

REPORT OF GENERAL MANAGER

NO. 03-286

DATE September 3, 2003

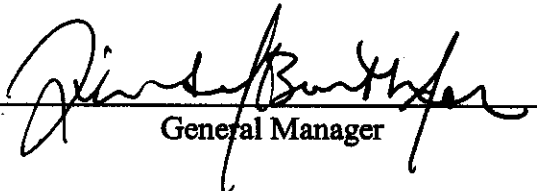
C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AVALON-SAN PEDRO PARK: AUTHORIZATION TO ENTER INTO A LAND-EXCHANGE AGREEMENT WITH THE LOS ANGELES UNIFIED SCHOOL DISTRICT

H. Fujita _____
J. Combs _____
A. Corrales _____
L. Barth _____

R. Reyes _____
J. Kolb _____
*B. Lukehart _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Direct staff to finalize a land-exchange Agreement with the Los Angeles Unified School District (LAUSD), substantially consistent with the terms described in this Report and subject to the approval of the City Council, that will lead to the reconfiguration of Avalon-San Pedro Park and create a joint-use recreational area for the Department and the new Jefferson Elementary School No. 1;
2. Recommend that the City Council adopt the Mitigated Negative Declaration and addendum prepared by LAUSD as the City's environmental clearance for this project pursuant to the City guidelines under the California Environmental Quality Act (CEQA);
3. Adopt the draft Resolution, on file in the Board Office, authorizing the acceptance from LAUSD of a approximately 0.83 acre of property located between San Pedro Street and Avalon Boulevard as part of the land exchange (of equal acreage) and the joint-use project between the City and LAUSD;
4. Authorize the Board President and Secretary to accept, when prepared, a Grant Deed transferring from LAUSD to the City said 0.83 acre, to be vested with the Department of Recreation and Parks and to be dedicated as park land in perpetuity;
5. Request the City Attorney to prepare an Ordinance transferring the subject properties; and,
6. Direct the Board Secretary to forward all relevant documents, including the draft Resolution and environmental clearances, concurrently to the Mayor and City Attorney for review and upon approval, to the City Council for adoption by Ordinance.

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SUMMARY:

Background

This Report recommends various actions needed to accomplish an Agreement with LAUSD that provides for the exchange properties of equal acreage between the City and LAUSD. The subject properties are located on a City block bounded on the north and south by Martin Luther King, Jr., Boulevard and 40th Place and on the east and west by Avalon Boulevard and San Pedro Street.

The property to be transferred to LAUSD consists of a park site that occupies 12 adjoining lots under the jurisdiction of the Department of Public Works (lots 84-95 of the Mettler Tract). The lots were originally purchased for street-widening purposes. When that project was withdrawn, the site was considered surplus, and the City Council recommended a non-financial transfer of jurisdiction to Recreation and Parks on May 17, 1996 (C.F. 96-0936). On July 17, 1996, the Board of Recreation and Park Commissioners approved the transfer and the development by the Department of a mini-park with \$300,000.00 that the Council had allocated. Subsequently, the park was developed but while the processing of the transfer was pending, an alternate proposal for the property arose and the property was never formally dedicated as a park.

Thereafter, LAUSD proceeded to acquire the remaining parcels on the block in preparation for a new elementary school. LAUSD proposed to Department staff and others that the City and LAUSD agree to a project having several components: vacating the existing park, constructing the school and other recreational improvements, creating in another portion of the block an area to be jointly used by the Department and LAUSD and creating a new park in the eastern portion of the block. On June 5 and later on August 14, 2002, the Board of Recreation and Park Commissioners was notified through Informational Reports of these plans, which would be implemented by both a land-exchange Agreement and a joint-use Agreement. A schematic site drawing is attached.

Proposed Agreement

Lengthy negotiations between Department staff and LAUSD, with the assistance of the Office of the City Attorney, have resulted in the proposed terms for the land-exchange Agreement. Staff recommends that the Board authorize, and recommend to the City Council to authorize, the Agreement's finalization and execution. City Council approval is needed because the Agreement involves disposing of City-owned parcels.

Under the proposed terms, the City will transfer to LAUSD, through escrow in order to satisfy contingencies and to provide for the deposit of deeds and funds, certain properties on which the current park is located. These are labeled Parcel 5 on the attached site plan. One area of the block, labeled Parcels 1, 3 and 4, will be designated for joint use by the Department and LAUSD. Another area, labeled Parcel 2, will be the site of the relocated Avalon-San Pedro Park. (The new school and playgrounds will occupy Parcels 5 and 6.)

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PG. 3

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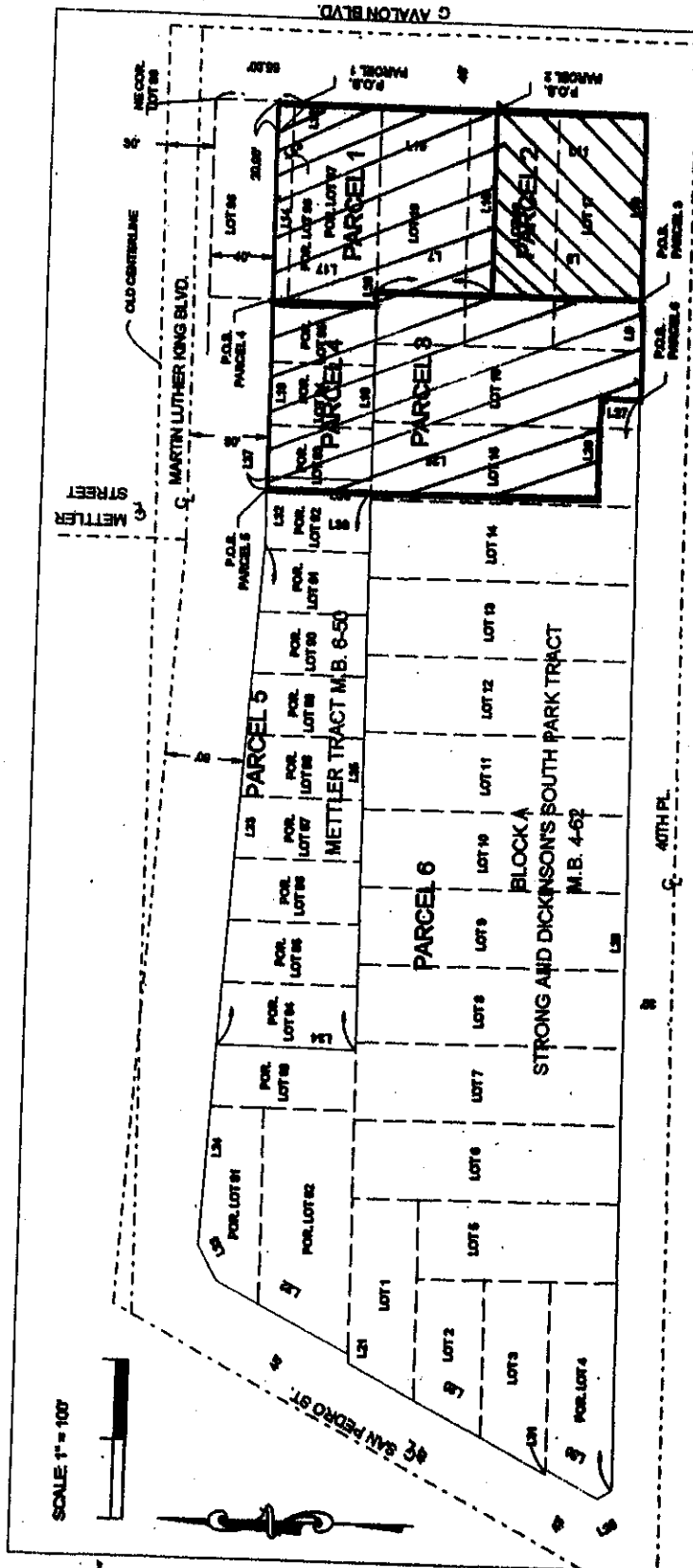
In return, and as part of the new school project, LAUSD will construct various recreation-related improvements in the joint-use area, relocate existing park improvements to the new park and also fund its development. After environmental remediation of the new park site, LAUSD will transfer title to the City of this area, which is to approximately equal in acreage the property to be transferred to LAUSD. The project will provide a park that has a more useful configuration and therefore, enhanced recreational appeal.

After approval and execution of the land-exchange Agreement and the opening of escrow, a contingency period will commence within which the City will have the right to approve the remediation plan. The land-exchange Agreement proposed in this Report will provide for a completion deadline of three years.

The Department of General Services will oversee the City's responsibilities for the land exchange while LAUSD, as principal agent for the project, will process any other required clearance or closure letters before the end of the contingency period specified in the Agreement. However, LAUSD will file the Notice of Determination as required by the City CEQA Guidelines after obtaining approval from their Board on September 9, 2003.

The Department and LAUSD will share the proposed joint-use area under terms still to be negotiated. The joint-use area will be fenced to ensure the security of the students during school hours but will otherwise be available to the public. When finalized, the separate joint-use Agreement will provide for remediation of that site to occur to the satisfaction of the state Department of Toxic Substances Control and the City Fire Department.

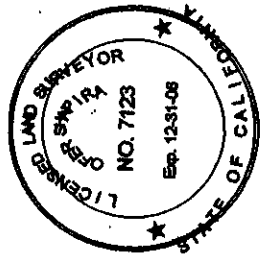
The Assistant General Manager and Superintendent for Operations East, the Council member for the Ninth District and the Mayor's Office concur with staff's recommendations. This Report was prepared by Joan Reitzel, Senior Management Analyst in Real Estate and Asset Management, with the assistance of the Office of the City Attorney. A term sheet is attached, which will form the basis for the forthcoming Agreement.



PARCEL AREAS

LINE	LENGTH	BEARING
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OFFER SHAPIRO DATE 7-9-05

Surveying & Drafting Services
 454 North Vista Street, Los Angeles, CA, 90036
 Tel: (323) 857-1077 Fax: (323) 857-1079

LAUSD-PROPOSED JEFFERSON ES NO. 1
 CITY OF LOS ANGELES, CALIFORNIA
 SKETCH ACCOMPANYING LEGAL DESCRIPTION

New Joint-Use Area (Parcels 1, 3 and 4) =
New Avalon - San Pedro Park (Parcel 2) =
The rest, western part of the block will be the site of the new school (Parcels 5 and 6).