

APPROVED

July 18 2021

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 24-157

DATE July 18, 2024

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MACARTHUR PARK – GRANT OF EASEMENT TO THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, BUREAU OF STREET SERVICES TO INSTALL, INSPECT, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE AND UPGRADE ANY AND ALL APPURTENANCES AND STRUCTURES RELATED TO THE PUBLIC STREET KNOWN AS 6TH STREET - CATEGORICAL EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE 19, SECTION 15301 [OPERATION, REPAIR, MAINTENANCE, PERMITTING, LEASING, LICENSING, OR MINOR ALTERATION OF EXISTING PUBLIC OR PRIVATE STRUCTURES, FACILITIES, MECHANICAL EQUIPMENT, OR TOPOGRAPHICAL FEATURES, INVOLVING NEGLIGIBLE OR NO EXPANSION OF EXISTING OR FORMER USE] OF CALIFORNIA CEQA GUIDELINES AND ARTICLE III, SECTION 1, CLASS 1(3) AND CLASS 1(14) OF CITY CEQA GUIDELINES

B. Aguirre _____ M. Rudnick _____
B. Jones _____ for * C. Santo Domingo DF
C. Stoneham _____ N. Williams _____

General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Grant a non-exclusive permanent easement (Easement) to the Department of Public Works, Bureau of Street Services (BSS) for public right-of-way purposes, on a portion of MacArthur Park, at the southeast corner of 6th Street and Park View Street and the southwest corner of 6th Street and Alvarado Street, in the form substantially as set forth in Attachment 4 of this Report (Grant of Easement) and as described in this Report;
2. Adopt the Resolution, substantially in the form attached (Attachment 1), that approves the granting of the Easement to BSS;
3. Direct the Board of Recreation and Park Commissioners (Board) Secretary to transmit the related documents to the City Attorney for review and approval and to the City Council for approval;
4. Direct staff to request the assistance of the Department of General Services (GSD) and the City Attorney's Office to draft, process and execute all required documentation necessary to grant the Easement to BSS;

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5. Upon receipt of the necessary approvals, authorize the Board President and Secretary to execute the Grant of Easement and transmit said executed document to BSS for recordation;
6. Direct RAP staff to issue a temporary revocable Right-of-Entry (ROE) Permit to BSS and/or its contractor selected for the construction of the Project;
7. Determine that the Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301 [Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use] of California CEQA Guidelines and Article III, Section 1, Class 1(3) and Class 1(14) of City CEQA Guidelines and direct staff to file a Notice of Exemption (NOE) with the Los Angeles County Clerk and the California Office of Planning and Research;
8. Authorize RAP's Chief Accounting Employee to prepare a check to the Los Angeles County Clerk in the amount of \$75.00 for the purpose of filing an NOE; and,
9. Authorize RAP staff to make technical corrections to carry out the intent of this Report.

SUMMARY

The Department of Public Works, Bureau of Street Services (BSS), is working with Public Works Commissioner Aura Garcia, Council District 1, and Casa De La Cultura Maya to propose the Maya Corridor project along 6th Street (from Carondelet Street to Loma Drive). The Maya Corridor will integrate streetscape and placemaking improvements along 6th Street, including: 2 gateway monument structures, 5 custom intersection/crosswalk asphalt designs, custom-colored sidewalks, street trees, educational wayfinding signage, custom bus stop lighting, and sidewalk and curb ramp improvements. Collectively, these improvements will integrate Maya motifs to celebrate the cultural contributions of the significant Central American community with Maya heritage in Los Angeles' Westlake neighborhood. Critical improvements to sidewalks, crosswalks, lighting, and intersections will make it a safer, more vibrant, and more accessible street for residents and businesses.

As part of the Maya Corridor project, BSS will be improving all curb ramps within the project limits to meet Americans with Disabilities Act (ADA) standards. The Maya Corridor will run along the northern border of MacArthur Park, which is located at 2230 W 6th Street, Los Angeles, California 90057 (Attachment 2). BSS determined two proposed curb ramp improvements bordering MacArthur Park at the southeast corner of 6th Street and Park View Street and the southwest corner of 6th Street and Alvarado Street, which will be reconstructed to provide ADA accessible curb ramps and sidewalk per the latest city and federal guidelines. BSS will also need an additional right-of-way area from the Department of Recreation and Parks (RAP), due to the existing narrow sidewalk condition in the right-of-way and additional area is needed to accommodate required access to pedestrian push buttons and curb ramps. BSS proposes the reconstruction of the sidewalk at the southeast corner of 6th Street and Park View Street into a 30 foot by 30 foot corner cut, and the reconstruction of the sidewalk at the southwest corner of 6th Street and Alvarado Street into a 20 foot by 20 foot corner cut (Attachment 3).

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In order to meet the design goal of the segment of BSS's Maya Corridor project at the southeast corner of 6th Street and Park View Street and the southwest corner of 6th Street and Alvarado Street, BSS requests that RAP grant a non-exclusive permanent easement to BSS in a 450 square foot area of the northwest corner and 200 square foot area of the northeast corner of MacArthur Park (shaded areas in Attachment 3), to install, inspect, maintain, repair, reconstruct, replace and upgrade any and all appurtenances and structures related to the public street known as 6th Street (Attachment 4). The Easement will allow BSS to reconstruct the sidewalk and curb ramps as detailed in Attachment 3 (Project). The Project will also enhance accessibility into MacArthur Park. BSS will be responsible for all Project costs and all future costs related to the Project within the easement area.

TREES AND SHADE

No additional trees or shade canopy will be added to MacArthur Park, and no existing trees or shade canopy within the Park will be removed or otherwise modified by the proposed Project.

ENVIRONMENTAL IMPACT

The proposed Project consists of issuance of a license or permit to use an existing property involving negligible or no expansion of use and minor alterations of highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

According to the parcel profile report retrieved June 10, 2024, this area does not reside in a liquefaction zone. The construction of this Project will not create conditions that could lead to liquefaction. This is a highly developed area where the maintenance and repair of buildings and roadways occurs regularly without incident and, as such, this not an unusual circumstance.

This site is not within a coastal or historic zone, so there is no reasonable possibility that the Project may impact on an environmental resource of hazardous or critical concern or have a significant effect due to unusual circumstances. The site is in a methane buffer zone, however, as the proposed Project will occur outdoors, it will not increase the risk of exposing the public to increased methane seepage. Therefore, the proposed Project will not cause an impact on an environmental resource of hazardous or critical concern or have a significant effect due to unusual circumstances. No other known projects would involve cumulatively significant impacts, and no future projects would result from the proposed Project.

As of June 10, 2024, the State Department of Toxic Substances Control (DTSC) (Envirostor at www.envirostor.dtsc.ca.gov) has listed case number 19820042 within 1,000 feet of the proposed Project. The property contained asbestos and contaminated soil (arsenic and lead). The site does not pose threat to the Project site, because the case was closed in 2002 with the removal of the contaminants of concern. They also found RB Case # 900570216, RB Case # 900570070 and RB Case # 97570034. All of these cases involved leaking underground storage tanks. The SWRCB closed the first in 2018, after the contaminated soil was removed to build an underground garage. SWRCB closed the second in 1996 and the third in 1996 after tanks and contaminated soil was also removed. None of these sites are listed as a hazardous waste site under Government Code Section 65962.5. According to the Caltrans Scenic Highway Map there is no scenic highway located within the vicinity of the Project or within the Project site. Furthermore, the Project is in proximity of a City of Los Angeles Historic Cultural Monument, MacArthur Park

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(HCM #100), but will not cause a substantial adverse change in the significance of this historical resource.

Based on this information, staff recommends that the Board of Recreation and Park Commissioners' (Board) determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301 of California CEQA Guidelines and Article III, Section 1, Class 1(3) and Class 1(14) of City CEQA Guidelines. RAP Staff will file a Notice of Exemption with the Los Angeles County Clerk and the California Office of Planning and Research upon Board's approval.

FISCAL IMPACT

The approval of this Report will not impact RAP's General Fund, as BSS will be responsible for all Project costs and all future costs within the easement area.

STRATEGIC PLAN INITIATIVES AND GOALS

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

Goal No. 1: Provide Safe and Accessible Parks

Outcome No. 2: All parks are safe and welcoming

Result: BSS's Project, when completed will provide greater accessibility to MacArthur Park for park patrons.

This Report was prepared by Ana Tabuena-Ruddy, Landscape Architect II, Grant Management Program, Engineering Services Division.

LIST OF ATTACHMENTS

- 1) Attachment 1 – Resolution
- 2) Attachment 2 – MacArthur Park Map
- 3) Attachment 3 – Easement Area Ground Photograph and Depiction Sheet – Northeast and Northwest Corners of MacArthur Park (Southeast Corner of 6th Street and Park View Street, Southwest Corner of 6th Street and Alvarado Street)
- 4) Attachment 4 – Grant of Easement

RESOLUTION NO. _____

WHEREAS, the Department of Public Works, Bureau of Street Services (BSS), as part of the Maya Corridor project, is reconstructing 6th Street from Carondelet Street to Loma Drive (Maya Corridor) to improve safety and accessibility for all; and,

WHEREAS, the Maya Corridor will integrate streetscape and placemaking improvements that will integrate Maya motifs to celebrate the cultural contributions of the significant Central American community with Maya heritage in Los Angeles' Westlake neighborhood; and,

WHEREAS, critical improvements to sidewalks, crosswalks, lighting, and intersections will make it a safer, more vibrant, and more accessible street for residents and businesses; and,

WHEREAS, as part of the Maya Corridor Project (Project), BSS will be improving all curb ramps within the project limits to meet Americans with Disabilities Act (ADA) standards. The Maya Corridor will run along the northern border of MacArthur Park; and,

WHEREAS, BSS determined two proposed curb ramp improvements bordering MacArthur Park at the southeast corner of 6th Street and Park View Street and the southwest corner of 6th Street and Alvarado Street, which will be reconstructed to provide ADA accessible curb ramps and sidewalk per the latest city and federal guidelines; and,

WHEREAS, as part of the Project, BSS will also need an additional right-of-way area from the Department of Recreation and Parks (RAP), due to the existing narrow sidewalk condition in the right-of-way and additional area is needed to accommodate required access to pedestrian push buttons and curb ramps. BSS proposes the reconstruction of the sidewalk at the southeast corner of 6th Street and Park View Street into a 30 foot by 30 foot corner cut, and the reconstruction of the sidewalk at the southwest corner of 6th Street and Alvarado Street into a 20 foot by 20 foot corner cut; and,

WHEREAS, in order to meet the design goal of the segment of the Project at the southeast corner of 6th Street and Park View Street and the southwest corner of 6th Street and Alvarado Street, BSS requests that RAP grant a non-exclusive permanent easement to BSS in a 450 square foot area of the northwest corner and 200 square foot area of the northeast corner of Macarthur Park, to install, inspect, maintain, repair, reconstruct, replace and upgrade any and all appurtenances and structures related to the public street known as 6th Street (Easement); and,

WHEREAS, the Project and the maintenance of the Project in the easement area will be the responsibility of BSS, and RAP will not incur any costs related to the Project within the easement area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Recreation and Park Commissioners of the City of Los Angeles (Board) finds and determines that the public interest, convenience, and necessity require that the Easement be granted to the Department of Public Works, Bureau of Street Services in the form of the Grant of Easement as approved by the Board, subject to the approval of the City Council and the City Attorney, whereupon the Board President and Secretary are authorized to execute the Grant of Easement and related documents; and

BE IT FURTHER RESOLVED that the Board finds that the Easement and the improvements contemplated therein will enhance accessibility into MacArthur Park; and

BE IT FURTHER RESOLVED that the Department of Recreation and Parks will exercise only such reserved rights in said Grant of Easement as will not interfere with or prohibit the free and complete use and enjoyment by the Department of Public Works, Bureau of Street Services and its successors or assign of the rights hereby granted; and

BE IT FURTHER RESOLVED that upon City Council approval of the Grant of Easement to BSS, that City Council direct/instruct the Department of General Services (GSD), and the City Attorney's Office to draft and process any required document necessary to process said Grant of Easement.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on _____, 2024 (Rpt. No. 24-___).

Takisha Sardin, Secretary

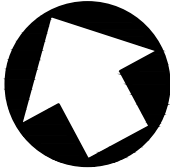
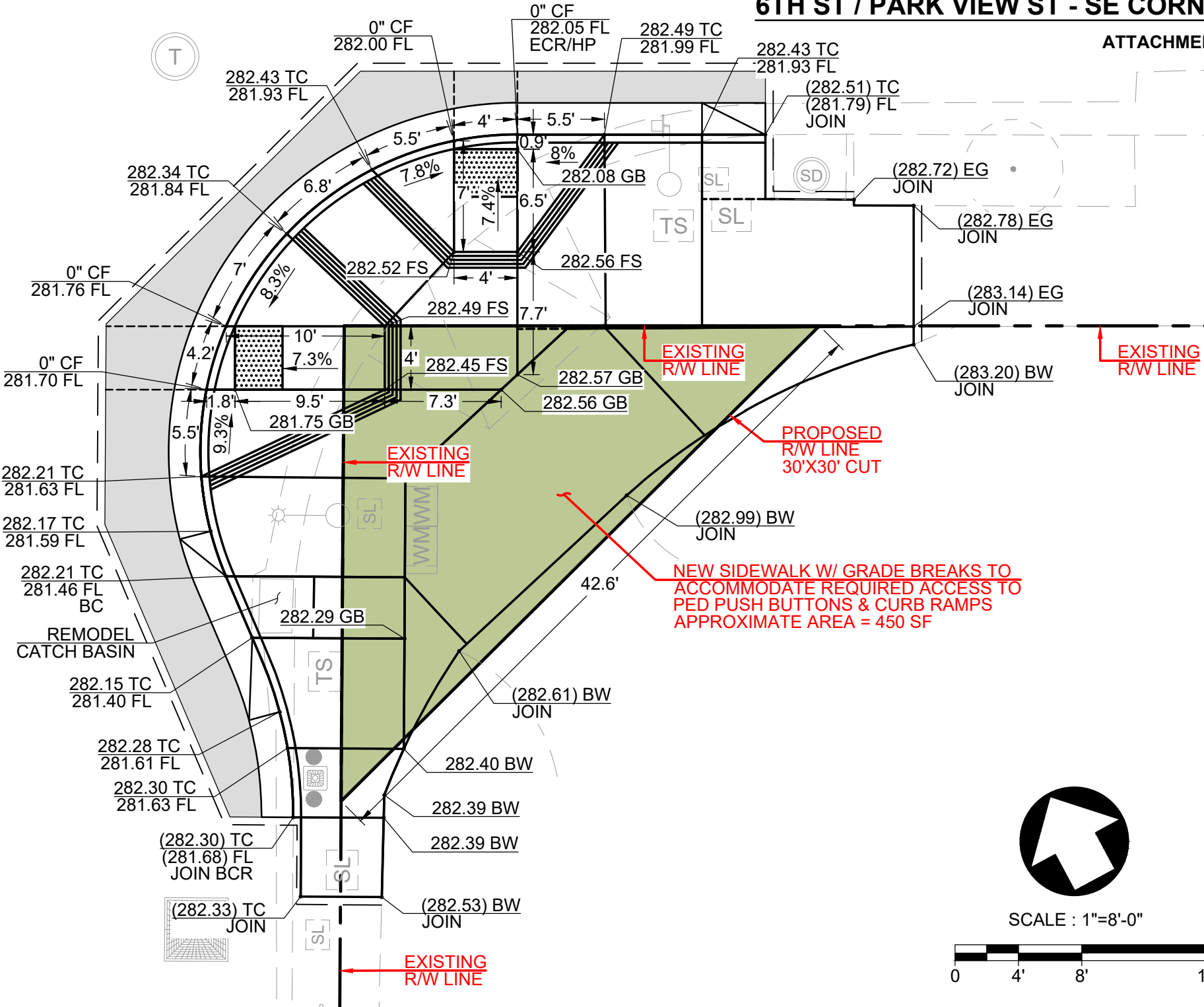
Resolution No. _____

MacArthur Park
2230 W 6th St
Los Angeles, CA 90057



6TH ST / PARK VIEW ST - SE CORNER

ATTACHMENT 3



SCALE : 1"=8'-0"



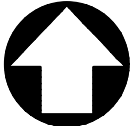
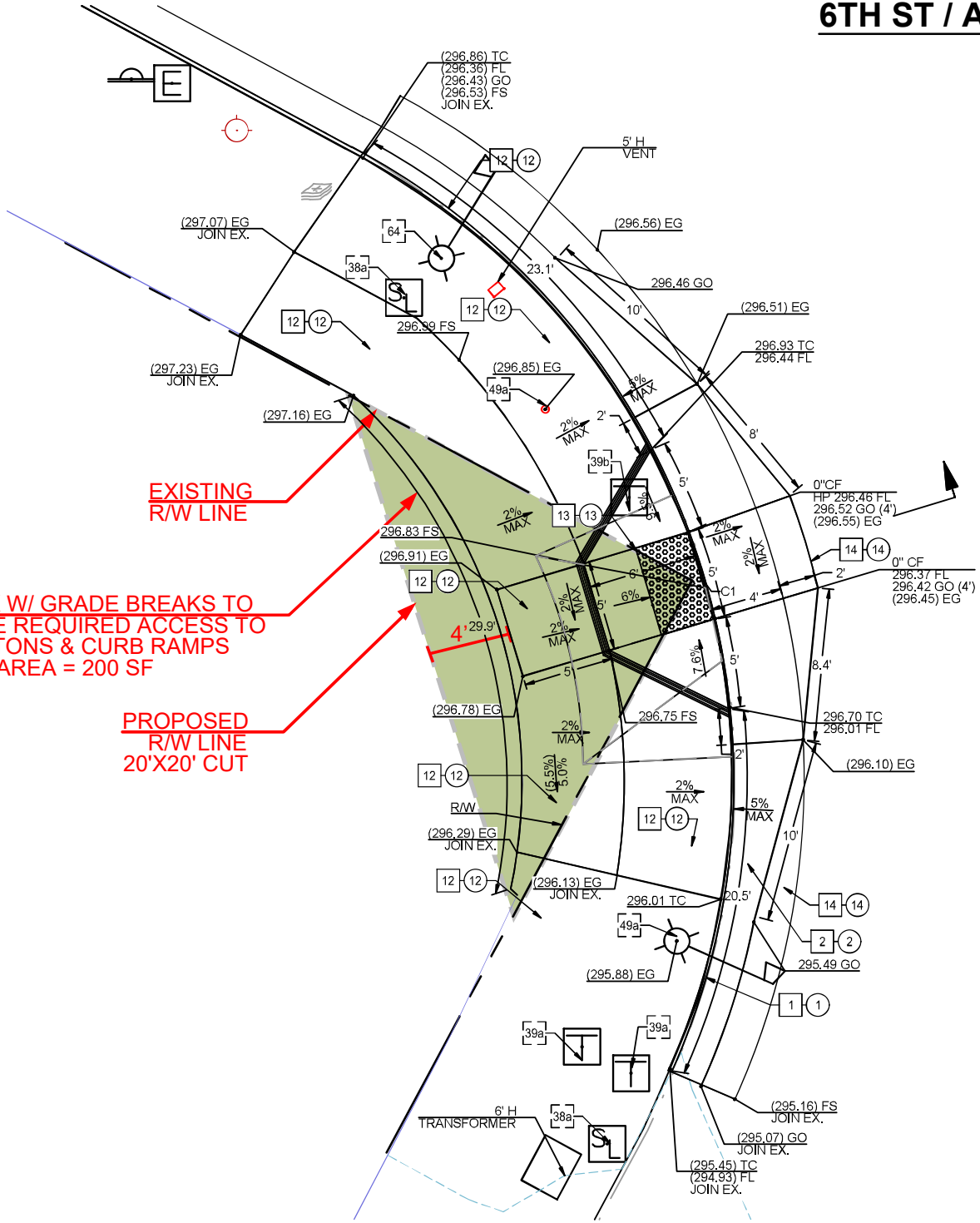
6TH ST / ALVARADO ST - SW CORNER

ATTACHMENT 3

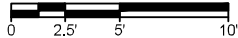
NEW SIDEWALK W/ GRADE BREAKS TO ACCOMMODATE REQUIRED ACCESS TO PED PUSH BUTTONS & CURB RAMPS APPROXIMATE AREA = 200 SF

PROPOSED R/W LINE 20'X20' CUT

EXISTING R/W LINE



SCALE: 1"=5'-0"



RECORDING REQUESTED BY:

CITY OF LOS ANGELES

WHEN RECORDED, MAIL TO
AND MAIL TAX STATEMENTS TO:

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
1149 S. BROADWAY 6TH FLOOR
LOS ANGELES CA 90015
ATTN: LEE LYNCH

Grant of Easement

This document is exempt from documentary transfer tax pursuant to Section 11922 of the Revenue and Taxation Code and is being recorded pursuant to California Government Code Section 6103 and California Government Code Section 27383.

The City of Los Angeles, a municipal corporation, acting by and through its Board of Recreation and Parks Commissioners ("Grantor"), hereby grants to the City of Los Angeles, a municipal corporation, acting by and through its Board of Public Works ("Grantee") a perpetual, non-exclusive street easement to install, inspect, maintain, repair, reconstruct, replace, and upgrade any and all appurtenances and structures related to a public street known/to be known as 6th Street, which street easement shall be located within an area of land more particularly described as follows, with the Assessor Parcel Number 5140-003-900:

SEE EXHIBIT "A" FOR A COMPLETE LEGAL DESCRIPTION AND EXHIBIT "B" FOR THE DEPICTION SHEET

Given that the said easement is non-exclusive in nature, the easement area may be used by the Grantor or its successor/assignee. However, if the said easement area is used by the Grantor or its successor/assignee, then it shall be used in such a manner as shall not in anywise interfere with or endanger any works, facilities, or operations of the Grantee. For example, without limiting the generality of the foregoing, Grantor shall not install or otherwise place any structure or improvement within the easement area that would interfere with Grantee's rights granted hereunder. In the event Grantee decides to remove or demolish any of Grantor's structure or improvement within the easement area that interferes with (as determined by Grantee) Grantee's rights granted hereunder, Grantee may do so without compensating Grantor for the loss of such structure/improvement, and Grantor shall reimburse Grantee for any and all cost incurred in connection with such removal or demolition.

It is understood that the undersigned Grantor only grants a perpetual, non-exclusive easement that is located within the land owned by said Grantor. Moreover, the parties hereto acknowledge that there is no intention of any merger that would extinguish or otherwise diminish the easement granted hereunder or any other interest owned by the City of Los Angeles.

This easement is granted in accordance with the provisions in Council File No. [REDACTED] of the City of Los Angeles and Board Report No. [REDACTED] of Board of Recreation and Parks Commissioners.

In witness whereof, the City of Los Angeles, acting by and through its Board of Recreation and Parks Commissioners, has caused this instrument to be executed on its behalf by the President and Secretary of the Board of Recreation and Parks Commissioners, to be attested by its City Clerk, and its corporate seal to be hereunto affixed by said City Clerk, this _____ day of _____, 2024.

The City of Los Angeles, acting by and through its Board of Recreation and
Parks Commissioners

By: _____
Renata Simril, President

By: _____
Takisha Sardin, Board Secretary

Attest:
Holly L. Wolcott, City Clerk

By: _____

A notary public or other officer completing this certificate verifies only the identity of the individual, who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of That document.

STATE OF CALIFORNIA}
COUNTY OF _____ }

On _____, before me, _____, a Notary Public,

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

JOB TITLE: GRANT OF EASEMENT FOR MAYA CORRIDOR
A.P.N.: 5140-003-900
Cadastral Map No: 133-5A203
Right of Way No.: 34024

BUREAU OF ENGINEERING

The City of Los Angeles
A Municipal corporation
Acting by and through its
Board of Recreation and Parks Commissioners

TO
The City of Los Angeles
A Municipal corporation
Acting by and through its
Board of Public Works

GRANT OF EASEMENT DEED

CERTIFICATE OF ACCEPTANCE
This is to certify that the interest in real property conveyed by the Grant of Easement to the City of Los Angeles, a municipal corporation, is hereby accepted by the authority of City Council of the City of Los Angeles, pursuant to Ordinance No. 123655 approved on January 23, 1963, as well as Ordinance No. 175978 effective July 3, 2004 and the grantee consents to the recordation thereof by its duly authorized officer.

By: _____
Uriel Jimenez
Chief Real Estate Officer II
Bureau of Engineering
Real Estate Division

Approved Date: _____, 2024

Approved as to Authority

By: _____
Uriel Jimenez
Chief Real Estate Officer II
Bureau of Engineering
Real Estate Division

Approved Date: _____, 2024

Legal Description by Surveyor

Prepared by: **City of Los Angeles**

By: **Magdi Soliman**

License No. **8822**

I verify that the attached plat depicts the alignment and or configuration requested for this project

Approved as to Legal Description

By: _____
Lee Lynch
Senior Title Examiner
Bureau of Engineering
Real Estate Division

Approved Date: _____, 2024

Hydee Feldstein Soto, City Attorney

By: _____
(Signature)

(Print name)

Approved Date: _____, 2024

DEDICATION
R/W No.: 34004
D.M. No.: 133-5A203
C.D. No.: 1
W.O. No.: M0016394

EXHIBIT "A"

APN: 5140-003-900

LEGAL DESCRIPTION

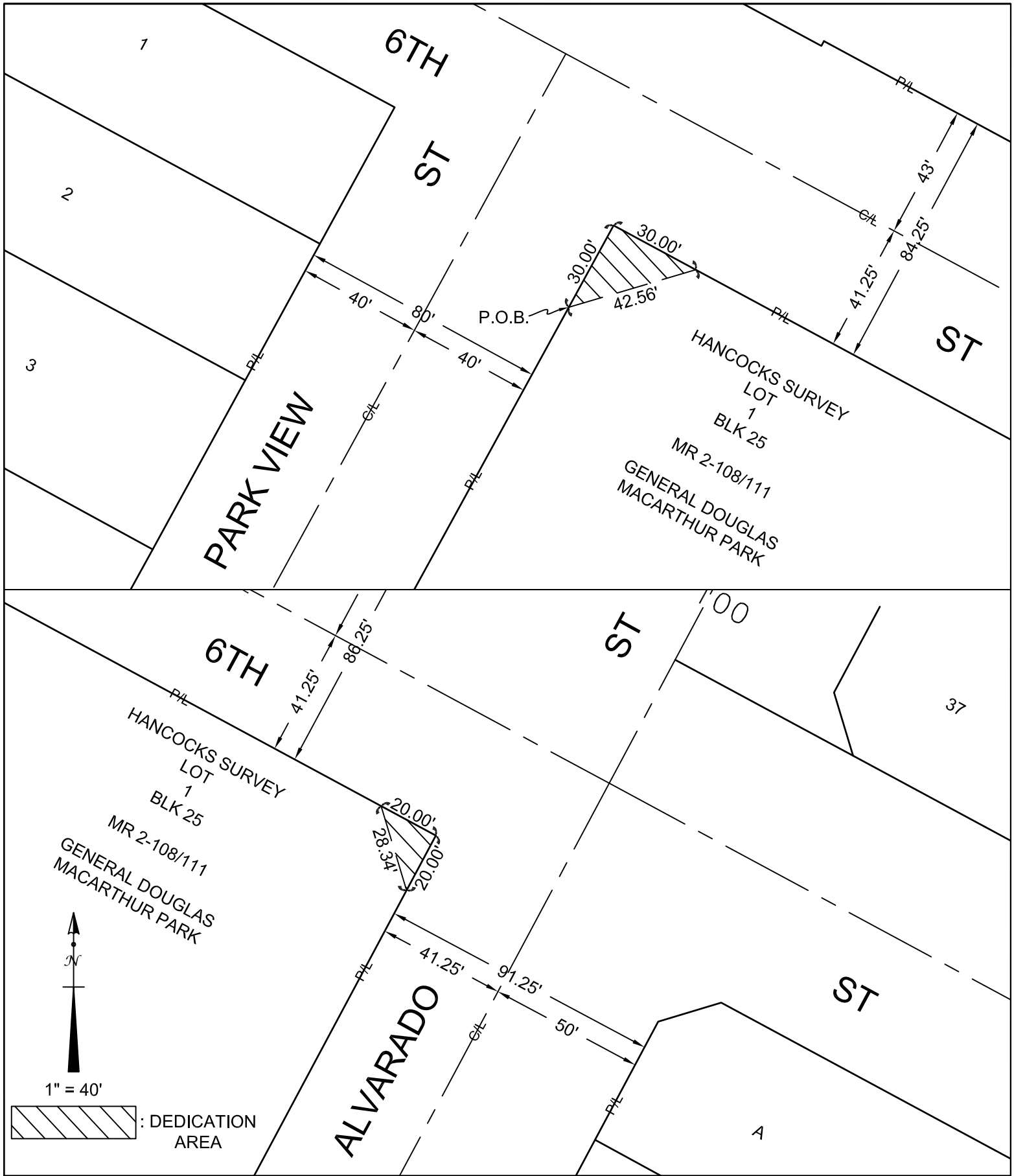
THAT PORTION OF LOT 1 OF BLOCK 25 OF HANCOCK'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 2 PAGE(S) 108 TO 111 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING NORTHWESTERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF SOUTHEASTERLY LINE OF THE NORTHWESTERLY 40.00 FEET OF SAID LOT WITH THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 30.00 FEET OF SAID LOT; THENCE, NORTHEASTERLY IN A DIRECT LINE TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT DISTANT 70.00 FEET SOUTHEASTERLY MEASURED ALONG SAID NORTHEASTERLY LINE FROM THE NORTHWESTERLY CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE TO A POINT DISTANT 20.00 FEET NORTHWESTERLY MEASURED ALONG SAID NORTHEASTERLY LINE FROM THE SOUTHEASTERLY LINE OF SAID LOT; THENCE, SOUTHEASTERLY IN A DIRECT LINE TO A POINT ON SAID SOUTHEASTERLY LINE DISTANT 20.00 FEET SOUTHWESTERLY MEASURED ALONG SAID SOUTHEASTERLY LINE FROM SAID NORTHEASTERLY LINE.

Containing 650 square feet more or less.

AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART OF.





R/W 34004
 D.M. 133-5A203
 C.D. 1
 W.O. M0016394

EXHIBIT "B"
 MAYA CORRIDOR
 PROJECT

DEPARTMENT OF PUBLIC WORKS
 BUREAU OF ENGINEERING

