

APPROVED

NOV 04 2021

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 21-191

DATE November 04, 2021

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PROPOSED PARK ACQUISITION – PICO/UNION COMMUNITY GARDEN (AKA - CESAR CHAVEZ COMMUNITY GARDEN) – AUTHORIZATION TO PROCEED WITH PRELIMINARY ACQUISITION ACTIVITIES INCLUDING DUE DILIGENCE, FUNDING FOR REMEDIATION AND RELATED ACQUISITION COSTS RELATED TO THE POSSIBLE ACQUISITION OF THE PROPERTY FOR OPEN SPACE AND OR PARK DEVELOPMENT

AP Diaz _____ M. Rudnick _____
H. Fujita _____ fur C. Santo Domingo DF _____
J. Kim _____ N. Williams _____

m. Stuee
General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

- 1. Authorize the Department of Recreation and Parks (RAP) to initiate the process for the possible acceptance of transfer of jurisdiction from Department of General Services (GSD) of certain parcels known as the "Pico/Union Community Garden (AKA- Cesar Chavez Community Garden)" with an address of 1554 West 11th Place, Los Angeles, California 90015 and the following County of Los Angeles Parcel Numbers (APN): 5137-025-901,902, 903,904 (Property), which are located in the Westlake Community Plan area and are comprised of four (4) parcel lots totaling approximately 12,495 square feet (sf) and .286 acres in size;
2. Authorize RAP staff to coordinate preliminary acquisition activities with the Department of General Services (GSD) and any other City Department(s) as may be necessary for the eventual transfer of jurisdiction of the Property to RAP, including obtaining to all necessary environmental clearances, appraisals and funding approvals for the possible acquisition of said Property by GSD and the transfer of such Property to RAP;
3. Upon the completion of the preliminary acquisition activities, direct RAP staff to return to the Board of Recreation and Park Commissioners (Board) with the appropriate title and transfer documents subject to GSD approval and or, escrow instructions and any other related documents for the Board's final approval to accept the transfer of the Property from GSD, subject to the following conditions:

BOARD REPORT

PG. 2 NO. 21-191

- A. Funding for any acquisition related costs, including closing and transfer costs and maintenance/operation costs, is to be identified for the acceptance of the Property by RAP;
- C. Completion of all appropriate California Environmental Quality Act (CEQA) analysis and documentation;
- D. Completion of all environmental assessments, including Phase I and Phase II and any other environmental clearances if needed;
- E. Preparation and approval of any necessary due diligence documentation; and,
- F. Finalization of all material terms for the transfer of the Property, including all required approvals to transfer the Property.

SUMMARY

The Los Angeles City Council acted on December 18, 2013 to identify the properties the City of Los Angeles (City) was interested in acquiring from the CRA/LA, A Designated Local Authority (CRA/LA), and instructed the offices of the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to report with the results of negotiations with CRA/LA, cost estimates, and a final list of recommended properties for transfer (CF No. 13-1482).

On February 27, 2014, the State of California Department of Finance (DOF) approved the transfer from CRA/LA to the City of 31 real property interests, including 7 public parks, 14 public rights of way and parcel remnants, 2 government facilities, and 8 access and use easements. All received properties will be encumbered with restrictions that require that the properties continue to be used for government purposes in perpetuity, and will be conveyed by grant deed, quitclaim, or easement transfer (Transfer Documents) at no cost to the City.

The CAO Report (0220-04698-0023) dated April 4, 2014 (CF No. 13-1482) provides recommendations to allow the City of Los Angeles (City) to assume ownership of 35 real property interests for Government Use from CRA/LA. RAP Management recommended the acceptance of several of those properties for park purposes. This is the last property identified for transfer to RAP from that list of 35 properties. There will be no acquisition cost to RAP associated with the transfer of the CRA/LA properties.

Pico/Union Community Garden (AKA- Cesar Chavez Community Garden)

With the support from the Councilmember for CD 1, CAO, CLA; RAP is considering the acquisition/acceptance of transfer of jurisdiction of the Property identified by the Los Angeles County Assessor Parcel Numbers (APN): APN's: 5137-025-901, 902, 903,904 located in the Westlake Community Plan Area. The Property parcels measure approximately 12,495 square feet (sf) and 0.286 acres. The Property consists of four (4) lots with a Community Garden. The

BOARD REPORT

PG. 3 NO. 21-191

property was part of a former CRA project that worked with local families to provide access to outdoor green space in a highly dense part of the City.

RAP is interested in acquiring the Property for open space and/or park development in order to expand the recreational activities in the area. The City plans to use the property as an open space green space with some active use areas. The Pico Union area is experiencing new housing development and other development which will benefit from new park and/or open space which will help with the redevelopment. This area was one of the areas targeted by the former Community Redevelopment Agency (CRA) for redevelopment which included the development of new parks. The Department of General Services (GSD), Asset Management Division, will acquire the site directly to undertake specialized environmental work that RAP is not able to perform on the Property. GSD will update the RAP as environmental work proceeds forward and if they determine it is necessary to delay acquisition and or transfer. This Report requests authorization to undertake and complete these preliminary activities prior to the Board's determination to accept the transfer of the Property. With complete clearing of the site, it offers the opportunity for additional plots and partnerships with entities such as schools, non-profits, seniors and include open space for the public with several possible amenities such as a playground, exercise equipment and water features that would include a design process with input and involvement from the local community and CD 1.

Project Funding

The City is planning to fund the development and remediation of the proposed park property using City Council reallocated funds for the reinvestment in disadvantaged communities based on high need census tracts approved on March 11, 2021. A total of \$1,000,000 in funding from the Unappropriated Balance Fund No. 100/58 was transferred to the Recreation and Parks Grant Fund No. 205/88, Account No. TBD, for the Pico Union Vest Park improvements (AKA - Cesar Chavez Garden Park) in CD 1. (CF No. 20-0600-S83; CAO Memo 0220-05816-001, dated April 12, 2021)

Site Remediation

RAP staff has been requested to conduct due diligence and to consider the Property for acquisition. Los Angeles Sanitation (LASAN) initiated the Pico Union remediation through a competitive contract process. LASAN advertised and solicited proposals for Task Order Solicitation (TOS SN-114) on LABAVN to all 25 firms on the LASAN On-Call consultant list. Upon evaluation of those proposals, the LASAN selection panel awarded the TOS to Stantec Consulting Services, Inc. (Stantec). The Selection was based on the criteria outlined in the TOS including capability and experience, value offered to the City and past work experience.

As the remediation progressed, additional contamination was uncovered. Based on initial environmental studies, further environmental work is required to bring the site to park standards. LASAN does not have the enough remaining budget available under the existing TOS to continue the remediation services. A stockpile of soil needs to be removed to meet compliance obligations and additional contamination needs to be removed. Due to the urgency to remove

BOARD REPORT

PG. 4 NO. 21-191

the contaminated soil, the City needs to continue performing the remediation to prevent delays. The previously identified funding will be utilized to continue the additional phase of remediation and LASAN will continue to manage the remediation of the site.

It is standard practice for RAP staff not to recommend the acceptance a property that is not suitable for park use until all facets or concerns have been cleared and the property is suitable for acquisition and or transfer. At this time an estimate of remediation costs and development costs for the Property has not yet been determined. Department of Public Works (PW) and GSD continue to conduct and perform studies on the Property's remediation. As a result of the environmental concerns and previous agreements and commitments with the CRA/LA, RAP and other City Department staff and the CAO and CLA along with CD 1 will recommend to the City Council that GSD acquire the Property and hold it until it is remediated and is cleared for transfer and meets park standards and meets all approval for its transfer to RAP. Upon completion of such tasks, RAP staff will return to the Board with a recommendation for acceptance of the transfer of the Property from GSD to RAP.

ENVIRONMENTAL IMPACT STATEMENT

Phase I and II Environmental Site Assessments were completed for the property in 2015 and 2017, respectively. The assessments found recognized environmental concerns related to the site's historical use as a service station, auto repair, and cleaners, and lack of documentation regarding removal of the former underground storage tank(s). The Phase II soil and soil gas assessment determined the presence of elevated lead in the surface soils and one location of elevated Total Petroleum Hydrocarbon (TPH) in the gasoline range, while excluding the presence of CAM 17 metals; TPH in the diesel and oil ranges; and Volatile Organic Compounds (VOCs), including BTEX; and fuel oxygenates.

Based on the findings of the Phase II, PW secured grant funding to pursue remediation of the site through excavation and removal of the lead-impacted soils to various depths, between one-foot and five-feet. The majority of the excavated soil has been removed and backfilled with clean fill, with the exception of one stockpile of excavated soil and one open excavated area. Recent confirmation sampling has found additional lead-impacted soils at one location, with clean soil identified at eight feet. The additional soil excavation and removal will require additional funding and permits if RAP desires no land use restrictions.

The State of California Department of Toxic Substances Control (DTSC) is overseeing the site remediation and has exempted the remediation project from the provisions of the California Environmental Quality Act (CEQA) on January 11, 2021 and filed a Notice of Exemption (NOE) with the Office of Planning and Research on February 23, 2021 (SCH No. 2021020400).

The complete project scope for the proposed park has not yet been determined and sufficient funds for the project have not yet been identified. Staff recommends that the Board take CEQA actions once DTSC has cleared the site with no land use restrictions and the details of the project and property transfer will be defined.

BOARD REPORT

PG. 5 NO. 21-191

NEEDS ASSESSMENT

The Property, if acquired, would add to and expand the park space for this heavily dense neighborhood area of 15,652 residents. An estimated 271 residents live within a one-half (1/2) mile walking distance of the Property. New Census figures will show increased number of residents in the Apt dwelling neighborhood. Within this area only 1 park is with in ½ mile walking distance. Adding park space to this area will have RAP meet the Mayor's Goal and RAP's goal of providing park space for LA residents within walking distance of their homes.

RAP staff believes this area will soon see more housing development, increasing the need for park space to serve the added population.

The acquisition of the Property has the support of CRALA, CAO, CLA and CD 1.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

Goal No. 1: Provide Safe and Accessible Parks

Outcome No. 1: Every Angelinos has walkable access to a park in their neighborhood

Result: Offer Affordable, Equitable, Healthy, Environmentally safe open space.

FISCAL IMPACT STATEMENT

The Property acquisition, if finally approved by the Board on a subsequent date, will require an increase in maintenance cost demands and will require a budget increase which will be requested through RAP's standard budget process.

Funding is to be determined for the acquisition and all related costs.

Prepared by, Real Estate and Asset Management Staff.