to the required building permit for change of occupancy, any alteration to the existing buildings are required a building permit. A separate building permit will be required for each building on a parcel.

To obtain a building permit, you will need to have a licensed architect to prepare plans for submittal.

Please let me know if you have any questions.

Thank you

Section 1502 of the Health and Safety Code:

[Codes Display Text](#)

1502. As used in this chapter:

(a) "Community care facility" means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult daycare, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following:

(1) "Residential facility" means any family home, group care facility, or similar facility **determined by the department**, for **24-hour nonmedical care** of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

(2) "Adult day program" means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

(3) "Therapeutic day services facility" means any facility that provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are

1953 California Building Code "D-3" occupancy:

D See also Section 902	1—Mental hospitals, jails, prisons, reformatories, houses of correction, and buildings where personal liberties of inmates are similarly restrained.....		Permitted in Type I and II Buildings only [See Section 902 (b)]	
	2—Nurseries for full-time care of children under kindergarten age. Hospitals, sanitariums, mental sanitariums conforming to Sec. 3319 (g), and similar buildings (each accommodating more than six persons.)	1	2 hour less than 20 feet 1 hour elsewhere	Not permitted less than 5 feet Protected less than 20 feet
		2 and 3	2 hour less than 5 feet 1 hour elsewhere	Not permitted less than 5 feet Protected less than 10 feet
	3—Homes for the aged and homes for children of kindergarten age or older (each accommodating more than six persons).....	1	2 hour less than 20 feet 1 hour elsewhere	Not permitted less than 3 feet Protected less than 20 feet
		2 and 3	1 hour everywhere	Not permitted less than 3 feet Protected less than 10 feet
	Not permitted in Fire Zones Nos. 1 and 2			
1—Storage and handling of hazardous and highly inflammable or explosive materials other than flammable liquids.....	3	4 hour less than 5 feet 2 hour less than 10 feet	Not permitted less than 5 feet	



Sia Poursabastian

Building and Safety Building Official, ECE, PE, SE, CBO

Office Phone No. (310) 458-2201 Ext. 6993

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[Plan Review and Building Permit Information](#)

SJC Warning!

This email originated outside of SJC. Do not open attachments or click links unless you recognize the sender, are expecting the email, and are confident the content is safe.

From: [Jing Yeo](#)
To: [Ryan Smith](#); [Adam Kent](#)
Cc: [Sia Poursabahian](#); [Michelle M. Hugard](#); [Heather Averick](#); [Leo Pustilnikov](#); [Maia Eaglin](#); [Allyson Crosby](#); [Dave Rand](#); [Laurie Craft](#)
Subject: RE: BHBH Conversation: TIME SENSITIVE ACTION ITEMS
Date: Tuesday, September 23, 2025 10:49:13 AM
Attachments: [image001.png](#)
[image002.png](#)
[Assumption of Risk - Transitional Housing 9-23-25.pdf](#)
[EPR Application Packet.pdf](#)

Hello Dr. Smith and Adam,

Thank you for letting us know of the funding constraints. Unfortunately, it does not appear that we will be able to facilitate an opening on Wednesday so we would recommend requesting an extension with DMH if possible to provide time to complete steps prior to occupancy before issuance of permits. For clarity, the following steps are necessary prior to occupancy:

1. **SJC to Submit Operational Plans** – The operational documents that were sent last week do not appear to address the site operations (e.g. pick-up/drop-off, how are referrals made to the site, client management). If those could be shared with the city, that will assist us in understanding how the site will be operated in the context of the existing neighborhood.
2. **Submit Permit Application and Plans for Change of Use and Unpermitted Work**
 - Have a licensed architect prepare a permit application and plans for change of use from residential care facility for the elderly to transitional housing and obtaining required permits for unpermitted work at 413 Ocean Ave
 - Unpermitted work would include at minimum work that City staff have discussed with current contractor including but limited to ceiling drywall replacement in the kitchen and new wall mounted heaters
3. **SJC signs Assumption of Risk (attached)** - SJC completes and signs Assumption of Risk. Please note that the Assumption of Risk requires that corrections from the plan check of the change of use & unpermitted work be constructed. **Please note:** No construction work is permitted during occupancy of the building per the Assumption of Risk so this will need to be taken into account in the facility's operations if any corrections are needed.
4. **Inspection Prior to Occupancy** - City staff inspection of building ahead of occupancy, which will include review of required emergency egress. Inspections will need to be scheduled with Fire and Building & Safety and we are checking on the earliest possible time that inspectors can visit the site.
 - Early occupancy is considered based on your statement that no license from DSS is required to run the facility. If a license is required, the occupancy of the building will be stopped until a copy of the license is provided to the city.

Thank you,
Jing

From: Ryan Smith <rsmith@stjosephctr.org>
Sent: Monday, September 22, 2025 12:35 PM
To: Adam Kent <adam@hope4la.org>; Jing Yeo <Jing.Yeo@santamonica.gov>
Cc: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Dave Rand <Dave@rpnllp.com>; Laurie Craft <lcraft@stjosephctr.org>
Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

Hi Partners,

Happy Monday. I'm reaching out to provide an update and additional clarification regarding the deadline for opening (receiving clients) at the 413 Ocean Ave. BHBH site.

After further conversation with DMH, they confirmed that per their agreement with the State, all BHBH beds are required to be fully operational no later than Tuesday, September 23, 2025 (tomorrow). However, DMH is working with us and agreed to extend the deadline slightly, allowing us until Wednesday to begin receiving clients. DMH had said costs could be reimbursed within the month we open, but hadn't clarified that it had to occur by Wednesday.

Please note that if the beds are not operational by Wednesday, we will not be reimbursed for any costs incurred during the month of September.

At this juncture, it would be helpful to know whether there is a possibility of opening by Wednesday. If that's not feasible, we will follow up with DMH to initiate the extension request.

We truly appreciate your continued support and all your efforts in helping us move this project forward as quickly as possible.

Sincerely,

RJS

Dr. Ryan J. Smith

President and CEO

St. Joseph Center | Hope Through Empowerment

rsmith@stjosephctr.org | he/him/his
204 Hampton Drive, Venice, CA 90291 | www.stjosephctr.org

From: Adam Kent <adam@hope4la.org>
Sent: Friday, September 19, 2025 3:43 PM
To: Jing Yeo <Jing.Yeo@santamonica.gov>
Cc: Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Dave Rand <Dave@rpnllp.com>
Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

Jing, we cannot have everything close on the same date (i.e., Sept 30) -- SJC has to open, inform DMH that they are ready to accept clients, and begin to on-board clients before the end of the month to not put funding in jeopardy -- hopefully, we can agree that pushing all of this to occur on the last day of the month won't work. We referenced the Monday (9/22) opening given this timing as our reference for opening at the end of the month. Given the lead times, and our productive discussions, and the representations below, can we agree that SJC can start the process of opening on Wednesday 9/24 and let SJC communicate that it can start the process of on-boarding clients to DHS within that timeline?

Please see the following:

1. SJC Operating Plans: attached.
2. Assumption of Risk: please provide this and we can execute.
3. Plans: while we do not agree that there is a change of use--and Leo pointed out in response to Heather's email that we do not believe plans are necessary--regardless, please see the historic plans that were provided to us.
4. Statement: SJC will provide a statement regarding licensure along these lines: SJC understands that no state license is required to operate the facilities at 413 Ocean Avenue and 825 Ocean Avenue, and if DSS or any other agency determines that a license is required, SJC acknowledges that the City of Santa Monica will take steps to begin

revocation of the subject permit for the facilities until the applicant provides proof of compliance or implements other corrective measures.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Thu, Sep 18, 2025 at 4:26 PM Jing Yeo <Jing.Yeo@santamonica.gov> wrote:

Hello Adam,

Thank you for the summary request. On today's call, we had heard a request to be open by the end of the month (i.e. September 30) so I do want to note that confirmation from the City to open on Monday 9/22 is not going to be possible.

We had an opportunity to discuss within the City team and have determined the following as a path forward that would allow SJC to open at 413 Ocean Ave:

1. **SJC to Submit Operational Plans** – We understand that St. Joseph Center has prepared operational plans for how the facility will be operated. If those could be shared with the city, that will assist us in understanding how the site will be operated.
2. **SJC and Development Team Signs Assumption of Risk** – The City Attorney's Office will be preparing an Assumption of Risk agreement that will be ready next week for review. Among others, the Assumption of Risk will include a provision that the occupancy of the building will be stopped if DSS determines that a license is required and until the applicant provides the city with the proof of the issued license by DSS.
3. **Development Team Submits Plans for Change of Use** – Simultaneous with this process is a requirement that plans for the change of use be submitted for 413 Ocean Avenue immediately (per Heather's e-mail, receipt of plans by EOD tomorrow) will assist the city in ensuring that we can conduct timely review of the plans.

4. **Written Statement from SJC and/or Development Team** – Please submit a written statement affirming that no State license is required to operate the facilities and an acknowledgement that if DSS or any other agency determines that a license is required, the City will take steps to begin revocation of the permit until the applicant provides proof of compliance.

Thank you,

Jing

From: Adam Kent <adam@hope4la.org>

Sent: Thursday, September 18, 2025 12:59 PM

To: Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>

Cc: Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Dave Rand <Dave@rpnllp.com>

Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

All, thanks for the time today, here is a summary, please let us know how we can move forward:

1. Please see the attached RFA -- the description of the program is summarized by the services provided on p.7 of the pdf (highlighted).
2. We are looking for the City to confirm that SJC can open on Monday 9/22 at 413 Ocean so we do not jeopardize funding under the program for both sites (413 Ocean and 825 Ocean).

3. We will confirm with DSS that the sites do not require a license (given the services described in the RFA, no license is required).

4. We will seek/obtain an extension on 825 Ocean, but look to open that site once DSS confirms no license is required.

5. We received a notice of violation for 413 Ocean that included (a) work done prior to BFG Santa Monica PropCo's ownership [remodeled bathrooms; wall heater replacement; HVAC units]; (b) fire sprinkler head replacement; (c) camera installation; (d) ceiling patching/repair; (e) elevator non-operational. No permit is needed for fire sprinkler head replacement, no permit is needed for cameras that are low voltage, no permit is required for patching the ceiling where no structural or systems. Sia has confirmed this is a separate email and said we will receive an updated notice. We are waiting on a light and sensor for the elevator from our licensed tech; the elevator works. Confirmation about what needs to be done at this property regarding work done from before this owner. Confirmation from the inspectors about any safety issues, and what we can do to address them.

6. We have a permit at 825 Ocean. The work for the permit has been completed. Jim Brewster asked us to open a ceiling in the office to investigate some metal pans that were there. We did that -- the metal pans were serving no purpose and we removed them. We want to close the ceiling up. Confirmation that an inspector will allow us to do that. Confirmation from the inspectors about any safety issues, and what we can do to address them.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Thu, Sep 18, 2025 at 12:16 PM Ryan Smith <rsmith@stjosephctr.org> wrote:

Thanks for the update! Please reach out if you need anything.

RJS

Dr. Ryan J. Smith

President and CEO

St. Joseph Center | Hope Through Empowerment

rsmith@stjosephctr.org |he/him/his

204 Hampton Drive, Venice, CA 90291 | www.stjosephctr.org

From: Heather Averick <Heather.Averick@santamonica.gov>

Sent: Thursday, September 18, 2025 11:43 AM

To: Leo Pustilnikov <leo@slhinvestments.com>; Adam Kent <adam@hope4la.org>

Cc: Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Dave Rand <Dave@rpnlip.com>

Subject: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

Hi All,

Quick recap to confirm next steps:

City:

1. will meet internally today to discuss any flexibility to allow move-ins at 413 concurrent with Development team getting license

Development team:

1. **Adam** will share summary of the project description, **please share this in advance of 1pm today**
2. Submit plans to Sia (given the tight turnaround, **we suggest by EOD tomorrow** to ensure there is no further delay)
3. Reach out to DSS regarding the licensing issue discussed

We will circle back with any updates as we have them.

Thanks,



Heather Averick

Director of Housing and Human Services

(310) 458-8310

santamonica.gov

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My working hours may look different than your working hours, there is no expectation for a response outside of your normal business hours. Our offices are closed every other Friday.

-----Original Appointment-----

From: Ryan Smith <rsmith@stjosephctr.org>

Sent: Tuesday, September 16, 2025 9:51 AM

To: Ryan Smith; Heather Averick; Allyson Crosby; Leo Pustilnikov; Adam Kent; Lupe Madrid; Maia Eaglin; Dave Rand

Subject: HOLD: BHBH Follow Up Conversation

When: Thursday, September 18, 2025 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: Microsoft Teams Meeting

EXTERNAL

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 246 086 359 615 2

Passcode: Sa69PK3F

For organizers: [Meeting options](#)

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the content is safe.

SJC Warning!

This email originated outside of SJC. Do not open attachments or click links unless you recognize the sender, are expecting the email, and are confident the content is safe.

From: [Sia Poursabahian](#)
To: [Adam Kent](#); [Elisa Paster](#); [Dave Rand](#); [Leo Pustilnikov](#)
Cc: [Jing Yeo](#); [Heather Averick](#); [Ryan Smith](#); [James Brewster](#); [Daniel Galvan](#); [William Nathan](#)
Subject: RE: BHBH Conversation: TIME SENSITIVE ACTION ITEMS
Date: Tuesday, September 23, 2025 2:07:22 PM
Attachments: [image001.png](#)
[image002.png](#)

Good afternoon, Adam,

FYI

Jim (Building) and Daniel (Fire) are planning to visit 413 Ocean Ave at 2:30 pm today to do a joint inspection.

Thank you

From: Adam Kent <adam@hope4la.org>
Sent: Tuesday, September 23, 2025 12:23 PM
To: Elisa Paster <Elisa@rpnllp.com>; Dave Rand <Dave@rpnllp.com>; Leo Pustilnikov <leo@slhinvestments.com>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>
Cc: Jing Yeo <Jing.Yeo@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Ryan Smith <rsmith@stjosephctr.org>
Subject: Fwd: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

Sia, thanks for passing along your 9/18 email for context -- I'm also including Elisa, Dave, and Leo on this email for visibility.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

----- Forwarded message -----

From: **Sia Poursabahian** <Sia.Poursabahian@santamonica.gov>

Date: Tue, Sep 23, 2025 at 12:12 PM

Subject: RE: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

To: Adam Kent <adam@hope4la.org>

Cc: Jing Yeo <Jing.Yeo@santamonica.gov>, Heather Averick <Heather.Averick@santamonica.gov>, rsmith@stjosephctr.org <rsmith@stjosephctr.org>

Good afternoon, Adam,

Please see the attached email I sent to Leo on 9/18/25 where I have clearly stated that a Change of Use permit will be required if the proposed use for the building is still classified as “R-2.1” occupancy by DSS.

The permit will be for Change of Use from “Residential care facilities for Elderly” to “Transitional Housing” under the same “R-2.1” Occupancy Type.

Thank you

From: Adam Kent <adam@hope4la.org>

Sent: Tuesday, September 23, 2025 11:48 AM

To: Jing Yeo <Jing.Yeo@santamonica.gov>; Elisa Paster <Elisa@rpnllp.com>

Cc: Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Dave Rand <Dave@rpnllp.com>; Laurie Craft <lcraft@stjosephctr.org>

Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

Jing, on the call, Sia mentioned a potential change of occupancy from R2.1 to R2, but indicated that a solution was to get DSS to confirm that there was no license needed which would indicate no change of occupancy and keep the property as R2.1. We have reached out to DSS and are trying to get that confirmation as it is our understanding that there is no license needed. However, you also reference a change of use, and a permit application and plans for that change of use -- this is something that we (you, me, Elisa, Cary, and Heidi) discussed in the spring and confirmed that there was no change of use. You've acknowledged this on the recent calls--and said that you warned us about building permit issues--but now it seems like you are denying that we obtained

confirmation that there was no change of use permit needed at the start of this process.

I've copied Elisa here as well as she was leading the discussions that we had at the start of this process with you, Cary, and Heidi regarding use. Maybe we should try and have a call to discuss this specific issue.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Tue, Sep 23, 2025 at 10:49 AM Jing Yeo <Jing.Yeo@santamonica.gov> wrote:

Hello Dr. Smith and Adam,

Thank you for letting us know of the funding constraints. Unfortunately, it does not appear that we will be able to facilitate an opening on Wednesday so we would recommend requesting an extension with DMH if possible to provide time to complete steps prior to occupancy before issuance of permits. For clarity, the following steps are necessary prior to occupancy:

1. **SJC to Submit Operational Plans** – The operational documents that were sent last week do not appear to address the site operations (e.g. pick-up/drop-off, how are referrals made to the site, client management). If those could be shared with the city, that will assist us in understanding how the site will be operated in the context of the existing neighborhood.
2. **Submit Permit Application and Plans for Change of Use and Unpermitted Work** - Have a licensed architect prepare a permit application and plans for change of use from residential care facility for the elderly to transitional housing and obtaining required permits for unpermitted work at 413 Ocean Ave
 - Unpermitted work would include at minimum work that City staff have discussed with current contractor including but limited to ceiling drywall replacement in the kitchen and new wall mounted heaters
3. **SJC signs Assumption of Risk (attached)** - SJC completes and signs Assumption of Risk. Please note that the Assumption of Risk requires that

corrections from the plan check of the change of use & unpermitted work be constructed. **Please note:** No construction work is permitted during occupancy of the building per the Assumption of Risk so this will need to be taken into account in the facility's operations if any corrections are needed.

4. **Inspection Prior to Occupancy** - City staff inspection of building ahead of occupancy, which will include review of required emergency egress. Inspections will need to be scheduled with Fire and Building & Safety and we are checking on the earliest possible time that inspectors can visit the site.

- Early occupancy is considered based on your statement that no license from DSS is required to run the facility. If a license is required, the occupancy of the building will be stopped until a copy of the license is provided to the city.

Thank you,
Jing

From: Ryan Smith <rsmith@stjosephctr.org>

Sent: Monday, September 22, 2025 12:35 PM

To: Adam Kent <adam@hope4la.org>; Jing Yeo <Jing.Yeo@santamonica.gov>

Cc: Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Dave Rand <Dave@rpnllp.com>; Laurie Craft <lcraft@stjosephctr.org>

Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

Hi Partners,

Happy Monday. I'm reaching out to provide an update and additional clarification regarding the deadline for opening (receiving clients) at the 413 Ocean Ave. BHBH site.

After further conversation with DMH, they confirmed that per their agreement with the State, all BHBH beds are required to be fully operational no later than Tuesday, September 23, 2025 (tomorrow). However, DMH is working with us and agreed to extend the deadline slightly, allowing us until Wednesday to begin receiving clients. DMH had said costs could be reimbursed within the month we open, but hadn't clarified that it had to occur by Wednesday.

Please note that if the beds are not operational by Wednesday, we will not be reimbursed for any costs incurred during the month of September.

At this juncture, it would be helpful to know whether there is a possibility of opening by Wednesday. If that's not feasible, we will follow up with DMH to initiate the extension request.

We truly appreciate your continued support and all your efforts in helping us move this project forward as quickly as possible.

Sincerely,

RJS

Dr. Ryan J. Smith

President and CEO

St. Joseph Center | Hope Through Empowerment

rsmith@stjosephctr.org | he/him/his

204 Hampton Drive, Venice, CA 90291 | www.stjosephctr.org

From: Adam Kent <adam@hope4la.org>

Sent: Friday, September 19, 2025 3:43 PM

To: Jing Yeo <Jing.Yeo@santamonica.gov>

Cc: Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Dave Rand <Dave@rpnllp.com>

Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

Jing, we cannot have everything close on the same date (i.e., Sept 30) -- SJC has to open, inform DMH that they are ready to accept clients, and begin to on-board clients before the end of the month to not put funding in jeopardy -- hopefully, we can agree that pushing all of this to occur on the last day of the month won't work. We

referenced the Monday (9/22) opening given this timing as our reference for opening at the end of the month. Given the lead times, and our productive discussions, and the representations below, can we agree that SJC can start the process of opening on Wednesday 9/24 and let SJC communicate that it can start the process of on-boarding clients to DHS within that timeline?

Please see the following:

1. SJC Operating Plans: attached.
2. Assumption of Risk: please provide this and we can execute.
3. Plans: while we do not agree that there is a change of use--and Leo pointed out in response to Heather's email that we do not believe plans are necessary--regardless, please see the historic plans that were provided to us.
4. Statement: SJC will provide a statement regarding licensure along these lines: SJC understands that no state license is required to operate the facilities at 413 Ocean Avenue and 825 Ocean Avenue, and if DSS or any other agency determines that a license is required, SJC acknowledges that the City of Santa Monica will take steps to begin revocation of the subject permit for the facilities until the applicant provides proof of compliance or implements other corrective measures.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Thu, Sep 18, 2025 at 4:26 PM Jing Yeo <Jing.Yeo@santamonica.gov> wrote:

Hello Adam,

Thank you for the summary request. On today's call, we had heard a request to be open by the end of the month (i.e. September 30) so I do want to note that confirmation from the City to open on Monday 9/22 is not going to be possible.

We had an opportunity to discuss within the City team and have determined the following as a path forward that would allow SJC to open at 413 Ocean Ave:

1. **SJC to Submit Operational Plans** – We understand that St. Joseph Center has prepared operational plans for how the facility will be operated. If those could be shared with the city, that will assist us in understanding how the site will be operated.
2. **SJC and Development Team Signs Assumption of Risk** – The City Attorney’s Office will be preparing an Assumption of Risk agreement that will be ready next week for review. Among others, the Assumption of Risk will include a provision that the occupancy of the building will be stopped if DSS determines that a license is required and until the applicant provides the city with the proof of the issued license by DSS.
3. **Development Team Submits Plans for Change of Use** – Simultaneous with this process is a requirement that plans for the change of use be submitted for 413 Ocean Avenue immediately (per Heather’s e-mail, receipt of plans by EOD tomorrow) will assist the city in ensuring that we can conduct timely review of the plans.
4. **Written Statement from SJC and/or Development Team** – Please submit a written statement affirming that no State license is required to operate the facilities and an acknowledgement that if DSS or any other agency determines that a license is required, the City will take steps to begin revocation of the permit until the applicant provides proof of compliance.

Thank you,

Jing

From: Adam Kent <adam@hope4la.org>

Sent: Thursday, September 18, 2025 12:59 PM

To: Ryan Smith <rsmith@stjosephctr.org>; Sia Poursabahian <Sia.Poursabahian@santamonica.gov>; Michelle M. Hugar <Michelle.Hugar@santamonica.gov>

Cc: Heather Averick <Heather.Averick@santamonica.gov>; Leo Pustilnikov <leo@slhinvestments.com>; Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby <Allyson.Crosby@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>; Dave Rand <Dave@rpnllp.com>

Subject: Re: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

EXTERNAL

All, thanks for the time today, here is a summary, please let us know how we can move forward:

1. Please see the attached RFA -- the description of the program is summarized by the services provided on p.7 of the pdf (highlighted).
2. We are looking for the City to confirm that SJC can open on Monday 9/22 at 413 Ocean so we do not jeopardize funding under the program for both sites (413 Ocean and 825 Ocean).
3. We will confirm with DSS that the sites do not require a license (given the services described in the RFA, no license is required).
4. We will seek/obtain an extension on 825 Ocean, but look to open that site once DSS confirms no license is required.
5. We received a notice of violation for 413 Ocean that included (a) work done prior to BFG Santa Monica PropCo's ownership [remodeled bathrooms; wall heater replacement; HVAC units]; (b) fire sprinkler head replacement; (c) camera installation; (d) ceiling patching/repair; (e) elevator non-operational. No permit is needed for fire sprinkler head replacement, no permit is needed for cameras that are low voltage, no permit is required for patching the ceiling where no structural or systems. Sia has confirmed this is a separate email and said we will receive an updated notice. We are waiting on a light and sensor for the elevator from our licensed tech; the elevator works. Confirmation about what needs to be done at this property regarding work done from before this owner. Confirmation from the inspectors about any safety issues, and what we can do to address them.
6. We have a permit at 825 Ocean. The work for the permit has been completed. Jim Brewster asked us to open a ceiling in the office to investigate some metal pans that were there. We did that -- the metal pans were serving no purpose and we removed them. We want to close the ceiling up. Confirmation that an inspector will allow us to do that. Confirmation from the inspectors about any safety issues, and what we can do to address them.

Thank you,

Adam Kent

Hope for an Affordable LA

9744 Wilshire Blvd., Suite 311

Beverly Hills, CA 90212

adam@hope4la.org

(818) 298-5614

On Thu, Sep 18, 2025 at 12:16 PM Ryan Smith <rsmith@stjosephctr.org> wrote:

Thanks for the update! Please reach out if you need anything.

RJS

Dr. Ryan J. Smith

President and CEO

St. Joseph Center | Hope Through Empowerment

rsmith@stjosephctr.org |he/him/his

204 Hampton Drive, Venice, CA 90291 | www.stjosephctr.org

From: Heather Averick <Heather.Averick@santamonica.gov>

Sent: Thursday, September 18, 2025 11:43 AM

To: Leo Pustilnikov <leo@slhinvestments.com>; Adam Kent <adam@hope4la.org>

Cc: Maia Eaglin <MEaglin@stjosephctr.org>; Allyson Crosby

<Allyson.Crosby@santamonica.gov>; Ryan Smith <rsmith@stjosephctr.org>; Sia

Poursabahian <Sia.Poursabahian@santamonica.gov>; Jing Yeo <Jing.Yeo@santamonica.gov>;

Michelle M. Hugard <Michelle.Hugard@santamonica.gov>; Dave Rand <Dave@rpnlip.com>

Subject: BHBH Conversation: TIME SENSITIVE ACTION ITEMS

Hi All,

Quick recap to confirm next steps:

City:

1. will meet internally today to discuss any flexibility to allow move-ins at 413 concurrent with Development team getting license

Development team:

1. **Adam** will share summary of the project description, **please share this in advance of 1pm today**
2. Submit plans to Sia (given the tight turnaround, **we suggest by EOD tomorrow** to ensure there is no further delay)
3. Reach out to DSS regarding the licensing issue discussed

We will circle back with any updates as we have them.

Thanks,



Heather Averick

Director of Housing and Human Services

(310) 458-8310

santamonica.gov

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My working hours may look different than your working hours, there is no expectation for a response outside of your normal business hours. Our offices are closed every other Friday.

-----Original Appointment-----

From: Ryan Smith <rsmith@stjosephctr.org>

Sent: Tuesday, September 16, 2025 9:51 AM

To: Ryan Smith; Heather Averick; Allyson Crosby; Leo Pustilnikov; Adam Kent; Lupe Madrid; Maia Eaglin; Dave Rand

Subject: HOLD: BHBH Follow Up Conversation

When: Thursday, September 18, 2025 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: Microsoft Teams Meeting

EXTERNAL

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From: [Cary Fukui](#)
To: [Jing Yeo](#); [Heidi von Tongeln](#); [Elisa Paster](#)
Cc: [Leo Pustilnikov](#)
Subject: 413/825 Ocean
Date: Thursday, May 1, 2025 10:00:22 AM
Attachments: [attachment.ics](#)

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Meeting ID: 290 593 930 489 9

Passcode: y9RB76aM

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For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

From: [Google Calendar](#) on behalf of [Leo Pustilnikov](#)
To: [Cary Fukui](#)
Subject: Accepted: FW: 413/825 Ocean @ Fri May 9, 2025 1pm - 2pm (PDT) (Cary Fukui)
Date: Wednesday, April 30, 2025 12:10:52 PM
Attachments: [attachment.ics](#)
[invite.ics](#)

EXTERNAL

Leo Pustilnikov has accepted this invitation.

,Hi Leo and Adam

The City has asked for a call to further discuss the project and next steps. I think it would be helpful to have someone on the call who can really speak to operations and timing. Is one of you available to join? Also, is there someone from St. Joseph center ?who can join

-----Original Appointment-----

< From: Cary Fukui

Sent: Wednesday, April 30, 2025 11:58 AM

To: Cary Fukui; Jing Yeo; Heidi von Tongeln; Elisa Paster

Subject: 413/825 Ocean

When: Friday, May 9, 2025 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & .(Canada

Where: Microsoft Teams Meeting

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(Friday May 9, 2025 · 1pm – 2pm (Pacific Time - Los Angeles

When

Location

Microsoft Teams Meeting

[View map](#)

Guests

organizer - Cary Fukui

creator - Leo Pustilnikov

heidi.vontongeln@santamonica.gov

Adam Kent

Elisa Paster

Jing Yeo

[View all guest info](#)

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To: [Cary Fukui](#)
Subject: Accepted: 413/825 Ocean @ Tue May 6, 2025 1:30pm - 2:30pm (PDT) (Cary Fukui)
Date: Thursday, May 1, 2025 10:45:53 AM
Attachments: [attachment.ics](#)
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EXTERNAL

Leo Pustilnikov has accepted this invitation.

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(Tuesday May 6, 2025 · 1:30pm – 2:30pm (Pacific Time - Los Angeles) When

Microsoft Teams Meeting Location
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organizer - Cary Fukui
heidi.vontongeln@santamonica.gov
Adam Kent
Elisa Paster
Jing Yeo
creator, optional - Leo Pustilnikov Guests
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To: [Cary Fukui](#)
Subject: Accepted: 413/825 Ocean @ Tue May 6, 2025 1:30pm - 2pm (PDT) (Cary Fukui)
Date: Tuesday, May 6, 2025 7:35:15 AM
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EXTERNAL

Leo Pustilnikov has accepted this invitation.

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(Tuesday May 6, 2025 · 1:30pm – 2pm (Pacific Time - Los Angeles) When

Microsoft Teams Meeting Location
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organizer - Cary Fukui
heidi.vontongeln@santamonica.gov
Elisa Paster
Jing Yeo
creator, optional - Leo Pustilnikov
optional - Adam Kent
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