

LAW OFFICE OF  
CHRISTOPHER SUTTON  
586 LA LOMA ROAD  
PASADENA, CALIFORNIA 91105-2443  
TELEPHONE (626) 683-2500 ... FACSIMILE (626) 405-9843  
email: christophersutton.law@gmail.com

**Friday, March 27, 2015**

City Clerk, City of Los Angeles  
Attn: Michael Espinosa, Deputy Clerk  
Los Angeles City Hall, Room 360  
200 North Spring Street  
Los Angeles, California 90012

City of Los Angeles, Board of Public Works  
Kevin James, President  
Los Angeles City Hall, Room 350  
200 North Spring Street  
Los Angeles, California 90012

**Re: APPEAL OF CEQA DECISION OF BOARD OF PUBLIC WORKS TO CITY COUNCIL  
Public Resources Code sections 21151(c);  
Board of Public Works Special Meeting of March 27, 2015, re Impacts of  
L.A.C.M.T.A.'s ("Metro") Regional Connector Transit Corridor Subway Project  
Environmentally Offensive Changes to the Project Design and Implementation;  
Violations of 4-26-2012, Mitigation Monitoring and Reporting Program ("MMRP")**

Dear Los Angeles City Clerk and Los Angeles Board of Public Works:

This letter is submitted on behalf of the Today's IV, Inc., doing business as, Westin Bonaventure Hotel and Suites ("The Bonaventure"). The Bonaventure's main entrance is located on the west side of Flower Street between Fourth and Fifth Streets. The main entrance is adjacent to the proposed three-block long trench planned to be excavated by the Los Angeles County Metropolitan Transportation Authority ("Metro").

Pursuant to California Public Resources Code section 21151(c) and ordinances, codes, and CEQA Guidelines of the City of Los Angeles, we hereby **APPEAL TO THE CITY COUNCIL** all the findings and decisions of the Board of Public Works made on **MARCH 27, 2015**, pursuant to **SPECIAL MEETING AGENDA ITEM (1), including sub-items 1) through 6)**. A copy of the Special Meeting Agenda is attached hereto and incorporated herein by this reference. Immediately after the meeting of Board of Public Works on March 27, 2015, I spoke with Deputy City Clerk Michael Espinosa at the City Clerk's Office and he informed me that a letter was the proper format to initiate this appeal to the City Council from the decision of the Board of Public Works and that no fee was required. Please schedule the hearing on the appeal as soon as possible, and please notify this office by email and U.S. Mail of the time and date of the appeal hearing. Once we know the hearing date we will submit additional materials and arguments in support of this appeal.

Sincerely,

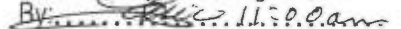


**Christopher Sutton  
Attorney for Westin Bonaventure Hotel and Suites**

**POSTED**

**MAR 25 2015**

Board of Public Works  
of the City of Los Angeles, CA

By:  11:30 a.m.

**SPECIAL MEETING**

City of Los Angeles

**BOARD OF PUBLIC WORKS**

**Friday, March 27, 2015**

10:00 a.m. - Edward R. Roybal BPW Session Room  
Room 350 City Hall  
200 North Spring Street  
Los Angeles, California 90012

Members: Kevin James, President  
Monica Rodriguez, Vice President  
Matt Szabo, President Pro Tempore  
Michael Davis  
Heather M. Repenning  
(James A. Gibson, Executive Officer 213-978-0261)

**AGENDA ITEMS**

(1)

#1 BSS

Re: Metro Regional Connector Transit Project -

- 1) Certify that the Board has reviewed and considered the information in the Regional Connector Transit Project Environmental Impact Statement/Environmental Impact Report (EIS/EIR);
- 2) Find that under the California Public Resources Code, Section 21166 and the California Environmental Quality Act (CEQA) Guidelines Section 15162, on the basis of substantial evidence contained in the whole record, that since certification

(continued next page)

(1) – continued

of FEIS/FEIR on April 26, 2012 (by Metro), there have been no changes to the Project, changes with respect to the circumstances under which the Project is being undertaken, or new information of substantial importance concerning the Project, which cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and therefore no subsequent EIR and no supplemental EIR is required for the Project;

- 3) Adopt the January 20, 2012 Mitigation Monitoring and Reporting Program prepared by Metro as it pertains to mitigation measures EB1 to EB7, and EJ-30;
- 4) Find under California Public Resources Code, Section 15091 that changes or alterations have been required in, or incorporated into, the Project which reduce or substantially lessen the significant environmental effect as identified in the FEIS/FEIR. Further find that there is no feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the Project would have on the environment;
- 5) Specify that the Urban Forestry Division of the Bureau of Street Services, located at 1149 South Broadway, is custodian of the documents or other material which constitute the record of the proceedings upon which the Board's decision is based;
- 6) That the Board approve the request for a permit to remove seven Pink Trumpet trees located at 601 East 1<sup>st</sup> Street in connection with the Metro Regional Connector Transit Project – tree replacements are required;

CD 14

DISPOSITION: