

ORDINANCE NO. _____

An ordinance authorizing conveyance of City-owned real property to the University of Southern California (USC) to facilitate construction of a new Proposition F level Fire Station 15 for the City at USC's cost.

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

Section 1. City Charter Section 371(e)(10) provides that the City Council of Los Angeles may authorize conveyance of City-owned property to a private party without a competitive bid where it is undesirable, impracticable or impossible to do so. Charter Section 372 adds that even when said Section 371(e)(10) conditions are met, a competitive bid is still required if reasonably practical and compatible with City interests. The City Council hereby determines that the City Property need not be competitively bid under said Charter Sections because: (1) the location of said property is within the development site of the City-approved University Village Project (Project) now under construction by the University of Southern California; (2) the University approached City to acquire said property for its Project site during negotiation of a Development Agreement for the Project entered with City on April 1, 2013; and consequently (3) the City entered an Exchange Agreement with University on December 20, 2013, under which City agreed to exchange its Property for the University Property and University agreed to construct a needed new City Fire Station 15 thereon which meets City Proposition F standards, all at no cost to City. Accordingly, the City Council hereby authorizes that the City Property be exchanged for the University Property under the conditions set forth below, without notice of sale or advertisement of bids, because the requirements of Charter Sections 371(e)(10) and 372 are met. Following this exchange, the University Property will be used by City as its new Fire Station 15. Additionally, the City conducted due diligence investigations of the University Property and determined that there were no reportable levels of contamination thereon prior to, and during construction of, new Fire Station 15. Concurrent with City acquisition of the University Property, there will be a commissioning of new Fire Station 15 and a non-financial transfer of jurisdiction of that Property to the Los Angeles Fire Department.

Location and Legal Description of City Property: 915 West Jefferson Boulevard, Los Angeles, CA 90007. Refer to Exhibit A attached hereto and incorporated herein by this reference.

Location and Legal Description of University Property: 3000 South Hoover Street, Los Angeles, CA 90007. Refer to Exhibit B attached hereto and incorporated herein by this reference.

EXCEPTING AND RESERVING unto the City of Los Angeles all oil, gas, water and mineral rights in the City Property now vested in the City of Los Angeles without, however, the right to use the surface of said Property or any portion thereof to a depth of 500 feet below the surface, for the extraction of such oil, gas, water and minerals.

SUBJECT TO all covenants, conditions, restrictions, reservations, easements, encroachments, rights-of-way, and other rights of record or which are apparent from a visual inspection of the City Property, and excepting and reserving to the City of Los Angeles any rights to the fee interest in the streets adjacent to the City Property.

AND ALSO SUBJECT TO an "As Is" condition set forth in the above-described Exchange Agreement under which University has expressly agreed to take the City Property in an "As Is" condition and without any warranty as to fitness for use (general or specific) or condition, and that City has no obligation to correct any condition on the City Property whether known or unknown before, during or after the date of the exchange.

Sec. 2. The Mayor of the City of Los Angeles in the name of and on behalf of the City is hereby authorized and directed to execute a Grant Deed to the City Property described in Section 1 of this ordinance to University, or its nominees or lawful successors in interest, and the City Clerk of the City is hereby authorized and directed to attest thereto and affix the City Seal.

Sec. 3. The City Department of General Services, Asset Management Division, is hereby authorized to open escrow, execute and deliver deeds and ancillary documents, and complete all necessary processes to effect this exchange of Properties. As the above-described Exchange Agreement requires University to pay all escrow, title insurance and other closing related costs, there is no need to designate a City Fund or Activity Code to pay such expenses.


Sec. 4. 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 JUN 24 2015.

HOLLY L. WOLCOTT, City Clerk


By  Deputy

Approved 6/25/15

By  Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
CURT HOLGUIN
Deputy City Attorney

Date June 16, 2015

File No. 12-0536