

My name is Richard S Harmetz. I am president of the Tract No. 7260 Association, which represents the homeowners adjacent to the western boundary of Century City. Before I begin, I want to thank Trammell Crow for its efforts in communicating with us. While we have agreed to disagree on the project, I want to publicly thank Trammell Crow for its outreach to our group.

We believe that the council cannot support this project for one simple reason: The EIR is fatally flawed.

It would have us believe that the existing building which has been underutilized for years actually generates MORE traffic than a new, fully occupied office building which is 100,000 square feet larger.

This is not a difficult concept. The EIR simply does not reflect reality in any way, shape or form. For the council to vote for this project, it would have to accept the proposition that the new building will create less traffic. This defies common sense, defies logic, defies the stated purpose of EIRs to inform the public of the impact of a project, and defies CEQA.

Further, the EIR builds on its own flawed foundation by failing to acknowledge that the traffic the existing structure does generate is not generated during rush hours. In stark contrast, the proposed structure will generate predominately rush hour traffic. In addition, the EIR fails to properly address "internally captured" trips of the existing structure.

Indeed, Trammell Crow claims that after the project is completed, it will have trips left over from those to which they are entitled under the Century City North Specific Plan. We, on the other hand, believe that the reverse is true. Trammell Crow intends to use more trips (or building rights) than it owns.

In addition, we believe that approval of this project is in violation of the (TIMP) Transportation Improvement Mitigation Specific Plan for West Los Angeles, which states that if you are faced with a level of service of F, and that level cannot be upgraded, then you cannot approve the project.

Furthermore, we believe that the EIR violates Section 15125 of the California Environmental Quality Act, which states that an "EIR must include a description of the physical environmental conditions in the vicinity of the project as they exist at the time of the notice of preparation is published...."

The notice of preparation for the Trammell Crow project was issued in January of 2002; yet, most of the traffic studies were undertaken in 2001 and 2000 in violation of the CEQA statute. The trip counts being used reflect full occupancy, even though the building was nowhere near fully occupied at the date of the notice of preparation.

We are further dismayed concerning the approach the city has taken with regard to the Neighborhood Council. The Westside Neighborhood Council asked both the City Attorney's office and the Department of Transportation to explain how the EIR could be approved when the traffic counts were in apparent violation of a CEQA statute.

The City Attorney's office refused to explain the contradiction saying that attorney client privilege was involved. And all that the Planning Department would say was that it approved the EIR because the Planning Commission had approved the EIR.

Consequently, the Neighborhood Council whose obligation under the City Charter is to advise the Councilman on such issues as this one was denied sufficient information to render any advice, just as you are being denied sufficient information.

The behavior of the City Attorney's office and the Department of Planning did little more than give ammunition to those who say that that the Neighborhood Councils are nothing more than window dressing in the fight against valley secession and a weapon to decrease the influence of homeowners associations. Having said all of the above, you have a simple decision. If you can honestly say that a new office structure generates less traffic than an smaller, under-utilized structure with mostly unused theater space, then you should vote for this project. If, on the other hand, that just doesn't seem right, then vote no, and ask for some real information upon which to base your decision.