

# CITY OF LOS ANGELES

CALIFORNIA

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October 5, 2018

Honorable City Council  
City of Los Angeles  
c/o City Clerk  
Room 395, City Hall  
Los Angeles, CA 90012

**DRAFT ORDINANCE AUTHORIZING GRANT OF TEMPORARY EXCLUSIVE  
EASEMENTS TO LTSC COMMUNITY DEVELOPMENT CORPORATION OVER  
CITY OWNED PROPERTY AT 237-249 S. LOS ANGELES STREET,  
AKA 260 WERDIN PLACE LOS ANGELES, CA 90012  
APN: 5161-026-910 AND 5161-026-907 (CD 14, C.F 10-0450)**

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On August 28, 2018, the City Council directed the Department of General Services (GSD) to grant a 200 square foot exclusive temporary foundation easement and a 174 square foot temporary fire emergency access easement, together, (Easements) to LTSC Community Development Corporation, a California nonprofit corporation (LTSC), over City-owned property located at 237-249 S. Los Angeles Street, Assessor Parcel Number (APN) 5161-026-910 and APN 5161-026-907 (Property) with the assistance of the City Attorney's Office. To provide legal authority for such grant, the City Attorney's Office has prepared for your consideration the attached draft ordinance, which is being transmitted to you by GSD.

## **BACKGROUND**

In 2011, the City entered into a ground lease agreement, Contract No. C-118897 with LTSC (the Lease) for a City-owned property located at 237-249 South Los Angeles Street in Council District 14. The Lease provides LTSC with the site control required to design, construct and maintain a multipurpose facility known as the Budokan of Los Angeles (Budokan Project). The Lease indicates that construction of the Budokan Project "would provide a significant benefit to the public by providing much needed recreational, education and health and fitness facilities in an under-served community." The Project is funded through various sources, including Proposition K.



Subsequent to the execution of the Lease, LTSC discovered that the Lease had the incorrect legal description of the property because it inadvertently omitted approximately 200 square feet of the northern boundary of the site, over APN 5161-026-910. In addition, LTSC requires access across adjacent City-owned property APN 5161-026-907 to serve as a fire emergency access for pedestrians. The Easements will be incorporated into one granting document and will be co-terminus with the Lease, which currently has a 25-year term with one 25-year option to extend. The Easements have been valued at \$13,100 and LTSC will pay the City this amount for the grant of the Easements.

### **FISCAL IMPACT**

The grant of the Easements will generate one-time gross revenues to the City of \$13,100. The net proceeds will be deposited in the General Fund.

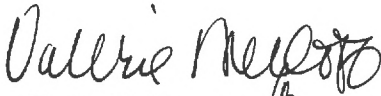
### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

To adopt the ordinance authorizing the granting of the Easements (and execution of the related transfer documents), the City Council must first comply with the California Environmental Quality Act (CEQA). The Department of Public Works, Bureau of Engineering, determined that these easement grants are ministerial actions of the City, and thus, exempt from CEQA under Article III (Section 1), Class 4 (7) of the City's CEQA Guidelines and State Guidelines (Sec 15304). The attached Notice of Exemption provides a record of this exemption and of CEQA review completion. The proposed grant of Easements will allow Cumulus to have an additional access point to their development. The City Council may comply with CEQA in connection with this sale by making the CEQA finding set forth in the below Recommendations.

### **RECOMMENDATIONS**

That the Los Angeles City Council, subject to the approval of the Mayor:

1. Find that both adoption of the ordinance and execution of the related transfer document(s) (conveying an easement for revision of legal description together with an easement for fire emergency access on the Property to LTSC) are exempt from further CEQA review; and
2. Adopt the attached draft ordinance authorizing the grants of the Easements to LTSC.

  
Tony M. Royster  
General Manager