

APPROVED  
JUL 13 2011

REPORT OF GENERAL MANAGER

NO. 11-207

DATE July 13, 2011

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WATTS COMMUNITY PARK - 11300-11320 MONITOR AVENUE -  
ACQUISITION AND APPROVAL OF DONATION AGREEMENT

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
V. Israel \_\_\_\_\_

K. Regan \_\_\_\_\_  
\*M. Shull [Signature]  
N. Williams \_\_\_\_\_

[Signature]  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Adopt a Resolution, substantially in the form on file in the Board Office, authorizing staff to request the assistance of the Department of General Services (GSD) and other entities, and per Charter Section 594 (a) and (b), to accept on behalf of the City of Los Angeles, a donation from the Trust for Public Land (TPL) via direct deed from TPL's seller of 1.13 acres or 49,223 square feet vacant parcel (Assessor Parcel Number (APN) 6069-003-009), see attached Assessor's Map, Exhibit A, located on the eastside of Monitor Avenue between East 114<sup>th</sup> Street and 112<sup>th</sup> Street in the Watts area of the City of Los Angeles (the subject property);
2. Approve a proposed Donation Agreement (Agreement), substantially in the form on file in the Board Office, subject to the approval of the City Attorney as to form;
3. Direct the Board Secretary to transmit forthwith the proposed Agreement to the City Attorney for review and approval as to form;
4. Authorize the Board President and Secretary to execute the Agreement upon receipt of the necessary approval accepting the donation parcel on behalf of the City as authorized under Charter Section 594(a) and (b);

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5. Authorize the Board Secretary to execute the escrow instructions and accept the grant deed for the subject property directly from TPL's seller, as approved by the City Attorney; which property shall be set apart and dedicated as park property in perpetuity; and,
6. Authorize GSD to assist in the acquisition and to process the conveyance of the property located at 11300-11320 Monitor Avenue, the donated parcel identified by APN: 6069-003-009 to the Department of Recreation and Parks (RAP) on behalf of the City of Los Angeles.

### SUMMARY:

On May 17, 2010, the Board approved a proposed Agreement for the acquisition, development and construction of new parks in the City of Los Angeles (City) as part of the Proposition 84 State Wide Park Program (Board Report No. 10-121). On August 17, 2010, City Council approved and authorized the Board President and Board Secretary to execute the Agreement between the City and the TPL as detailed in the July 23, 2010 City Administrative Officer (CAO) report in connection with the acquisition of four prospective parks, subject to approval by the City Attorney (Council File No. 09-2839). The goal is for TPL to acquire four (4) prospective parcels and to transfer them to RAP for park purposes as part of the Statewide Proposition 84 program. The proposed new park site will serve a part of the inner City that lacks sufficient park space for families. The area is a densely populated low income area. This acquisition would help meet the open space and park needs of the community.

The TPL has completed negotiations. An appraisal was prepared by Eichel, Inc., on February 2, 2011, with an estimated market value of Eight Hundred Thirty-Six Thousand, Eight Hundred Dollars (\$836,800) (the Fair Market Value). RSS, Development Inc., (the Seller) has approved this Fair Market Value. TPL has an Option Agreement (Option) to acquire the Property and Pursuant to the terms of the Option pay Seller the Fair Market Value. All funds needed under the Option for TPL to acquire the Property for the Fair Market Value will be paid into escrow in cash or cash equivalents by the State of California at least one day prior to the Close of Escrow to allow TPL to exercise its Option. Pursuant to the terms of the option, TPL will donate the property to the City by directing Seller to convey title to the Property by deed directly to City pursuant to the terms of the Option Agreement.

The site is a vacant lot adjacent to existing railroad tracks (approximately 60,000 square feet). The site is bordered on two sides by neighborhood streets, Monitor Avenue and 114<sup>th</sup> Street. The proposed park amenities include: children's playground, picnic area, two half basketball courts, small skate area, small water play area, walking path around the perimeter of the site, trees and plantings, large grassy area, fitness equipment, drinking fountain and perimeter fence and gate. Night sky friendly lights will be included in the design.

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### Acquisition Cost and Funding

The cost of the proposed 11300-11320 Monitor Avenue - Watts Community Park acquisition is \$836,800. The total cost of the project including site development is \$4,999,468. All funding for the acquisition and related costs of the new 11300-11320 Monitor Avenue - Watts Community Park acquisition will come from Proposition 84 funds. TPL has been awarded \$4,999,468 in State funds and will use said funds to pay for all acquisition and development costs.

### Acquisition

RAP staff is requesting that the Board authorize the acquisition and acceptance of approximately 1.13 acres or 49,223 square feet of vacant land that will be developed into a new park in a densely populated area of Watts. The proposed acquisition project consists of one parcel identified by APN 6069-003-009. The proposed acquisition will add greatly needed open space/recreation area to the Watts area. This acquisition is a rare opportunity to continue the progress in acquiring urban parkland in the Metro portion of Los Angeles which TPL and the City of Los Angeles (City) continue to work on together. The acquisition will add to the open space in the area and bring more recreational opportunities to the entire city through expanded availability of recreational activities and facilities.

TPL will act as the buying agent for this acquisition. TPL has entered into an Option Agreement with the current owners of the property, RSS Development, Inc., a California corporation, dated December 16, 2010. TPL will also enter into an Agreement with the City in order to acquire the Monitor Avenue site. TPL will exercise their Option and use State funds to acquire the property and donate the property to the City by directing the Seller to convey the property via grant deed directly to the City. GSD will ensure that City receives the property for the City and transfer jurisdiction and control to RAP. Upon acceptance of the conveyance and donation, RAP will set apart and dedicate the property as park property in perpetuity.

The Sellers of the above-mentioned property and TPL have agreed to a final purchase price of \$836,800. RAP, GSD, and TPL will review all related acquisition documents as part of their due diligence prior to closing escrow.

A Phase I Environmental Site Assessment (ESA) was completed on December 31, 2009 in conformance with the scope and limitations of ASTM Standard Practice E1527-05 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) for the subject property. The ESA report indicated that additional investigation into possible soil contamination in connection this former railroad right-of-way and undocumented fill onsite was recommended. Accordingly, an updated Phase I and limited Phase II investigation were completed in April 2011, and which found that there are no recognized environmental

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conditions in connection with the property, and therefore, no impediment to the City's acquiring the property for public use.

Development

The proposed Donation Agreements staff shall issue to TPL a ROE permit for the development of the Park, using State Proposition 84 funds.

Per Section 8 of the Donation Agreement of September 2010 with TPL, TPL shall submit plans and specifications for the development of the park to the Board for approval.

Staff determined that the subject project consists of the acquisition and future development of property as a new park. Therefore, the project is categorically exempt from the provisions of California Environmental Quality Act (CEQA), pursuant to Article III, Section 1, Class 3(6, 9), Class 4(1, 3), and 1 Class 25 (5) of the City CEQA Guidelines. A Notice of Exemption (NOE) was filed with the Los Angeles County Clerk on March 1, 2011.

In addition to the Office of Council District 15, the Assistant General Manager of Branch Operations concurs with staff's recommendations.

FISCAL IMPACT STATEMENT:

All cost for the acquisition of this parcel will be incurred by TPL and will have no impact on the Department's General Fund. Approximately \$25,000 a year will be requested to maintain this facility. This amount will cover the cost for staffing, materials and supplies. This will also provide at least four hours of maintenance per day, seven days a week, year round. If the funding is not granted, this facility will be included in the existing Pacific Region routes resulting in reduction of core functions on existing routes.

This report was prepared by John Barraza, Management Analyst II, Real Estate and Asset Management Section, Planning, Construction and Maintenance Division.