

REVISED MOTION BY SUPERVISOR JANICE HAHN

October 15, 2019

Exchange of Real Properties Between the County of Los Angeles and The City of La Mirada

The purpose of this motion is to approve the exchange of an approximately 59,903 square foot portion of County property at La Mirada Regional Park (Park) located at 13701 South Adelfa Avenue in the City of La Mirada, for a 57,113 square foot portion of land adjacent to the Park owned by the City of La Mirada (City). The motion also serves to reaffirm the City's commitment to construct a maintenance facility for the County to own and operate.

On June 13, 2006, the Board approved the conveyance of an 18-acre portion of the Park to the City to accommodate the construction of the City's new aquatic center (Splash), that currently serves County residents by providing a full range of recreational, instructional, therapeutic, and competitive aquatic programs.

The City is currently in the process of expanding their aquatics center. The Splash expansion requires additional portions of the Park for permanent setbacks and temporary construction use. In exchange for the County-owned Park property, the City will be

MOTION

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conveying to the County portions of the aquatics center that can serve the County's Park. The development of Splash in 2006 displaced Park's maintenance yard, as such the City at that time had agreed to construct a maintenance yard to Parks specifications. The 2019 Purchase and Transfer Agreement (Agreement) memorializes their obligation to build the maintenance yard. All costs associated with the construction of the maintenance yard will be at the City's expense, as agreed to by the County and the City in the Agreement. If the City fails to construct the maintenance yard in substantial compliance and obtain a final certificate of occupancy by June 30, 2021, the Agreement requires the City to pay \$10,000 per month of delay. The June 30, 2021, deadline may be extended by the sole discretion of the Director of the County Department of Parks and Recreation. The Department of Parks and Recreation will notify the Chief Executive Office upon acceptance of the maintenance facility.

The exchange of properties between the County and the City is authorized by Government Code section 25365, which authorizes real property exchanges between the County and public agencies when the property is not required for County use and the property to be acquired is required for County use.

As required by Government Code Section 65402, notification of the proposed exchange was submitted to the City of La Mirada's Planning Department, which has jurisdiction for determining conformance with the adopted general plan. On June 20, 2019, the City adopted a resolution and made the finding that the disposition and acquisition of land between the County and the City is in conformance with the City's general plan.

In accordance with the Board's policy, the County's deed to be used for the

exchange includes a deed restriction that the property being conveyed to the City shall be equally open and available to residents of incorporated and unincorporated territory, and there shall be no discrimination against or preference, gratuity, bonus or other benefits given to residents of incorporated area not equally accorded residents of unincorporated territory and that in the event that County of Los Angeles determines that the owner in possession is not complying with these restrictions, then all right, title, and interest in and to the Property shall revert back to the County of Los Angeles upon providing a ~~thirty (30)~~seven (7) day notice to owner in possession of its failure to comply with these restrictions. County Counsel has reviewed the Exchange Agreement, Quitclaim Deed and Grant Deed related to the proposed exchange and has approved them as to form.

State Public Resources Code 5400 Public Parks Preservation Act (PPA) requires that when park land is sold or transferred between two public agencies the cost of the land must be paid and used towards buying replacement land or improving the park facilities. Parks has reviewed the property exchange with the City in terms of the PPA and finds that in this case all land involved in the transfer remains as park land, so there is no action required under the PPA.

The City's adopted June 30, 2019 resolution also found that the disposition and acquisition of the properties between the County and the City is covered under the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing significant effect on the environment. Pursuant to the provisions of Section 15061(b)(3) of the CEQA guidelines, the City determined that where it can be found that there is no possibility that the activity in question may have a

significant effect on the environment, the activity is not subject to CEQA and that the proposed disposition and acquisition of the properties was found by the City to be exempt from CEQA because the activity being conducted is only the transfer of property from one entity to another.

Additionally, the County has used its own judgement to determine that the conveyance of the subject County properties is categorically exempt from CEQA as a transfer of surplus land pursuant to Section 15312 of the CEQA guidelines. The acquisition of property from the City, in order to preserve open space or lands for park purposes, is also categorically exempt from CEQA pursuant to Section 15325 of the CEQA guidelines.

Lastly, upon conveyance of the property to the City, the City will be responsible for complying with any CEQA requirements in connection with the use of their acquired property and the construction of improvements thereon. The exchange of the properties between County and the City will not impact any current services provided in the Park.

I, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Find that the proposed exchange of real properties between the County and the City of La Mirada is categorically exempt from the California Environmental Quality Act (CEQA) according to Sections 15312 and 15325 of the State CEQA Guidelines and Classes 12 and 25 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix. G. In addition, based on the proposed exchange records, it will comply with all applicable regulations, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on

hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

2. Find that the County owned properties proposed to be conveyed are not required for County use.
3. Find that the City owned properties proposed to be acquired by the County, identified as portions of APN: 8033-005-963, are required for County use because of their advantageous, adjacent location to La Mirada Regional Park which will serve the Department of Parks and Recreation (Parks) in their continued efforts to provide park and recreational services to County residents.
4. Approve the conveyance of the County's right, title, and interest in the property located at 13701 South Adelfa Avenue, La Mirada, California 90638, identified as portions of APN: 8038-005-962, to adjoining property owner, the City of La Mirada, and instruct the Director of Parks and Recreation, or his designee, to execute the Quitclaim Deed and the Property Exchange Agreement.
5. Instruct the Executive Office-Clerk of the Board of Supervisors to publish the Notice of Intention and set October 29, 2019 to acquire and convey land pursuant to Government Code section 25365 in accordance with Section 6061 of the Government Code.

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I FURTHERMOVE THAT AFTER PUBLICATION OF THE NOTICE OF INTENTION TO ACQUIRE AND CONVEY LAND PURSUANT TO GOVERNMENT CODE SECTION 6061, IT IS RECOMMENDED THAT THE BOARD:

6. Order the exchange of properties between the County and the City to be consummated in accordance with Government Code Section 25365.
7. Authorize the Director of Parks and Recreation or his designee, to complete and execute any additional documentation approved as to form by County Counsel, necessary to complete the transaction.
8. Direct and authorize the Chief Executive Officer or her designee, to accept and execute any documentation necessary to complete the transaction including a Certificate of Acceptance.
9. Authorize the Assessor or his designee, to remove and add the subject properties from the tax roll effective upon the transfer.

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**NOTICE OF INTENTION FOR THE TRANSFER OF REAL PROPERTY FROM THE
COUNTY OF LOS ANGELES TO THE CITY OF LA MIRADA**

On October 15, 2019, the Board of Supervisors of the County of Los Angeles met to consider a gratis transfer of real property from the County of Los Angeles (County) to the City of La Mirada (City) consisting of the following parcel:

APN 8033-005-962 consisting of 57,113 sq. ft. portion of unimproved land of City Property.

The County property is depicted in the attached Exhibit "A" and incorporated herein by reference. A Copy of the map showing the location of the property is available for inspection at office of Parks and Recreation at 1000 S. Fremont Avenue, Building A-9 West, 3rd Floor, Unit #40, Alhambra California. For more information, please call (626) 588-5303.

The transfer of property from the County to the City is authorized by Government Code section 25365, which authorizes real property transfers between the County and public agencies when the transferred property is not required for County use.

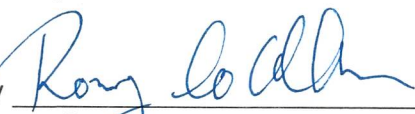
The County parcel depicted in the attached Exhibit "A" will be conveyed to the City by quitclaim deed with the County retaining all previously unreserved mineral rights on the property with the condition that the property is to be used for public recreation and park purposes only. The real property will be conveyed without warranty as to its condition or suitability for the intended purpose. The County property will be conveyed in exchange for real property from the City.

This matter will be considered by the Board of Supervisors for final approval at least one week after the publication of this notice, currently scheduled for October 29, 2019, 9:30 A.M. in the Hearing Room of the Board, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California.

Si no entiende esta Noticia, o necesita mas informacion por favor llame al numero (626) 588-5344

APPROVED AS TO FORM:
MARY C. WICKMAN
County Counsel

CELIA ZAVALA,
Executive Officer -Clerk of the
Board of Supervisors, County of Los Angeles

By 
Deputy



By 
Deputy