



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 17 - 0 2 2 0  
**JUN 28 2017**

**REPORT RE:**

**DRAFT ORDINANCE APPROVING AND AUTHORIZING A LEASE BY AND BETWEEN THE CITY OF LOS ANGELES AND THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE 6TH DISTRICT AGRICULTURAL ASSOCIATION, CALIFORNIA SCIENCE CENTER AND THE OFFICE OF EXPOSITION PARK MANAGEMENT OF SUBSURFACE LANDS FOR THE CONSTRUCTION AND OPERATION OF A PUBLIC PARKING STRUCTURE BENEATH LEIGHTON AVENUE IN EXPOSITION PARK**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 17-0715

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance approves and authorizes a lease by and between the City of Los Angeles Department of Recreation and Parks (RAP) and the State of California, acting by and through the 6th District Agricultural Association, California Science Center and the Office of Exposition Park Management (State) of subsurface lands for the construction and operation of a public parking structure beneath Leighton Avenue in Exposition Park.

Background

In January 2017, filmmaker George Lucas announced that he had selected Los Angeles as the location to build the Lucas Museum of Narrative Art (Museum). The

proposed Museum building is to be constructed at Exposition Park primarily on land controlled by the State and will comprise approximately 299,717 square feet of floor area.

Two parcels on Leighton Street identified by Assessor's Parcel Nos. 5037-027-924 and 5037-027-925 are located within the Museum project area and are City-owned lots under RAP's jurisdiction. These lots measure approximately 19,800 square feet or 0.45 acres and are currently used for parking. In addition, the City also owns a small sliver of land not currently in use, which is approximately the width of a sidewalk and juts directly out from the Leighton Street parcels north alongside Vermont Avenue. Taken all together, the Museum desires to include the Leighton property as part of the Museum's outdoor, landscaped public space and a tri-level subterranean parking garage underneath.

The lease between RAP and the State will have a term of 50 years. The public open space on the surface of the property will be maintained and operated by the Museum, and the subterranean public parking structure will be maintained and operated by the State. The lease will include a provision allowing for the sublease by the State to the Museum. The rent owed to the City by the State for the lease is \$1.00 per year. Other considerations for this lease will include the public benefit to be realized from the construction, operation and maintenance of the Museum and garage improvements, including landscaped open space on the City-owned property, as well as 33 parking spaces provided either on State property or in the new subterranean garage, all at no cost to the City.

#### Charter Approval

Pursuant to Charter Section 596, leasing of subsurface space by the Board of Recreation and Park Commissioners (Board) requires Council approval of all such leases by ordinance. On May 23, 2017, the Board authorized RAP's General Manager or designee to finalize negotiations of the subsurface lease with the State. Since that time, the lease has been finalized in accordance with the Board's direction and a copy of the proposed lease has been included with the Council File (CF 17-0715).

If the City Council wishes to approve the subsurface lease to the State for the purpose of constructing the proposed tri-level subterranean parking garage as recommended by the Board, then the City Council should approve the enclosed draft ordinance.

#### California Environmental Quality Act (CEQA)

The Board found that pursuant to the CEQA Guidelines Sections 15162, 15163 and 15164, in consideration of the whole of the administrative record, the Museum project was adequately assessed in the previously certified Environmental Impact

Report (EIR), First Addendum, Second Addendum, Third Addendum, Fourth Addendum, and Errata, findings, Statement of Overriding Considerations and accompanying mitigation measures and Mitigation Monitoring Program for the Los Angeles Memorial Coliseum Renovation Project EIR (SCH No. 1990011065); and no subsequent EIR, Negative Declaration, or further addendum or other CEQA analysis is required for approval of the project.

Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Recreation and Parks with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Dundas at (213) 978-8158. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney



By

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:MD:ac  
Transmittal