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Date: January 23, 2004
To: City Council
C/O City Clerk, Room 395 City Hall
John E. Fisher
From: *for* Wayne K. Tanda, General Manager
Department of Transportation
Subject: **CENTURY CITY NEIGHBORHOOD TRAFFIC PROTECTION TRUST
FUND (C.F. NO. 03-0591-S1)**

RECOMMENDATION

That the City Council adopt the referenced ordinance along with a revision to Paragraphs (b) and (i) to include the underlined language:

*CDS
gc*
Sec. 5.111.18. *Creation and Administration of the Fund.*

(b) The purpose of the Fund shall be the receipt, retention and disbursement of neighborhood traffic management funds received by the City from projects in the Century City Neighborhood Traffic Mitigation Plan Area to alleviate existing neighborhood traffic problems within the Century City North and Century City South Plan areas (Plans). The Fund shall also be used for the disbursement of monies transferred into the Fund by the City Council in accordance with the provisions stated in the City Charter.

(i) Neighborhood traffic management funds received previously to the effective date of this Ordinance from projects in the Plans areas which are currently deposited in the West Los Angeles Transportation Improvement and Mitigation Fund, and all interest and other earnings attributable to these monies, shall be transferred to the Fund upon its effective date.

DISCUSSION

The Department of Transportation (DOT) supports the proposed ordinance prepared by the City Attorney's Office, which would create the "Century City Neighborhood Traffic Protection Trust Fund."

On June 20, 2003, the City Council adopted conditions for a new development at 2000 Avenue of the Stars (C.F. No. 03-0591). The Council action included a request to the City Attorney to prepare the necessary ordinance to create a new Century City Neighborhood Traffic Protection Trust Fund and to transfer the specified neighborhood protection funds deposited in the West Los Angeles Traffic Improvement and Mitigation

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TRANSPORTATION

JAN 27 2004

Plan (TIMP) instructions to the new Trust Fund. The purpose of the Trust Fund is to be the receipt, retention, and disbursement of existing and future neighborhood traffic management funds from projects in the Century City Neighborhood Traffic Mitigation Plan Area to alleviate existing traffic problems within the Century City North and Century City South Plan areas.

On July 8, 2003, the City Council approved the Neighborhood Traffic Management (NTM) plan for the Century City area (C.F. 03-0591-S1) and directed the Department of Public Works and DOT to construct the improvements designated in the plan. The funding of the implementation of the NTM plan is provided by the Trust Fund.

The Department of Public Works' Bureau of Street Services and Bureau of Street Lighting, and DOT have already begun the implementation of the NTM plan. It is important to establish the Trust Fund as soon as possible as a first step toward disbursing much needed funds to the agencies in order to complete the work without disruption.

DOT recommends that a simple revision be made to the City Attorney's proposed ordinance, in order to clarify that only *neighborhood traffic management* funds be transferred to and received by the Trust Fund. This revision would prevent potential misinterpretations of the ordinance which may lead to the belief that existing and future traffic impact assessment fees required by the West Los Angeles TIMP Specific Plan may also be transferred to the Trust Fund. Therefore, DOT recommends that

c: Councilmember Jack Weiss, 5th District