

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
(562) 590-5071



Filed: March 27, 2008
49th Day: May 15, 2008
180th Day: September 23, 2008
Staff: Gabriel Buhr-LB
Staff Report: May 21, 2008
Hearing Date: June 11-13, 2008
Commission Action:

W10a

STAFF REPORT: MATERIAL AMENDMENT**AMENDMENT**

APPLICATION No.: 5-91-286-A6

APPLICANT: City of Los Angeles

AGENT: Norman Mundy

PROJECT LOCATION: 15101 Pacific Coast Highway, Potrero Canyon, Pacific Palisades,
City of Los Angeles

DESCRIPTION OF CURRENT AMENDMENT #6: Amend Special Condition #3 to allow for the sale of two of the twenty-two City owned canyon rim lots (615 and 623 Alma Real Drive). The money would be directed to an established Trust Fund and used solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. Specifically, monies generated from the sale of these two lots would fund additional needed geologic investigations of Potrero Canyon, and creation of final grading plans and final park plans for the canyon. Permission to sell additional lots will require application for a subsequent amendment.

DESCRIPTION OF ORIGINAL COASTAL DEVELOPMENT PERMIT: Installation of approximately three million cubic yards of clean fill dirt in Potrero Canyon: First Phase (now completed) entailed installation of subdrain system, storm drain, and 25 feet of fill; Second Phase includes 75 additional feet of fill, some deep excavations of landslides and reconstruction of buttress fills along canyon sides; and Phase Three is the construction of additional buttress fills, park and restored riparian habitat area. Amendment approved September 11, 1991.

DESCRIPTION OF AMENDMENT #1: Withdrawn.

DESCRIPTION OF AMENDMENT #2: Amend Potrero Canyon fill project Phase Three to: 1) lower final height of canyon floor to approximately 89 feet above flow line, 2) change interior road configuration to one fire lane/access trail 12 feet wide through the facility from Pacific Coast Highway to the Pacific Palisades Recreation Center, 3) increase riparian area from 7.4 acres to a maximum of 7.9 acres, 4) redesign configuration of buttress fills, 5) extend deadline for final engineering plans, and 6) install surface water diversion system. Amendment approved October 14, 1995.

DESCRIPTION OF AMENDMENT #3: Realign an approximately 560 foot long segment of a one-mile long fire/access road to be incorporated into landslide repair plans. Landslide repair includes demolition of Sunspot Motel, excavation of debris and importation

of fill and construction of approximately 180 foot high, 87,000 cubic yard buttress fill. Amendment approved October 10, 1996.

DESCRIPTION OF AMENDMENT #4: Amend Phase Two of a slope stabilization and canyon fill project to repair landslide failures between Alma Real Drive and Friends Street up to the 231 Alma Real Drive rear property line and at 15202 Earlham Street (Wachtel property). The project will use approximately 300,000 cubic yards of fill now stock-piled at the site to extend buttress fill to two additional residential lots in order to stabilize hillsides at both sites. Amendment approved August 7, 2003 but never issued.

DESCRIPTION OF AMENDMENT #5: Incomplete submittal, returned due to inactivity.

LOCAL APPROVALS RECEIVED: Los Angeles City Coastal Development Permit 85-21, D.M. 7197; C.C. No. 11; EIR Department of Recreation and Parks, June, 1985.

SUBSTANTIVE FILE DOCUMENTS:

1. Coastal Development Permits 5-86-958, 5-91-286 and approved amendments (City of Los Angeles, Department of Recreation and Parks).
2. City of Los Angeles Geotechnical Engineering Division, "Pre-Design Report, Potrero Canyon Park Development Study," dated March 18, 2008.
3. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Report, Potrero Canyon Park, Pacific Palisades, City of Los Angeles," dated March 11, 2008.
4. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Real Estate Disclosure, Lot #38 of Tract 9377, 615 Alma Real Drive, Pacific Palisades, CA 90272," dated March 19, 2008.
5. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Real Estate Disclosure, Lot #39, 623 Alma Real Drive, Pacific Palisades, CA 90272," dated March 19, 2008.
6. City of Los Angeles, Ordinance #179472 – Added Chapter 147 of Division of the Los Angeles Administrative Code – Potrero Canyon Trust Fund, adopted December 11, 2007.

EXHIBITS:

1. Vicinity Map
2. Assessor's Parcel Map
3. Conceptual Grading plans
4. Ordinance #179472 – Potrero Canyon Trust Fund

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval of the proposed coastal development permit amendment with **four (4)** special conditions. The special conditions would: **1)** clarify that all conditions imposed under the original permit and previous amendments remain in effect unless modified by this amendment or previous Commission approved amendments; **2)** modify a prior special condition related to the timing for the sale of two City-owned residential lots; **3)** require the submittal of new geotechnical reports generated by proposed geotechnical investigation; and, **4)** require the submittal of revised conceptual grading plans showing the removal of any proposed work for the Via de las Olas Canyon area.

PROCEDURAL NOTE

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

The project is a substantial change from that previously approved. Therefore, pursuant to Section 13166 of the Commission's regulations, the Executive Director is referring this application to the Commission.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 5-91-286 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Conditions Imposed Under Original

Unless specifically altered by this amendment, all regular and special conditions attached to Coastal Development Permit No. 5-91-286 and/or amendments thereto shall remain in effect. If the specifications of any plans approved to comply with permit 5-91-286 are inconsistent with either the project description submitted with this amendment or the conditions imposed by this amendment, the applicant shall submit new plans to the Commission, for the review and approval of the Executive Director, that are consistent with the terms and conditions of this permit as modified by this amendment 5-91-286-A6.

2. Modify Special Condition No. 3 (Acceptance of Conditions, Timing of Sale of Residential Lots) as shown:

- A. Within 90 days of the Commission's action on this permit, the City Council of the City of Los Angeles shall adopt an ordinance, resolution or other action deemed appropriate by the Executive Director accepting the terms and conditions of this permit. The ordinance shall further specify that the City shall not offer for sale any of the city-owned residential lots adjacent to the canyon until the riparian habitat and park construction outlined in these conditions has been completed, the park open for public use, and a source of funds for its inspection and continued maintenance has been identified. When the city-owned residential lots adjacent to the park property are sold, each deed shall include a restriction that gives notice to the buyer that the park created by this restoration program has been deeded for public purposes in perpetuity.

- B. Permit the sale of two of the city-owned residential lots restricted in Special Condition 3A, specifically located at 615 and 623 Alma Real Drive. Monies from the sale of the specified lots will be directed to the Potrero Canyon Trust Fund and be used to fund additional geologic investigation within Potrero Canyon, and for the design of final grading plans and park plans for the Potrero Canyon Park Restoration Project.

3. Submittal of Geotechnical Reports

After completion of the proposed geologic investigation and review of Potrero Canyon, the City shall submit the geotechnical reports generated by the Geotechnical Engineering Division for the review and approval of the Executive Director.

4. Submittal of Revised Project Plans

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, two (2) sets of revised conceptual grading plans that show the proposed grading for the Via de Las Olas canyon/landslide area removed from the project.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Amendment Project Description

The City of Los Angeles Department of Recreation and Parks proposes to amend a previously issued Coastal Development Permit that allowed the City to fill a coastal canyon to protect the homes on the canyon rim from landslides. The original approved plans have never been completed, and progress stopped completely in 2004 due to lack of funding. The canyon currently exists in a partially graded state with approximately sixty-five percent of the original grading completed.

The City purchased twenty-two residential properties located along the canyon rim as a consequence of litigation due to unsafe conditions created by landslides within the canyon. Under the original CDP the Commission included a special condition that restricted the City from selling any of these residential lots until the habitat mitigation component of the canyon fill project had been installed.

Recently the Geotechnical Engineering Division (GED) of the City of Los Angeles has conducted a review of the historical stabilization work completed to date as a part of the canyon park project. GED uncovered several areas of deficient or lacking documentation related to existing conditions within the canyon, and to the scope of work previously completed. GED has completed a Geotechnical Report for Potrero Canyon Park detailing these findings, accompanied by a proposed scope of work for a thorough geotechnical investigation of current stability conditions within the canyon that will generate a revised grading scheme designed to complete the park development.

The proposed amendment from the City requests to modify Special Condition #3 of the original CDP to allow for the sale of two of the City-owned residential lots prior to the completion of the canyon park project. The two residential lots specifically are located at 615 and 623 Alma Real Drive. Monies from the sale would fund the aforementioned geotechnical investigation, as well as the creation of revised final grading plans and park plans. Funds generated would be directed to the Potrero Canyon Park Trust, an account established to hold and distribute money solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project (**Special Condition #2**). The City projects that the revenues from the sale of the two residential lots will generate approximately \$5,400,000. Estimates by the City for the project budget related to the proposed geologic exploration, and for the creation of final grading and park design plans total close to \$5,000,000.

B. Project History

Coastal Development Permit 5-91-286 as presently amended allows the City to place a large volume of fill in Potrero Canyon, a coastal canyon. Before the fill occurred there was a blue line stream and 3.64 acres of riparian vegetation, primarily willow woodland at the bottom of the canyon. The sides of the canyon were covered with coastal sage scrub. The fill in the canyon was necessary because landslides had resulted in the loss of twenty homes and endangerment of other homes. The original permit included about 3 million cubic yards of fill, including fill 100 feet above the flow line of the stream, plus additional buttress fills, wedges of earth, extending up to the level of existing lots on the canyon rims. After denial of the initial permit application, Coastal Development Permit 5-86-958 was granted in 1988 and reissued as 5-91-286 in September 1991, after it had expired. The Commission found that the development as proposed was not consistent with Section 30231 and 30241 of the Coastal Act and could only be approved if the applicant agreed to restore the riparian habitat area that had existed in the canyon bottom at a 2:1 ratio. The City proposed 7.4 acres of mitigation, to be constructed as an artificial riparian area on top of the fill at the completion of the project (Phase Three). The City proposed a first amendment (5-91-286-A1), the first draft of the Phase Three plans, but withdrew the amendment in order to conduct community meetings on the design of the riparian mitigation. The City's second amendment, 5-91-286-A2, proposed restoring 7.9 acres of riparian habitat, located in a basin protected by a plastic liner such as is used in landfill projects.

In 1993, the Commission approved the final design of the upper buttress fills, and a 12-foot wide fire road/trail access through the canyon. The City also provided a final conceptual design of the riparian area that was ultimately approved in concept by the Commission (5-91-286-A2). The second amendment (5-91-286-A3) that was approved with conditions by the Commission allowed a design change in the road at the canyon entrance. The third amendment (5-91-286-A4) that was approved with conditions by the Commission proposed to amend Phase Two of the slope stabilization and canyon fill project to repair landslide failures between Alma Real Drive and Friends Street. Amendment A4 was never issued due to more recent slides that have occurred in the proposed project vicinity that have warranted a more significant stabilization plan than what was approved previously. This proposed stabilization will likely be submitted under a new amendment application in the near future.

Phase One of the project is now complete, and included the installation of a subdrain, the fill of the canyon to a depth of 40 feet, and the construction of a storm drain. Phase Two of the Potrero Canyon project was to consist of the importation of 2.5 million cubic yards of fill to raise the canyon grade considerably. During construction it was found that the required removal of existing landslide debris was not practicable without the deep removals to expose undisturbed bedrock,

necessitating the creation of several stabilization fills in addition to the level fill. Approximately sixty-five percent of the proposed grading was completed prior to 2004 when a lack of funding caused work to cease. Phase Three is planned to involve the creation of additional stabilization fills and the creation of open space and installation of the required habitat and mitigation areas.

C. Geologic Stability

The entire project was approved because the City supplied the Commission convincing evidence that there was no other feasible way to stop ongoing collapse of the canyon walls and destruction of houses located on the canyon rim. This present amendment would allow for new investigations to update the current geological state of the canyon, and provide new plans relative to those discoveries that would complete the unfinished stabilization of the canyon.

Section 30253 of the Coastal Act states in part:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

As stated previously, the City's Geotechnical Engineering Division (GED) has recently undertaken a review of the available historical records for Potrero Canyon related to the canyon stability project and subsequently produced a Geotechnical Report summarizing their findings. The GED report estimates that based upon their preliminary investigation the grading project as originally approved is approximately sixty-five percent complete. Most of the upper reaches of the canyon appear to have been filled to an elevation within feet of the finished rough grade. The majority of the remaining required fill is in the southern, seaward portions of the canyon. GED estimates that approximately 676,000 cubic yards of compacted fill still needs to be placed within the canyon. However, it should be noted that as proposed, the GED conceptual grading plans include the placement of fill within the Via de las Olas Canyon (Exhibit 3), an adjacent canyon that does not provide direct support to the stabilization within Potrero Canyon and has not been included in any previous review of the Potrero Canyon project. The fill and stabilization of the Via de las Olas slide should be submitted and reviewed as a separate project and removed from the Potrero Canyon project (**Special Condition #4**). The removal of this component from the proposed plans would reduce the GED grading volume estimates significantly.

GED also reported that after their review of the available historical files, several relevant documents related to the project are either missing or were never produced. These documents include: missing compaction reports, in-grading geologic mapping documents, and no records of the number, locations and as-built design of the installed hydraugers have been located.

The GED report concludes,

“...it is apparent that there remain areas of potential slope instability which are preliminarily divided into three broad areas of the canyon: 1) along the east “rim” of the canyon where steep slopes expose Quaternary Terrace deposits subject to shallow slumping, 2) the west

slope at the mouth of Potrero Canyon where remnant landslide debris remains on the slope and the bedrock bedding is daylighted, 3) the west slop area at the far north end of the project where the slopes below the homes are densely vegetated and likely underlain by loose fill.”

The report continues,

“It appears that significant portions of the landslide debris were left in place below portions of City-owned lots and dedicated Potrero Canyon Park lots. This condition indicates a potential ground settlement in these areas. It is recommended that this potential settlement condition be further investigated.”

GED has also submitted a proposed scope of work for the proposed geotechnical investigation. This scope of work includes continued records review and new subsurface exploration by trenching and drilling to determine the on-site geologic conditions. Collected soil samples would be analyzed including shear strength and stability tests. Recovered data would be used to prepare geologic cross sections and maps that would then aid in the ultimate creation of revised final grading and park design plans for Potrero Canyon.

Successful completion of the original approved Potrero Canyon Park Project requires additional geologic investigation to ensure that the completed grading project will be able to achieve its original stated goal of stabilizing the canyon walls and preventing further loss of homes situated along the canyon rim. The City proposes to utilize funds generated from the sale of two of the residential lots owned by the City to fund specifically the required geologic investigation and final grading plan creation. By directing funds specifically to these tasks the proposed project would be able to make progress toward completing the stabilization of the canyon and the eventual installation of the approved riparian habitat and public park. The Commission finds that only as conditioned as described above, can the proposed development be found consistent with Section 30253 of the Coastal Act which requires that geologic stability be assured.

D. Habitat

Section 30240 of the Coastal Act states in part:

a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The primary impact on environmentally sensitive habitat created by the original filling of the canyon approved under the permit was the elimination of a blue line stream and concomitant destruction of 3.69 acres of riparian habitat, including willows, sycamores and associated understory. This impact was identified in the original EIR and required to be replaced at a 2:1 ratio, on site, as an EIR mitigation measure, by the Army Corps of Engineers, California Department of Fish and Game and the Commission. After further amendments to the original permit, the required on-site replacement of riparian habitat restoration has increased to 7.9 acres total.

The original coastal development permit was conditioned so that none of the previously described City-owned residential lots could be sold until the required habitat installation was completed and open to the public. The City has submitted this amendment to request that the original special condition related to the sale of the lots be modified to allow for two lots to be sold prior to completion of the park. The revenue generated from the sale would be directed to fund new geologic investigation of the canyon, and the creation of final grading plans and final habitat (park) restoration plans. The conceptual grading plan created by GED proposes 2:1 gradient slope stabilization for large portions of the eastern canyon wall. This slope would encroach into currently designated areas for the required riparian habitat which would necessitate a seaward shift of the habitat location toward the mouth of the canyon. Monies from the sale of the two residential lots would be used to create a final habitat (park) plan that would be compatible with the newly created final grading plans for the stabilization of the canyon. **Special Condition #2** ensures that monies from the sale of the residential lots would be directed to the Potrero Canyon Park Trust, an account established to hold and distribute money solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. As conditioned the project is consistent with Section 30240 of the Coastal Act.

E. Public Access/Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

In its 1991 approval the Commission required that the City mitigate impacts on coastal resources by preserving and enhancing the recreational use of the canyon. The Commission required that the City Recreation and Parks Department provide a picnic area and trail link from the Pacific Palisades Recreation Center to Pacific Coast Highway so that in its final form the park will provide coastal access. Due to the 200 foot high bluffs that exist throughout much of the adjacent areas in the Pacific Palisades, little foot or bicycle access is available from inland portions of the Palisades to the coastline, this park, as designed and approved could provide that access.

As stated in the above, the original coastal development permit was conditioned so that none of the previously described City-owned residential lots could be sold until the park and trail access were completed and open to the public. Monies from the sale of the two residential lots would be

used to create a final park and trail plan that would be compatible with the newly created final grading plans for the stabilization of the canyon. **Special Condition #2** ensures that monies from the sale of the residential lots would be directed to the Potrero Canyon Park Trust, an account established to hold and distribute money solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. As conditioned the project is consistent with Sections 30210, 30211 and 30223 of the Coastal Act.

E. Local Coastal Program

Section 30604 (a) of the Coastal Act states:

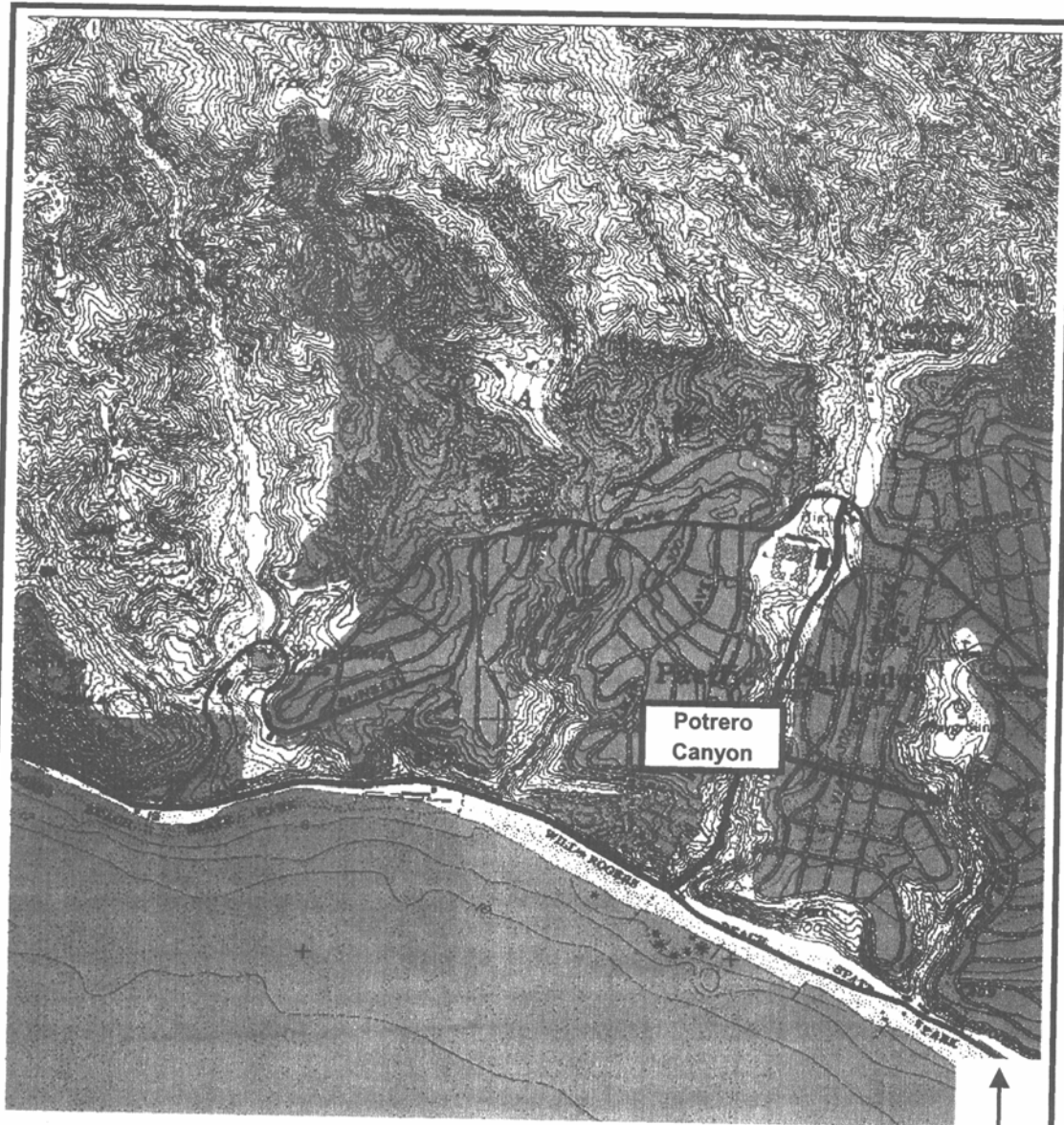
Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

The City of Los Angeles has not prepared a draft Land Use Plan for this planning subarea. However, the City's work program to develop a Local Coastal Program considers natural hazards as an issue for this area of the City. Approval of the proposed development, as conditioned to minimize risks from natural hazards, will not prejudice the City's ability to prepare a certifiable Local Coastal Program. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

F. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

For the part of the proposed development that is being approved, with conditions, there are no feasible alternatives or mitigation measures (beyond the conditions imposed) available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.



Reference: Delorme 3-D TopoQuads, Version 1.3, 1999

VICINITY MAP

Approximate
Scale 1" = 2,000'

Potrero Canyon Park
LOS ANGELES, CALIFORNIA

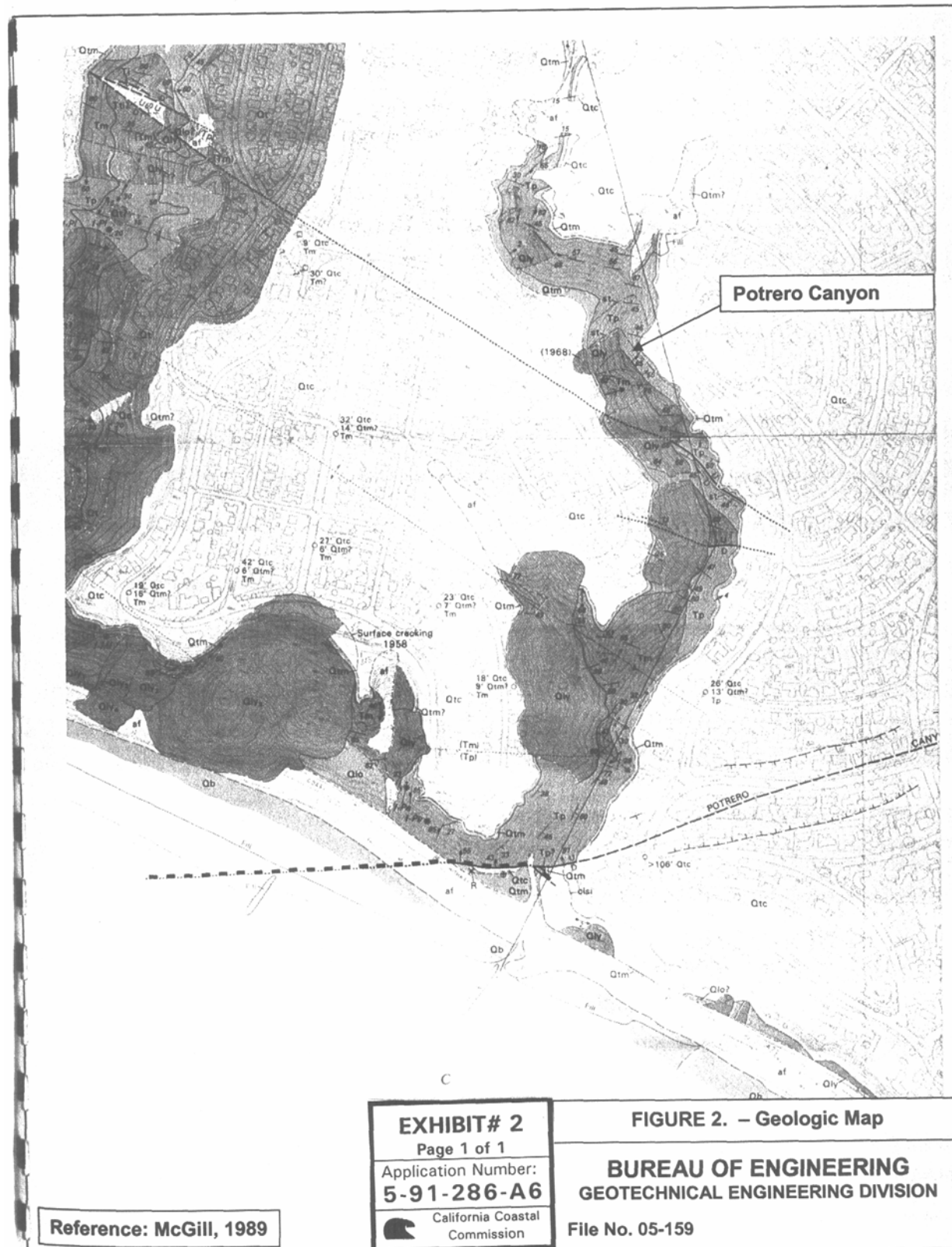
BUREAU OF ENGINEERING
GEOTECHNICAL ENGINEERING DIVISION
(GED)
GED FILE No.: 05-159
DATE: FEBRUARY 29, 2008

EXHIBIT# 1

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Application Number:
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California Coastal
Commission



POTRERO CANYON
PRELIMINARY GRADING PLAN
 W. O. #E170213A

BUREAU OF ENGINEERING
GEOTECHNICAL ENGINEERING DIVISION

File No. 57-006 Date 3-4-68
 Sheets 16 of 20

LEGEND

EXISTING GRADE
 PROPOSED GRADE
 EXISTING VEGETATION
 PROPOSED VEGETATION
 EXISTING ROADWAY
 PROPOSED ROADWAY
 EXISTING UTILITY
 PROPOSED UTILITY

POTRERO CANYON

Via de las Olas Canyon

EXHIBIT # 3
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 Application Number:
5-91-286-A6
 California Coastal
 Commission

ORDINANCE NO. **179472**

An ordinance establishing a trust fund to receive the proceeds from the sale of 22 City-owned lots adjacent to Potrero Canyon and providing for expenditures from the trust fund for the purposes of completing the final phases of the Potrero Canyon Park Restoration project.

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

Section 1. Chapter 147 of Division 5 of the Los Angeles Administrative Code is added to read:

**Chapter 147
POTRERO CANYON TRUST FUND**

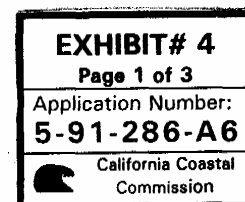
Sec. 5.547. Creation and Administration of the Fund.

(a) There is hereby created and established in the Treasury of the City of Los Angeles a special trust fund to be known as the "**Potrero Canyon Trust Fund**," (Fund). The Fund shall be administered by the Bureau of Engineering, Department of Public Works.

(b) All proceeds from the sale of the 22 lots owned by the City of Los Angeles located adjacent to Potrero Canyon Park on DePauw Street, Earham Street and Alma Real Drive shall be deposited into the Fund. The Fund shall be used solely for completion of all remaining phases of development and attendant projects of the Potrero Canyon Park Restoration Project and, if any funds remain thereafter, for repayment or reimbursement of advances or loans from City funds.

(c) All interest and other earnings from monies deposited into the Fund shall be credited to the Fund and shall be devoted to the purposes of the Fund, as stated in this chapter.

(d) Appropriations from the Fund shall be approved by the City Council.




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Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 11 2007.

FRANK T. MARTINEZ, City Clerk

By 
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

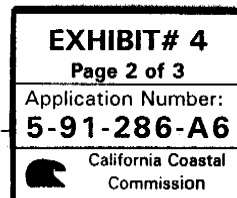
By 
MARK L. BROWN
Senior Assistant City Attorney

Date 12-10-07

File No. 04-1587

Said ordinance was presented to the Mayor on December 11, 2007; the Mayor returned said ordinance to the City Clerk on December 24, 2007 without his approval or his objections in writing, being more than ten days after the same was presented to the Mayor.

Said ordinance shall become effective and be as valid as if the Mayor had approved and signed it. (Section 250(b), City Charter)
C.F. 04-1587



DECLARATION OF POSTING ORDINANCE

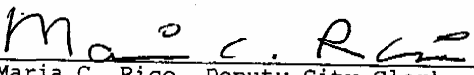
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 179472 - Added Chapter 147 of Division 5 of the Los Angeles Administrative Code - Potrero Canyon Trust Fund - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on December 11, 2007, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on December 26, 2007 I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on December 26, 2007 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 26th day of December 2007 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: February 4, 2008

Council File No. 04-1587

Rev. (2/21/06)

