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COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

<http://planning.lacity.org>

June 4, 2018

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**PROPOSED WEST LOS ANGELES TRANSPORTATION AND IMPROVEMENT MITIGATION
SPECIFIC PLAN (WLA TIMP SP) TRUST FUND ORDINANCE**

City Planning Case No. CPC-2014-1457-SP
Council Districts 5 and 11

The attached trust fund ordinance is required to administer the Transportation Impact Assessment (TIA) fees collected per the West Los Angeles Transportation Improvement and Mitigation Specific Plan. City Council will need to adopt the proposed trust fund ordinance in order to effectuate the administration of the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

RECOMMENDATION

That the City Council:

1. Adopt the proposed WLA TIMP SP Trust Fund Ordinance.
2. Request the City Attorney, in coordination with the Planning Department, to transmit the final WLA TIMP SP Trust Fund Ordinance reviewed as to form and legality.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

Conni Pallini-Tipton, AICP
Senior City Planner

VPB:KK:cw:cpt

Enclosure: WLA TIMP SP Trust Fund Ordinance

ORDINANCE NO. [#]
(Adopted [date])

An ordinance adding Article 13.6 to Chapter 5 of Division 5 of the Los Angeles Administrative Code to establish the West Los Angeles Transportation Improvement and Mitigation Fund.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. The Los Angeles Administrative Code is hereby amended by adding Article 13.6 to Chapter 5 of Division 5 to read:

ARTICLE 13.6.
**WEST LOS ANGELES
TRANSPORTATION IMPROVEMENT AND MITIGATION FUND**

Section 5.111.15. Creation and Use of the Fund.

A. There is hereby created within the Treasurer's Office of the City of Los Angeles a special fund to be known as "West Los Angeles Transportation Improvement and Mitigation" Fund hereinafter referred to as the "Fund," to be administered by the Department of Transportation in accordance with established City practice and in conformance with Government Code Section 66000, et seq.

B. The Fund shall be used for (1) the deposit of payments of the Transportation Impact Assessment (TIA) Fee, Application Fees, Appeal Fees, and other monies collected by the Department of Transportation pursuant to the West Los Angeles Transportation Improvement and Mitigation Specific Plan, hereinafter referred to as the "Transportation Plan," (2) any other money collected, appropriated or given to the Fund pursuant to Ordinance No. 171,492, and (3) other monies collected for the mitigation of transportation impacts throughout the Plan Area.

C. All interest or other earnings from money received into the Fund shall be credited toward the Fund.

D. The Department of Transportation shall collect monies derived from payment of the Transportation Impact Assessment Fee, Application Fees, Appeal Fees, or other monies collected for mitigation of transportation impacts as established in the Plan and remit all such monies to the Treasurer's Office for deposit into the Fund.

E. Within the Fund, the following appropriation accounts shall be established.

1. A Regional/Subregional Transportation Improvements Account for Transportation Impact Assessment Fees and Mitigation Requirements paid pursuant to the Plan.

2. An Administration Account pursuant to Subsection F 2 below and for application fees and appeal fees collected pursuant to the Plan.

The General Manager of the Department of Transportation shall have the authority to establish additional appropriation accounts in accordance with established City practice.

F. All monies in the Fund shall be held separate and apart from other City funds and shall be expended upon the authority of the General Manager of the Department of Transportation or his or her designee, in accordance with this ordinance and pursuant to the following restrictions:

1. The monies placed in the Fund each year shall be used to improve the transportation system within the Plan Area as provided in the Plan.

2. Up to five percent of the monies remaining in the Fund at the end of the fiscal year or the monies placed in the Fund during the fiscal year, whichever is greater, shall be transferred to the administrative account for Department of Transportation equipment, establishing a one-stop counter, Department of Transportation salaries, traffic surveys/research efforts, traffic studies, transportation plans and designs, Specific Plan reviews, and coordination, planning and processing associated with the administration of the Plan. Funds in the administrative account not used in any fiscal year shall be carried over to following years.

G. The Fund shall not be used to pay for improvements which do not provide a regional or subregional transportation benefit. Project Serving Improvements which are constructed as part of a Project and which serve only the Project shall not be funded by the Fund. The Fund shall not be used to finance any transportation improvement which is not of direct benefit to the Transportation Plan Area. The Fund shall not be used to substitute for other transportation monies which have been allocated to the Transportation Plan Area. The fund shall not be used for the following specific uses:

1. Maintenance of facilities.

2. Alley improvements.

3. Curb, gutter and sidewalk repairs, except as part of a transportation improvement pursuant to the West Los Angeles TIMP Specific Plan.

4. Curb, driveway, gutter, trees, street lights/power poles or sidewalk construction, except as part of a transportation improvement pursuant to the West Los Angeles TIMP Specific Plan.

5. Off-street parking facilities except in conjunction with a TDM program, on-street replacement parking to improve traffic flow, or park and ride facility.

6. Private streets.

H. Upon adoption of this Ordinance, any unencumbered monies in the existing Trust Fund accounts and sub-accounts established by Ordinance No.171493, shall be moved into the Regional/Subregional Transportation Improvements Account and shall be subject to the requirements of this Ordinance