

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

05-1214

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
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HELEN GINSBURG
Chief, Council and Public Services Division

June 30, 2005

City Administrative Officer
Attn: City Attorney Analyst
Liability Claims/Budget Group
Room 1260, CHE
City Attorney,
cc: Jennifer Krieger
cc: Business Office
cc: Budget & Finance Division

Controller, Room 300
Accounting Division, F&A
Disbursement Division
Office of Finance
Treasurer
Councilmember Parks
Council District 11

RE: SETTLEMENT IN THE CASE ENTITLED FRIENDS OF BALLONA WETLANDS V. THE
COASTAL COMMISSION, CITY OF LOS ANGELES, ET AL., REAL PARTIES IN
INTEREST, SUPERIOR COURT CASE NO. C 525 826

At the meeting of the Council held June 21, 2005, the following action was
taken:

Attached report adopted.....
Attached motion (Miscikowski - Parks) adopted in Open Session.. X
Attached resolution adopted.....
Ordinance adopted.....
Motion adopted to approve attached report.....
Motion adopted to approve attached communication.....
To the Mayor for concurrence.....
To the Mayor FORTHWITH..... X
Mayor concurred..... 6-29-05
Agreement mentioned therein is/are No. _____
of contracts.....

Handwritten signature of Frank T. Martinez

City Clerk
crm



VERBAL MOTION

I HEREBY MOVE that Council ADOPT the following recommendation of the City Attorney in connection with recommendation of Amendment of Settlement Agreement - Friends of Ballona Wetlands v. the California Coastal Commission, City of Los Angeles as Real Party in Interest, Case No. C 525 826, SUBJECT TO THE APPROVAL OF THE MAYOR:

AUTHORIZE the City Attorney to enter into a stipulation for entry of judgment on behalf of the City, as summarized below:

- a. The Developer agrees not to seek any new or modified approvals that would have an impact materially more adverse than that permitted by the development currently approved, and agrees, as a contractual matter, that it will not complete the final phase of the development until it has completed all the required traffic and ecological improvements.
- b. The Developer agrees to pay an additional \$750,000, for a total amount of \$1,375,000 to achieve various interim restoration measures benefitting the Ballona Wetlands.
- c. The Developer agrees to designate a 1.7 acre site within the First Phase area for an outdoor wetlands interpretive center, and, along with the Friends, to partially fund that center. The Developer's minimum contribution will be \$1,400,000.
- d. The Developer agrees to maintain the Freshwater Wetlands System and provide financial assurances with respect to that obligation.

PRESENTED BY _____
CINDY MISCIKOWSKI
Councilmember, 11th District

SECONDED BY _____
BERNARD C. PARKS
Councilmember, 8th District

June 21, 2005

CF 05-1214

Motion
ADOPTED

JUN 21 2005
in Open Session
LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH