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June 9, 2017

VIA E-MAIL AND U.S. MAIL
The Honorable City Council
Attn: Michael Espinosa
Entertainment and Facilities Committee
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012
michael.espinosa@lacity.org

Re: Hearing on June 16, 2017 to Adopt Ordinance Reauthorizing Public Use
5601 N. Figueroa Street, Los Angeles, CA
APN: 5468-033-016
City Council File No. 15-0545

Dear Mr. Espinoza:

Our office represents Dr. Richard Rutgard, the prior owner of the property designated as Assessor's Parcel No. 5468-033-016 and commonly known as 5601 N. Figueroa Street, Los Angeles, California 90042 (the "Subject Property"). Please take notice that Dr. Rutgard and/or his representative intends to appear and object to the adoption of the City's proposed ordinance purporting to reauthorize the public use previously approved by City Ordinance No. 178867. Dr. Rutgard hereby also submits his written objections to the same.

The original ordinance No. 178867 containing the resolution of necessity for the Subject Property was adopted by the Los Angeles City Council on May 29, 2007. Pursuant to Code of Civil Procedure Section 1245.245, the City had ten years from the date of adoption of the ordinance to either commit the property to the proposed public use identified within the ordinance or to adopt a reauthorization of the resolution. The time period for the City to take either of these actions expired on May 29, 2017. Based on the failure of the City to act within the statutory time frame, the City does not currently have a legal right to "reauthorize" the already expired resolution of necessity. The only action that the City may

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legally take, and, indeed, is required to take, is to offer our client the opportunity to repurchase the Subject Property pursuant to Code of Civil Procedure Section 1245.245(f).

Further, notwithstanding the City's lack of authority under Section 1245.245, the public interest and necessity do not require the reauthorization of the proposed constituent service center use. Councilman Gilbert Cedillo's existing Highland Park Field Office at 5577 N. Figueroa Street, Los Angeles, CA 90042 is located across the street and within 102 feet from the Subject Property. This field office currently provides constituent services and renders the proposed public use duplicative and unnecessary.

It is therefore requested that the City Council not proceed with adoption of the proposed illegal reauthorization ordinance and that the City instead comply with its legal obligation to offer to resell the Subject Property to our client, Dr. Rutgard.

Very truly yours,



Charles D. Cummings
SULLIVAN, WORKMAN & DEE, LLP

CDC/KM
cc: Dr. Richard Rutgard