

**APPROVED**  
**APR 03 2013**  
**BOARD OF RECREATION  
& PARK COMMISSIONERS**

REPORT OF GENERAL MANAGER

NO. 13-090

DATE April 3, 2013

C.D. 9

**BOARD OF RECREATION AND PARK COMMISSIONERS**

**SUBJECT: VERNON BRANCH LIBRARY – POCKET PARK – TRANSFER OF PROPERTY THROUGH JUDGEMENT OF CONDEMNATION FROM LOS ANGELES UNIFIED SCHOOL DISTRICT TO THE DEPARTMENT OF RECREATION AND PARKS TO BE MAINTAINED AS A POCKET PARK, IN ORDER TO REPLACE PARK PROPERTY WHICH HAS BEEN CONDEMNED FOR THE CONSTRUCTION OF THE NEW CENTRAL REGION ELEMENTARY SCHOOL NO. 21**

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>M. Shull</i></u>
V. Israel	_____	N. Williams	_____

*[Signature]*  
General Manager (1)

Approved *[Signature]*      Disapproved \_\_\_\_\_      Withdrawn \_\_\_\_\_

**RECOMMENDATIONS:**

That the Board:

1. Adopt the 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 City entities, per City Charter Section 594(a) and (b), in accepting the transfer of property (the "exchange property"), located at 4501 South Central Avenue, Los Angeles, California 90011 at the corner of 45<sup>th</sup> Street and Central Avenue;
2. Accept and approve the "exchange property", as described in the settlement reached between City of Los Angeles (City) and Los Angeles Unified School District (LAUSD) as indicated in the Order of Condemnation (approved by City Council, Council, File No. 10-1298), that will transfer an L-shaped corner lot property at the corner of 45<sup>th</sup> Street and Central Avenue in the City of Los Angeles, located at 4501 South Central Avenue, Los Angeles, California 90011, from the LAUSD to the City of Los Angeles, Department of Recreation and Parks (RAP); and,

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3. Approve the Final Design Plan that has been reviewed and approved by RAP's Planning, Construction and Maintenance Branch staff by accepting the exchange property and completed park from LAUSD; and,
4. Authorize the Board Secretary to accept and execute the grant deed for the subject property, as approved by the City Attorney as to form; which shall be set apart and dedicated as park property in perpetuity; and, to be known as Vernon Branch Library Pocket Park;

SUMMARY:

On June 18, 2003, through Board Report No. 03-205, the Board granted staff preliminary approval to proceed with the acquisition of a parcel, totaling approximately 0.15 acres and located on 4521 South Central Avenue, near the Vernon Branch Library. On March 2, 2005, through Board Report No. 05-61, the Board approved the acquisition/transfer of the parcel located at 4521 South Central Avenue from the Los Angeles Department of Water and Power (DWP) to the RAP, parcel identified by Los Angeles County Assessor's Parcel (APN) No. 5108-026-900.

On February 19, 2009, LAUSD filed a complaint in eminent domain to condemn the City's new pocket park, the condemnation parcel (APN 5108-026-900); Los Angeles Unified School District vs. City of Los Angeles, LASC Case No.: BC 407 953. LAUSD condemned the park APN 5108-026-900 to use the property to construct a school. On June 30, 2009, the court awarded LAUSD an Order for Prejudgment Possession of the property, specifying that LAUSD would take possession of the property on September 1, 2009.

As a condition of a settlement reached in the Judgment of Condemnation between the City and LAUSD, LAUSD agreed to exchange a portion of the school site for the City's pocket park, APN 5108-026-900. As part of the court approved settlement in the Judgment of Condemnation between all involved parties, LAUSD would hold the exchange property to construct a new park and upon completion of the new park would transfer all interest related to the exchange property to the City subject to conditions of the Judgment of Condemnation and with the clear instructions that the exchange property would be used for park purposes. On August 18, 2010, City Council adopted the actions under Council File No. 10-1298 adopting the recommendations of the City Attorney to effect a settlement in the Los Angeles Unified School District v. City of Los Angeles, LASC Case No. BC 407 953, (the exchange of properties and construction of new park by LAUSD to be transferred to RAP).

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On October 21, 2009, through Board Report No. 09-243, the Board approved the conceptual plans for the development of the new park (the "exchange property"). Staff also informed Board through same Report that LAUSD would construct the new park per LAUSD design and at LAUSD expense. The location and draft design are depicted in Exhibits "A" and "B". The Board was informed that the new park would be of equal size and like improvements and located within the same block as the previous park.

Staff in same Board Report No. 09-243 reported that prior to the conclusion of the condemnation proceedings, and upon completion of the new park, staff would return to the Board as part of the proposed settlement judgment for acceptance of the new park. Planning, Construction and Maintenance Branch staff has reviewed the final LAUSD plans for the new park and has approved the final park design plans. LAUSD has reported to RAP that the park is now complete and is ready to complete the transfer of property to RAP. As part of the Judgment of Condemnation, the parties must return to court to file the final order and the Judge has mandated that all remaining issues must be completed by then.

Staff has determined that the proposed pocket park has been previously evaluated in accordance with the California Environmental Quality Act (CEQA) in the Environmental Impact Report (EIR) for the proposed Central Region Elementary School No. 21 Project. The EIR was certified by the LAUSD Board acting as the CEQA Lead Agency on November 25, 2008, and filed a Notice of Determination with the Los Angeles County Clerk on November 26, 2008. Staff has reviewed the administrative record for EIR, and has determined the proposed pocket park component of the larger school project has been adequately evaluated for potential environmental effects, and has further determined that the new park will not have any significant unavoidable impacts. Therefore, no additional CEQA documentation is required for the Board to act upon the recommendations in this report as a Responsible Agency to the pocket park project under CEQA.

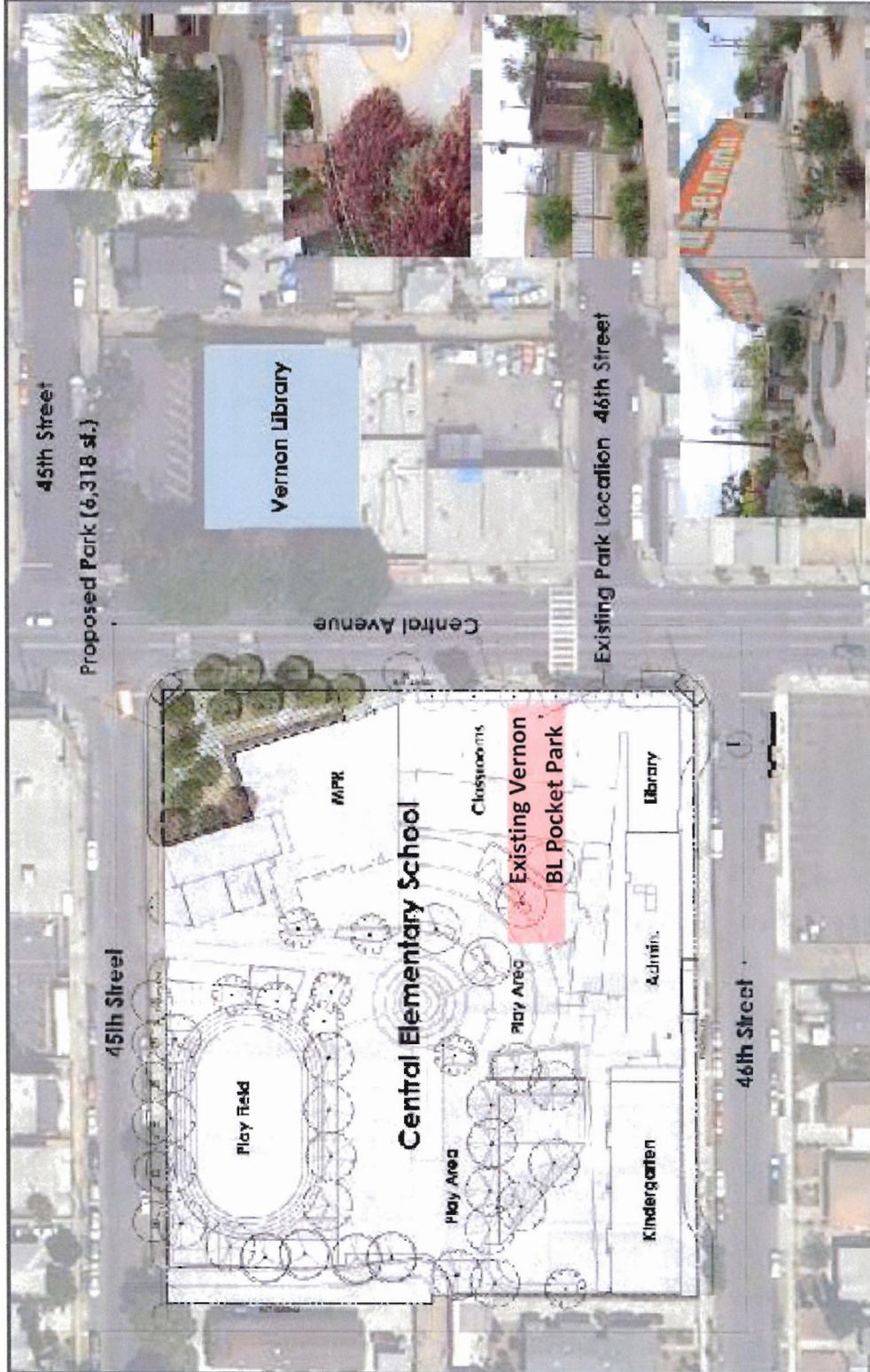
### FISCAL IMPACT STATEMENT:

The Board's approval of the proposed park design and construction will have no fiscal impact on RAP's General Fund, as all related costs will be paid by the LAUSD at their sole expense. Maintenance funds for the new park will be requested as part of RAP's annual City budget process. These funds have not been identified. The cost will be for staffing, materials and supplies. If the funding is not granted, this facility will be included in the existing Metro 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.

Exhibit-A

Vernon Branch Library Pocket Park  
Site Plan



**VERNON CITY PARK**  
CENTRAL REGION ELEMENTARY SCHOOL NO. 21

SCHEMATIC DESIGN  
PLANNING  
LANDSCAPE ARCHITECTURE

**gkkworks**  
PARTNERS IN PROGRESS

