

Ginetta GIOVINCO

Shareholder

LOS ANGELES | SAN FRANCISCO

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Ginetta specializes in land use matters, including the California Environmental Quality Act (CEQA) and the California Coastal Act. Ginetta's practice encompasses both advisory work and litigation, allowing her to handle matters seamlessly from the administrative level through trial and the appellate courts. Ginetta is frequently asked to assist on controversial projects that appear headed towards litigation, including providing advice on CEQA compliance, local coastal programs, and land use entitlements.

Ginetta's combination of substantive knowledge, strategic thinking, and advocacy skills make her one of the state's leading writ litigators, resulting in nine published Court of Appeal decisions in successful cases. These cases include important decisions upholding the use of an addendum for a residential housing project (*Olen Properties Corporation v. City of Newport Beach* (2023) 93 Cal. App.5th 270); addressing alternatives required under CEQA and confirming that parking alone is not an environmental impact (*Save Our Access-San Gabriel Mountains v. Watershed Conservation Authority* (2021) 68 Cal.App.5th 8); addressing exemptions from CEQA for projects in transit priority areas (*Covina Residents for Responsible Development v. City of Covina, et al.* (2018) 21 Cal. App.5th 712); clarifying the level of administrative appeal review required for subsequent CEQA review (*San Diegans for Open Government, et al. v. City of San Diego, et al.* (2016) 6 Cal.App.5th 995); and establishing limitations on when attorneys' fees may be awarded in CEQA litigation (*Coalition for a Sustainable Future in Yucaipa v. City of Yucaipa, et al.* (2015) 238 Cal.App.4th 513).

Complementing her land use practice, Ginetta has developed an expertise in legal issues affecting special districts. Ginetta currently serves as General Counsel to the Clovis Veterans Memorial District. Ginetta also has represented water agencies and community services districts in litigation, and has handled matters involving matters before local agency formation commissions (LAFCOs).

PRACTICE AREAS

Coastal
Litigation

FOCUS AREAS

CEQA (California
Environmental Quality Act)
(Litigation)
Coastal Litigation
Coastal Regulation &
Development
Land Use Planning & Zoning
(Environmental)
Land Use Planning & Zoning
(Litigation)
Land Use Planning & Zoning
(Municipal)
Local Coastal Programs
Mobilehome Parks & Rent
Control
Validation Actions (Litigation)
Writs & Appeals

EDUCATION

J.D., University of California,
Los Angeles, School of Law
B.A., *summa cum laude*, Phi

WORK FOR CLIENTS

Beta Kappa, The American University

Ginetta currently serves as General Counsel to the Clovis Veterans Memorial District.

Ginetta frequently represents clients in litigation at the trial court and appellate levels, often involving land use (including CEQA and the California Coastal Act), the Public Records Act, the Brown Act, or other matters involving writs of mandate.

PROFESSIONAL EXPERIENCE

Ginetta currently serves as Chair of the Firm's Coastal Department and previously served as Assistant Chair of the Firm's Litigation Department.

Ginetta is also a member of the Firm's Management Committee.

HONORS & AWARDS

Ginetta is AV Preeminent Rated by Martindale-Hubbell.

Ginetta was selected to the Southern California Super Lawyers List in 2014-2018, and previously was selected to the Southern California Rising Stars List in 2010-2013.

PROFESSIONAL AND COMMUNITY AFFILIATIONS

Member, Association of Environmental Professionals

Member, International Municipal Lawyers Association

Member, Los Angeles County Bar Association

Member, Los Angeles County Bar Association Judicial Appointments Committee

Member, Environmental Section, State Bar of California

EXPERIENCE

PUBLISHED OPINIONS

- ▶ ***Upland Community First v. City of Upland*** (2024) 105 Cal.App.5th 1 (determining no substantial evidence to support a fair argument of potential impacts, thereby upholding city's mitigated negative declaration under CEQA)
- ▶ ***Olen Properties Corporation v. City of Newport Beach*** (2023) 93 Cal.App.5th 270 (affirming trial court ruling upholding use of an addendum under CEQA for a residential housing project)
- ▶ ***Save Our Access-San Gabriel Mountains v. Watershed Conservation Authority*** (2021) 68 Cal.App.5th 8 (upholding trial court conclusion that CEQA does not categorically require analysis of alternatives other than the statutorily-required "no project" alternative in an environmental impact report, and reversing trial court to hold that the project's reduction in parking was not an environmental impact, thereby obtaining a complete victory on all issues in the case; represented public agency).
- ▶ ***Covina Residents for Responsible Development v. City of Covina, et al.*** (2018) 21 Cal.App.5th 712 (holding that CEQA exemption which took effect three months before city approved project applied and exempted consideration of project's parking impacts; represented city).
- ▶ ***San Diegans for Open Government, et al. v. City of San Diego, et al.*** (2016) 6 Cal.App.5th 995 (clarifying level of administrative appeal review required for subsequent CEQA review; represented real party in interest).
- ▶ ***Coalition for a Sustainable Future in Yucaipa v. City of Yucaipa, et al.*** (2015) 238 Cal.App.4th 513 (establishing limitations on when attorneys' fees may be awarded in CEQA litigation under Private Attorneys General Act "catalyst" theory; represented city).
- ▶ ***Eiskamp v. Pajaro Valley Water Management Agency*** (2012) 203 Cal.App.4th 97 (upholding dismissal of a challenge to an ordinance that increased groundwater augmentation charges for well operators; represented water agency).
- ▶ ***South Orange County Wastewater Authority v. City of Dana Point*** (2011) 196 Cal.App.4th 1604 (holding that a mitigated negative declaration prepared for a rezoning project was not required to study the impacts of an existing sewage treatment plant on the project; represented real party in interest).
- ▶ ***Habitat Trust for Wildlife, Inc. v. City of Rancho Cucamonga*** (2009) 175 Cal.App.4th 1306 (upholding city's right to select a qualified conservation entity to receive mitigation lands dedicated by a developer; represented city).

OTHER LITIGATION VICTORIES

- ▶ ***Public Land for Public Use v. City of Beverly Hills***. Successful defense of city's declaration under Surplus Land Act that certain property is surplus, and successful defense of related Brown Act claims.

- ▶ ***The Inland Oversight Committee v. City of Covina***. Successful defense of city's use of mitigated negative declaration under CEQA; no appeal filed.
- ▶ ***Coalition for Preservation of the Arroyo v. City of Pasadena***. Successful defense in trial court and on appeal of CEQA challenge to environmental impact report (EIR) for the use of the Rose Bowl as a temporary NFL location.
- ▶ ***Dunex, Inc. v. City of Oceanside***. Second chaired bench trial leading to judgment in city's favor on \$30 million dollar inverse condemnation claim stemming from city's denial of mobile home park conversion.
- ▶ Successful prosecution of multiple validation actions, including for multi-tiered bond transaction, Property Assessed Clean Energy (PACE) program, and refunding of pension obligation bonds.

NEWS

RWG Successfully Defends La Habra's Housing Element

06.17.2024

General Public Testimony About Impacts Insufficient to Meet "Fair Argument" CEQA Test

08.09.2021

Ginetta Giovinco Appointed to the LACBA Judicial Appointments Committee

07.17.2018