

FRANK T. MARTINEZ  
City Clerk

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Executive Officer

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# CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

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HELEN GINSBURG  
Chief, Council and Public Services Division

05-1056

CD 5

August 25, 2005

Office of the Mayor  
Councilmember Weiss  
Councilmember Reyes  
Department of Transportation  
Board of Transportation Commissioners  
City Administrative Officer  
Chief Legislative Analyst  
Controller, Room 300  
Accounting Division, F&A  
Disbursement Division

RE: PROPOSED SUPPORT AND COOPERATION AGREEMENT BETWEEN THE CITY AND SUNSET  
MILLENNIUM ASSOCIATES

At the meeting of the Council held August 9, 2005, the following action  
was taken:

Attached report adopted.....	<u>X</u>
Attached motion ( ) adopted.....	<u>          </u>
Ordinance adopted.....	<u>          </u>
FORTHWITH.....	<u>          </u>
Motion adopted to approve communication recommendation(s).....	<u>          </u>
Mayor approved.....	<u>8-16-05</u>

*Frank T. Martinez*

City Clerk  
jr



## Your

**PLANNING AND LAND USE MANAGEMENT COMMITTEE  
and  
TRANSPORTATION COMMITTEE**

report as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u>    </u>

PLANNING AND LAND USE MANAGEMENT AND TRANSPORTATION COMMITTEES' REPORT relative to a proposed Support and Cooperation Agreement between the City and Sunset Millennium Associates.

**Recommendations for Council action, as initiated by Motion (Weiss - Reyes), SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the General Manager of the Department of Transportation (DOT), to execute the proposed "Support and Cooperation Agreement" (Agreement) between the City of Los Angeles and Sunset Millennium Associates, relative to the development of the Middle and East Parcels of the Sunset Millennium project, subject to the review and approval of the City Attorney as to form and legality, and as amended to modify the Agreement, Section A.1., Subsection 1.1, second sentence, relative to the first payment to read:

**"The first payment shall be due 30 days after the Agreement is executed"**

2. AUTHORIZE the DOT to deposit the sum of \$603,500 into DOT Automated Traffic Surveillance and Control (ATSAC) Trust Fund No. 484 and APPROPRIATE to an account titled "Sunset Millennium Traffic Mitigation Fund."

**Fiscal Impact Statement:** The DOT reported that execution of the Agreement would create the “Sunset Millennium Traffic Mitigation Fund” which is to be used for implementation of public improvements listed in Attachment A of the proposed Agreement. If the \$603,500 deposit proves to be insufficient, supplemental funds would have to be appropriated from the unappropriated balance of the DOT ATSAC Trust Fund No. 484.

### Summary:

At its meeting on June 29, 2005, the Planning and Land Use Management Committee considered Motion (Weiss - Reyes), relative to a proposed "Support and Cooperation Agreement" (Agreement), between the City and Sunset Millennium Associates.

Motion (Weiss - Reyes), notes that the City of West Hollywood has approved development of Sunset Millennium, a combined commercial and residential project, including three parcels known as the West, Middle and East Parcels, pursuant to the 1999 Sunset Millennium Development Agreement. The developer, Sunset Millennium Associates, and the City of Los Angeles entered into a Settlement and Cooperation Agreement, effective as of January 12, 2000, with respect to the Project.

According to Motion (Weiss - Reyes), Sunset Millennium has subsequently formulated a revised development plan for the Middle and East Parcels. West Hollywood has determined that development of the Middle and East Parcels of the Project will not cause any significant impacts to any roadways or intersections in Los Angeles as discussed in the Sunset Millennium Final Environmental Impact Report dated January 2005.

Motion (Weiss - Reyes), further notes that Los Angeles has certain concerns regarding the FEIR's analysis of traffic impacts on intersections within Los Angeles. Sunset Millennium has sought to address the concerns of Los Angeles and has negotiated a mutually beneficial resolution with the City, under which Sunset Millennium will provide certain benefits to Los Angeles in exchange for an agreement not to pursue litigation or otherwise oppose the project or project approvals.

Motion (Weiss - Reyes) reports that the benefits in the proposed agreement would include the purchase of certain computer equipment, emergency vehicle traffic preemption systems, a contribution to ATSAC in the Sunset Boulevard Corridor and various intersection improvements at Fairfax and Sunset Boulevards. The Motion further noted that a draft support and cooperation agreement has been negotiated between Sunset Millennium and the City, which satisfies the concerns of the Los Angeles Fire and Transportation Departments

Motion (Weiss - Reyes) requests the following:

1. That the City Council authorize the General Manager, DOT, to execute the aforementioned "Support and Cooperation Agreement" between the City of Los Angeles and Sunset Millennium Associates, relative to the development of the Middle and East Parcels of the Sunset Millennium project, subject to the review and approval of the City Attorney as to form and legality.
2. That the DOT be authorized to deposit the sum of \$603,500 into DOT ATSAC Trust Fund No. 484 and appropriate to an account titled "Sunset Millennium Traffic Mitigation Fund."

At the June 29, 2005, Planning and Land Use Management Committee meeting, the Committee approved Motion (Weiss - Reyes) as amended, to modify the proposed Agreement Section A.1., Subsection 1.1, second sentence relative to the first payment to read:

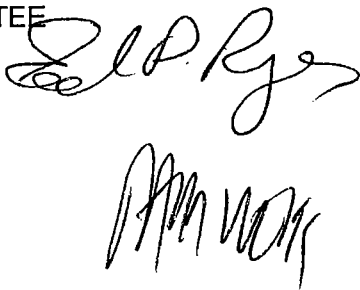
"The first payment shall be due 30 days after the agreement is executed"

On July 13, 2005, the Transportation Committee reviewed the Motion (Weiss - Reyes), and a DOT report dated July 11, 2005. The Transportation Committee concurred with the Planning and Land Use Management Committee's June 29, 2005 action to approve the Motion as amended, and the DOT recommendation which supported approval of the Motion. In addition, DOT reported that the provisions of the Agreement would satisfactorily address the project related traffic impacts on the City of Los Angeles Streets.

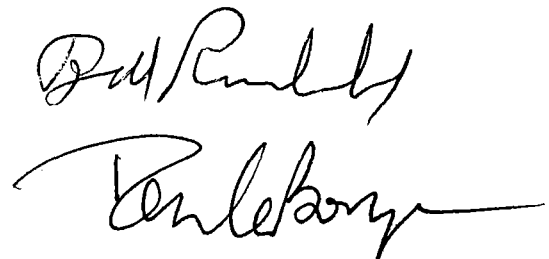
At its Special meeting held August 2, 2005, the Planning and Land Use Management Committee considered the July 11, 2005, DOT report, and again concurred with the all previous Committees' actions and recommendations relative to Motion (Weiss - Reyes) as amended, and the July 11, 2005 DOT report.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT  
COMMITTEE



TRANSPORTATION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
WEISS:	YES
CARDENAS:	ABSENT

<u>MEMBER</u>	<u>VOTE</u>
ROSENDAHL:	YES
SMITH:	ABSENT
LABONGE	YES

*Report*  
**ADOPTED**

AUG 09 2005

**LOS ANGELES CITY COUNCIL**

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