

CITY OF LOS ANGELES
CALIFORNIA

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May 15, 2018

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

**DRAFT ORDINANCE AUTHORIZING SALE OF CITY-OWNED
ABANDONED RAILROAD SPUR TO
JAPANESE-AMERICAN CULTURAL AND COMMUNITY CENTER
APN: 5161-020-923 (CD 14, C.F 13-1482)**

On May 6, 2014, the City Council directed the Department of General Services (GSD) to sell a 10,685 square feet abandoned railroad spur (Spur) to the Japanese-American Cultural and Community Center (JACCC), a California non-profit corporation, with the assistance of the City Attorney. To provide legal authority for this sale, the City Attorney prepared the attached draft ordinance.

BACKGROUND

On February 6, 2015, the Community Redevelopment Agency (CRA/LA) transferred ownership of the Spur to the City with a deed requirement that the City and its successors "use the property for public access, including the right of public ingress and egress in perpetuity." The Spur adjoins the JACCC property at 244 South San Pedro Street, Los Angeles 90012 (JACCC Property).

During many years of CRA/LA ownership of Spur the JACCC was permitted to use this property in support of community service activities on the JACCC Property, including JACCC's performing arts, fine arts, and Japanese gardens (Community Services). The CRA/LA also required JACCC to provide public access over the Spur to pedestrians passing through such as Little Tokyo Towers, Pacific Commerce Bank, Higashi Hongwanji Temple, and Union Church (Adjoining Properties).

Shortly after City became owner of the Spur, JACCC began limiting public access to this property to deter crime and homeless camping by chaining its entrance on San Pedro Street, and locking at night the pedestrian gates which connect the Spur to the adjoining properties. Thus, the attached draft ordinance and related grant deed requires JACCC to



provide perpetual public access to the Spur in a manner which balances such access with public safety. Attached to this report is the Community Benefit Analysis for this proposed zero dollar sale of the Spur to JACCC, prepared by the City Administrative Officer.

COUNCIL RULE 38 REFERRAL

Pursuant to Council Rule 38, a copy of the draft ordinance was sent by the City Attorney to GSD and Bureau of Street Services, with a request that comments be presented directly to the City Council when this matter is considered.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

To adopt the ordinance authorizing sale of the Spur to JACCC (and execution of the related grant deed), the City Council must first comply with the California Environmental Quality Act (CEQA). The Bureau of Engineering determined this sale is a ministerial action of the City, and thus, exempt from CEQA under Article II (Section 2b) of the City's CEQA Guidelines. The attached Notice of Exemption provides a record of this exemption and of CEQA review completion. The proposed sale will allow JACCC to continue Community Services and maintain public access balanced with public safety on the Spur for the benefit of Little Tokyo pedestrians and Adjoining Properties. The City Council may comply with CEQA in connection with this sale by making the CEQA finding set forth in the below Recommendations.

FISCAL IMPACT

There is no fiscal impact to the General Fund from this sale.

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 grant deed (conveying ownership of the Spur to JACCC) are a ministerial action under CEQA, and therefore, exempt from further CEQA review; and
2. Adopt the attached draft ordinance authorizing sale of the Spur to JACCC.



Tony M. Royster
General Manager