

0150-11426-0000

TRANSMITTALTO
CouncilDATE
7-30-19

COUNCIL FILE NO.

FROM
Municipal Facilities CommitteeCOUNCIL DISTRICT
10

At its meeting held on July 25, 2019, the Municipal Facilities Committee (MFC) adopted the recommendations of the attached General Services Department (GSD) report, which is hereby transmitted for Council consideration. Adoption of the report recommendation would authorize GSD to negotiate and execute a license agreement with LCCP Blackwelder Fee Owner, LLC, (LCCP) granting LCCP limited use rights to install and monitor groundwater wells on City property, located at 3251 South La Cienega Boulevard, Los Angeles, CA 90016, for a term of two years and a rental rate of \$0.

There is no impact on the General Fund as a result of the recommended action.


Richard H. Llewellyn, Jr.
City Administrative Officer
Chair, Municipal Facilities Committee 

RHL:MC:052000012

CAO 649-d

CITY OF LOS ANGELES

CALIFORNIA

TONY M. ROYSTER
GENERAL MANAGER
AND
CITY PURCHASING AGENT



ERIC GARCETTI
MAYOR

DEPARTMENT OF
GENERAL SERVICES
ROOM 701
CITY HALL SOUTH
111 EAST FIRST STREET
LOS ANGELES, CA 90012
(213) 928-9555
FAX NO. (213) 928-9515

July 25, 2019

Honorable City Council
City of Los Angeles
c/o City Clerk
Room 395, City Hall
Los Angeles, CA 90012

Attention: Leyla Campos, Legislative Assistant

REQUEST AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT WITH LCCP BLACKWELDER FEE OWNER, LLC AT 3251 S. LA CIENEGA BOULEVARD

The Department of General Services ("GSD") requests Council authority to negotiate and execute a License Agreement (License) with LCCP Blackwelder Fee Owner, LLC ("LCCP") granting LCCP limited use rights to install and monitor groundwater wells on City property.

BACKGROUND

GSD received a request from Stantec Consulting Services Inc. ("Stantec") on behalf of its LCCP to access City-owned property (APN 4205-035-900) at 3251 South La Cienega Boulevard, Los Angeles, CA 90016 ("City property") for the installation, sampling and monitoring of two wells. Sampling at City property is required by the California Regional Water Quality Control Board ("RWQCB") to evaluate the distribution of off-site volatile organic compounds ("VOCs") detected in groundwater from property located at 3077-3243 South La Cienega Boulevard, APN 4205-035-014 ("LCCP property"). The locations of the proposed wells on City property and LCCP's property are shown in **Figure 1**.

The groundwater flows down to the LCCP property from the upgradient contamination sources around the City Property. The City property is directly upgradient of the LCCP property, making that data crucial to constructing a plume map and further defining the precise direction of groundwater flow, as required by the RWQCB.

The City property is a vacant, unfenced lot resembling an alley, under the jurisdiction of GSD and has no immediate City use. The City property is not legally open to the public. However, the City property is burdened by several easements which are shown in **Figure 2**. The adjoining property owner to the north holds an ingress and egress easement and Southern California Gas Company holds an easement for a pipe line. The issuance of a license to LCCP will not impede these holders from enjoying their easements. LCCP will be required to address and resolve any potential conflict that may arise with current City property easement holders throughout their use of City property. The Geotechnical Engineering Division of the Department of Public Works, Bureau of Engineering has reviewed the request from Stantec and is in support of issuance of the proposed license with the condition that LCCP provide monitoring reports.

There will be two well borings on City Property. They will be dug to approximately 35 and 85 feet below ground surface, respectively. The well borings will have a one-foot wide exposure on ground surface. The borehole structure will be filled with cement bentonite-grout to within two feet of ground surface. Surface completions will consist of flush-mounted well vaults with locking lids. An illustration of such well construction is shown on **Figure 3**.

TERMS AND CONDITIONS

LOCATION:	3251 S. La Cienega Boulevard, Los Angeles, CA 90016, APN 4205-035-900.
LICENSOR:	City of Los Angeles
SITE SQUARE FEET:	Access to 12,344.8 square feet. Location of wells limited to those in Figure 1.
USE:	Installation, sampling and monitoring of wells.
TERM:	Two years.
OPTION:	One year.
HOLDOVER:	N/A
RATE:	\$0. LCCP to provide monitoring reports to City.
ACCESS:	LCCP will provide City with a minimum of five (5) days prior written notice of its intention to access the City property to conduct installation, monitoring, and removal work. LCCP anticipates well construction will require two days (evening hours) of access to the City property, and monitoring will require a half day access (twice a year).

INSURANCE: Tenant to comply with required insurance and minimum limits set forth by City of Los Angeles Risk Management.

TERMINATION: Bilateral. 30 Day Notice of Termination.

FISCAL IMPACT

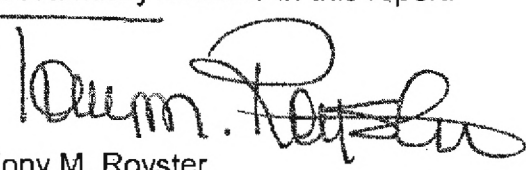
No impact to the General Fund.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Environmental Management Group of the Department of Public Works, Bureau of Engineering ("BOE") has prepared a Notice of Exemption dated February 7, 2019 for the installation of monitoring wells as part of a site investigation under directive of the RWQCB. The use of the City Property for installation of monitoring wells is exempt from CEQA under Section 15251(g) of State CEQA Guidelines. The Notice of Exemption (attached as **Figure 4**) provides a record of this exemption and of CEQA review completion for the well project.

RECOMMENDATION

That the Los Angeles City Council authorize GSD to negotiate and execute a license agreement with LCCP Blackwelder Fee Owner, LLC for the purpose of granting temporary and limited access for the installation, sampling and monitoring of wells as substantially outlined in this report.



Tony M. Royster
General Manager

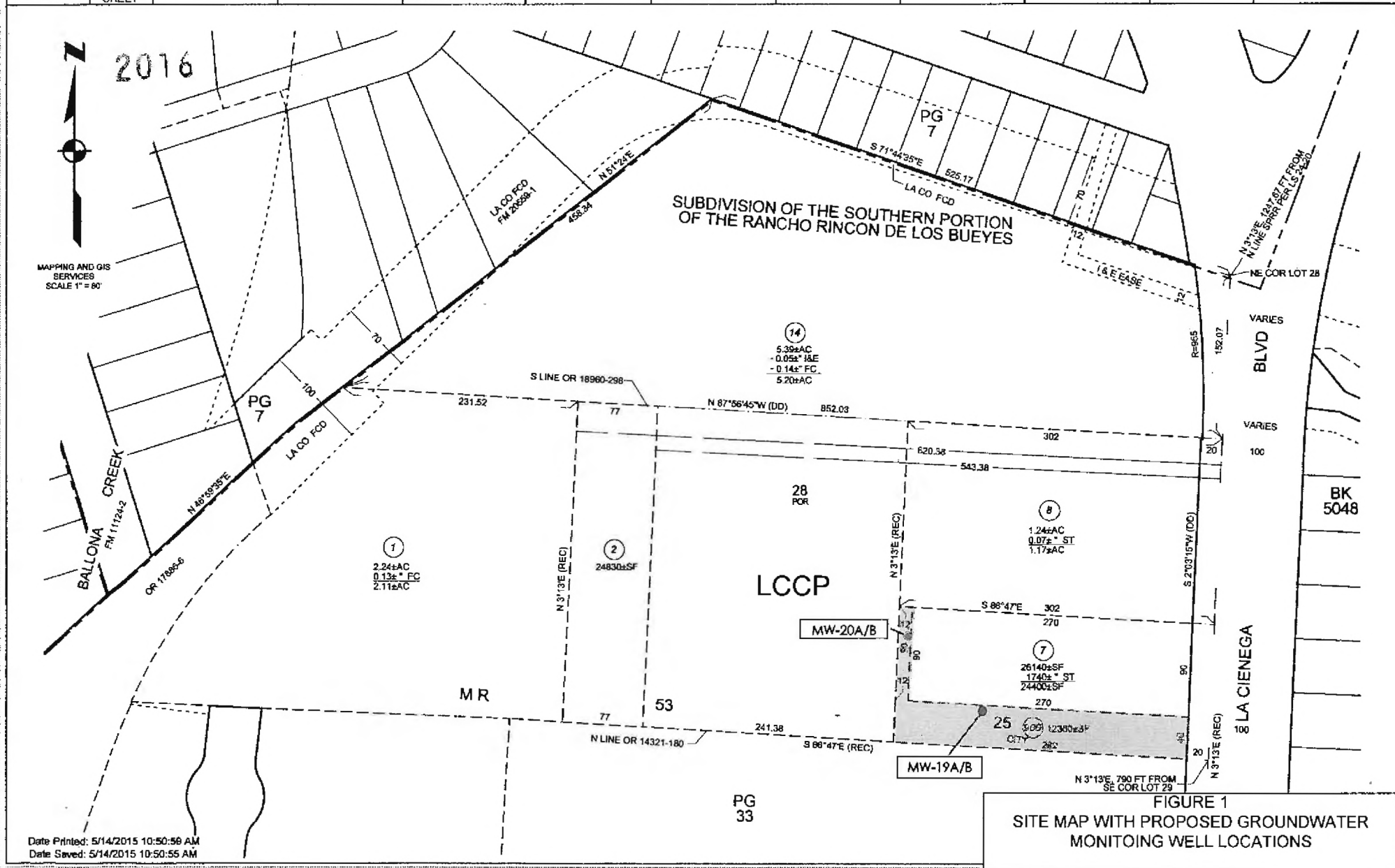
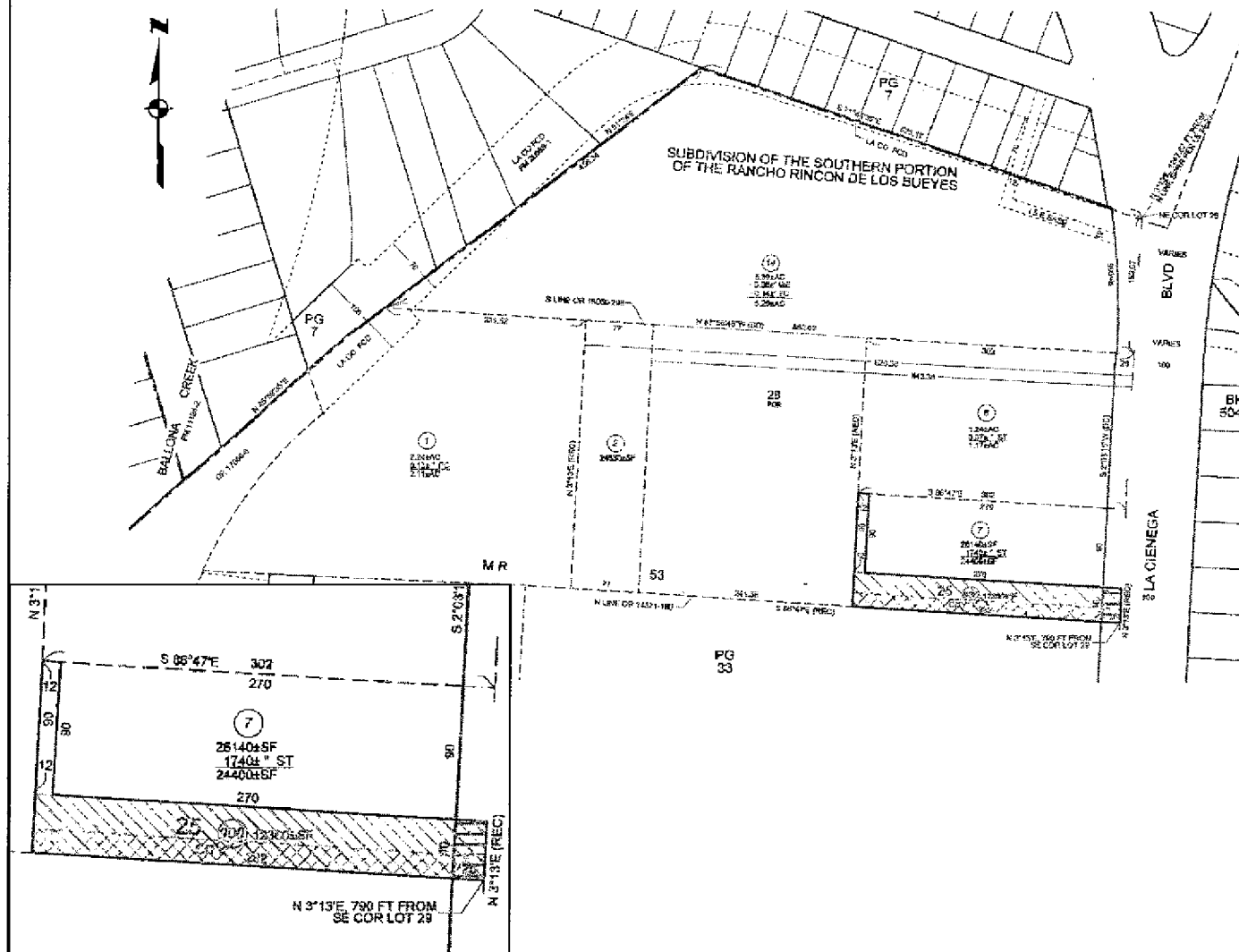


FIGURE 2

4205 | 35



DETAIL



Chicago Title Company

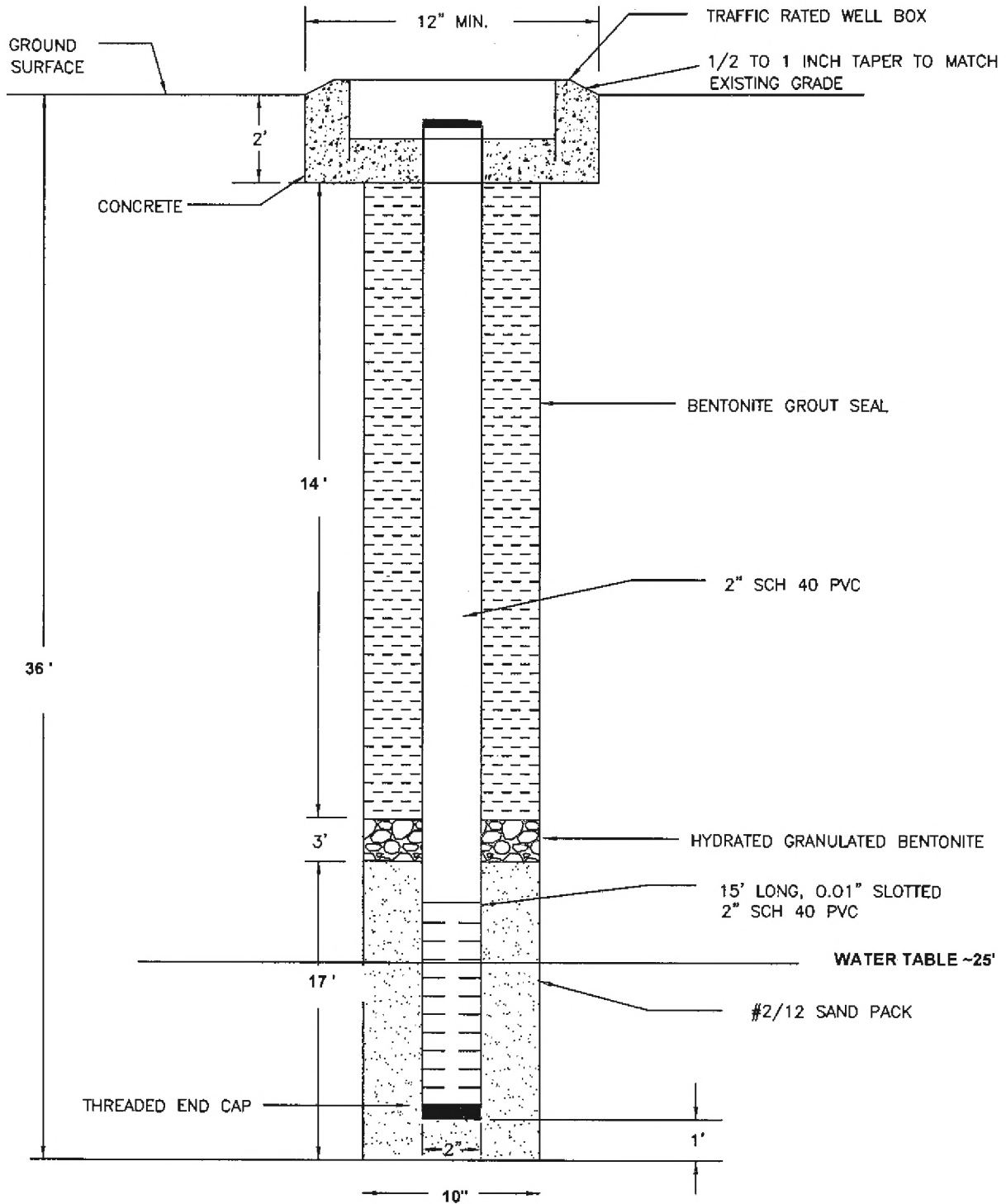
ORDER NO.
00086456-994
04/16/2018
APN
4205-035-900

Legend

- PIQ
- Ease for Drainage recorded
Bk6639 Pg63 Deeds - Item 2
- Ease for Sanitary sewer recorded
Bk4432 Pg1 OR - Item 3
(Unlocatable)
- Ease for Drainage recorded
Bk5183 Pg211 OR - Item 4
(Unlocatable)
- Ease for Ingress, egress recorded
Bk20656 Pg172 OR - Item 5
- Ease for Pipe line recorded
02/21/1946 #2746 BK22867 Pg93 OR - Item 6
- Ease for Public street recorded
04/07/1958 #3475 OR - Item 7

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

FIGURE 3



25884-F BUSINESS CENTER DRIVE
REDLANDS, CALIFORNIA
PH (909) 335-6116 FAX (909) 335-6120

FOR:

LA CIENEGA PROPERTIES
3077-3243 SOUTH LA CIENEGA BLVD.
LOS ANGELES, CALIFORNIA

PROPOSED MONITORING WELL
CONSTRUCTION

FIGURE:

3

JOB NUMBER:

185803048

DRAWN BY:

KM

CHECKED BY:

JD

APPROVED BY:

JD

DATE:

09/27/14

Figure 4

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

Date: February 7, 2019

To: David Roberts, Assistant Director
Department of General Services, Real Estate Services Division

From:  Maria Martin, Manager
Environmental Management Group

Subject: Right of Entry and Installation of Monitoring Wells at 3251 South La Cienega Blvd
W.O. E1903843

Following your request for environmental documentation, we have determined that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15251 (g). The attached Notice of Exemption serves as your record that CEQA review has been completed and it should be retained in the official project file.

This determination is based on the information submitted to us by your office and on our subsequent investigation. Please review the enclosed notice carefully. If the notice incompletely or inaccurately describes the project, the City could be vulnerable to legal challenges. If you think there may be inconsistencies, or if the project description changes, please contact this office for a re-evaluation of the project's exempt status.

The Notice of Exemption may be filed with the Los Angeles County Clerk after the project is approved or a determination is made to carry out the project. Filing with the County Clerk is not usually required but has the advantage of limiting legal challenges to a 35-day period. Without the filing, legal challenges can be filed up to 180 days following commencement of the project. The filing is subject to a \$75 filing fee, which your office will be expected to provide. If you want EMG to file the notice with the County Clerk, please let us know immediately after the project is approved or a determination is made to carry out the project. Project approval can occur in any of several actions, such as authorization to: proceed beyond the pre-design stage, acquire rights of way, expend funds for construction, or advertise for construction bids.

Should you have questions or concerns regarding this notice, please contact Talmage Jordan of my staff at (213) 485-5754 or Talmage.Jordan@lacity.org.

MEM:tmj

Q:\Talmage (Max)\3251 S La Cienega\CEQA Transmittal Memo.doc

Enclosure
Site figure

cc: Kristine Harutyunyan, Department of General Services

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
(Articles II and III – City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles C/o Los Angeles City Engineer 1149 S. Broadway, MS 939 Los Angeles, CA 90015	COUNCIL DISTRICT 10
PROJECT TITLE: Right of Entry and Installation of Monitoring Wells at 3251 S La Cienega, API 4205-035-900 (a Stantec Project at the directive of the Los Angeles Regional Water Quality Control Board)	LOG REFERENCE

PROJECT LOCATION: The Project is located at a City Alley (right-of-way) located at 3251 S La Cienega Boulevard, Los Angeles Assessor's Parcel Number 4205-035-900.

T.G. Pg. 633, Grid A7

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT. Stantec Consulting Services, Inc, at the direction of the Los Angeles Regional Water Quality Control Board, wishes to conduct site investigation activities on City property related to an investigation at 3077-3243 South La Cienega Boulevard.

CONTACT PERSON Talmage Jordan	TELEPHONE NUMBER 213-485-5754
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EXEMPT STATUS: (Check One)	CITY CEQA GUIDELINES	STATE CEQA GUIDELINES
☐ MINISTERIAL	Art. II, Sec. 2.b	Sec. 15268
☐ DECLARED EMERGENCY	Art. II, Sec. 2.a(1)	Sec. 15269(a)
☐ EMERGENCY PROJECT	Art. II, Sec. 2.a(2)	Sec. 15269(b)(c)
☐ GENERAL EXEMPTION	Art. II, Sec. 1	Sec. 15061(b)(3)
☒ CATEGORICAL EXEMPTION*	N/a	Sec. 15251(g)
☐ STATUTORY*	Art. _____	Sec. _____

* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION: This project falls under State CEQA Guidelines Section 15251 (g), because it involves the installation of monitoring wells as part of a site investigation under the directive of the Los Angeles Regional Water Quality Control Board. None of the limitations set forth in State CEQA Guidelines 15300.2 apply (See attached narrative).

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE:  Maria Martin	TITLE: Environmental Affairs Officer Environmental Management Group	DATE: 2/11/15
FEE: \$75.00	RECEIPT NO.	REC'D BY
		DATE

CATEGORICAL EXEMPTION NARRATIVE

I. PROJECT DESCRIPTION

The project will be performed by Stantec Consulting Service, Inc. on behalf of LCCP Blackwelder Fee Owner, LLC (LCCP) at the directive of the Los Angeles Regional Water Quality Control Board (RWQCB).

The project has the goal of accessing the real property at 3251 S La Cienega Boulevard and installing two monitoring wells to conduct a site investigation at the real property located at 3077-3243 South La Cienega Boulevard.

The investigation activities include, but may not be limited to, groundwater sampling from two dual-nested groundwater monitoring wells at the locations shown in the Figures below. The proposed groundwater monitoring well boreholes will be advanced using a truck-mounted drilling rig equipped with an 8-inch outside diameter rotary flight hollow stem auger. The shallow and deep well borings will be advanced to approximately 35 and 85 feet below ground surface (bgs), respectively. The depth to groundwater ranges significantly in the area southwest of the Project and would vary between 35 and 100 feet bgs.

The project will take place within the City's right-of-way; it will not create traffic congestion during construction.

II. PROJECT HISTORY

The City of Los Angeles sold the real property located at 3251 S La Cienega Boulevard in April 2018 as part of a program to sell unneeded City owned properties. The subject property is currently zoned MR1-IVL-CPIO (Restricted Industrial Zone 1, IVL (Very Limited) Height District, Community Plan Implementation Overlay District) with a General Plan Designation of Limited Industrial. The property is currently used as an access driveway and off-street parking for adjoining industrial and commercial uses to the north and west and as a landscaped area.

III. ENVIRONMENTAL REVIEW

Basis for Categorical Exemption

This project involves activities as part of site investigation at the directive of the RWQCB. Therefore, it falls under the categorical exemptions included Section 15251 (g) of State CEQA Guidelines, The Water Quality Control (Basin)/208 Planning Program of the State Water Resources Control Board and the Regional Water Quality Control Boards.

Consideration of Potential Exceptions to use of a Categorical Exemption

The State CEQA Guidelines (CCR Sec 15300.2) limit the use of categorical exemptions in the following circumstances:

1. Location. Exemption Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is located – a project that ordinarily has a less than significant impact on the environment may have a significant impact in a particularly sensitive environment. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project is exempt under Class 1, therefore this exception does not apply.

2. Cumulative Impact. This exception applies when, although a particular project may not have a significant impact, the cumulative impact of successive projects of the same type in the same place, over time is significant. There are no other known projects that could involve cumulatively significant impacts. Therefore, this exception has no application here.

3. Significant Effect. This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances. There are no unusual circumstances known to this office that would present a reasonable possibility that the project will have a significant effect. Therefore, this exception has no application here.

4. Scenic Highway. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The Project is not within a highway officially designated as a state scenic highway.

There are no historical and scenic features in the vicinity or at the project. Therefore, this exception does not apply.

5. Hazardous Waste Site. This exception applies when a project is located on a site listed as a hazardous waste site under Government Code Section 65962.5.

This project is the sale of vacant surplus City property at this location. As of February 7, 2019, the State Department of Toxic Substances Control (Envirostor at www.envirostor.dtsc.ca.gov) has not identified any sites within 1,000-feet of the project site.

This project is the sale of vacant surplus City property at this location. As of February 7, 2019, the State Water Quality Control Board (Geotracker at <http://geotracker.waterboards.ca.gov/gama/>) has not identified any sites on the subject property.

The California Regional Water Quality Control Board, Los Angeles Region (RWQCB-LA) is the state agency with primary responsibility for the protection of groundwater and surface water quality within major portions of Los Angeles and Ventura counties. To accomplish this, the RWQCB-LA oversees the investigation and cleanup of discharges of waste that may affect the quality of waters of the state as authorized by the Porter-Cologne Water Quality Control Act (California Water Code [CWC], Division 7).

The RWQCB is currently investigating property at 3077-3242 South La Cienega Boulevard (La Cienega Creative Properties Site SCP No 1297, Site ID No. 2040432, Order No. R4-2015-0103) for soil contamination issues. In a review of the RWQCB-LA website and information found on the website, in this case a letter dated November 20, 2017, the RWQCB-LA referenced an investigation Workplan that would install new offsite groundwater monitoring wells to the southeast of the subject property noted above (3077-3242 South La Cienega Boulevard). One, or more, of these groundwater monitoring wells would be located on the City owned property at 3251 South La Cienega Boulevard. (Figure 2 – *Property Boundary of 3251 South La Cienega Boulevard, and the Property of La Cienega Creative Properties, 3077-3243 La Cienega Boulevard*)

An investigation Workplan was required for the property to the north and west (3077-3242 South La Cienega Boulevard) of subject site (3251 South La Cienega Boulevard) by the RWQCB-LA. On October 16, 2017, the RWQCB-LA received a technical report entitled "*Additional Assessment Workplan for AOC #14*", which was prepared by Stantec Consulting Services Inc. (Stantec) on behalf of LCCP Blackwelder Fee Owner LLC (LCCP) and LCCP's operating entity La Cienega Creative Properties, LLC, owner the property to the north and west.

The Workplan was for future additional investigation work to be conducted on the property to the north and west and was required to fill certain data gaps, primarily for chlorinated volatile organic compounds in groundwater (including tetrachloroethylene [PCB] historically as high as 970 micrograms per liter [giL]) beneath and possibly adjacent to the adjoining property. The Workplan proposed the installation of five

Right of Entry and Installation of Monitoring Wells at 3251 S La Cienega Blvd

(5) offsite groundwater monitoring wells to the southeast of the property being invested, one of these wells to be located on the subject site. The Workplan proposes that these five wells be shallow/deep paired wells.

On April 12, 2018 Bureau of Engineering Environmental Management Group (BOE/EMG) staff talked to Mr. David Bjostad, a RWQCB-LA staff member that is monitoring this soil contamination issues on the property to the north and west. Discussion with Mr. Bjostad indicated that the placement of the groundwater monitoring well on the property at 3251 South La Cienega Boulevard will aid the RWQCB-LA in determining the exact boundaries of any ground water contamination that has occurred to properties to the north and west, and to the property located at 3251 South La Cienega Boulevard. At this time, no information has been provided that states that the ground water under 3251 South La Cienega Boulevard is or is not contaminated. Once the above required Workplan is completed, a determination would be made.

This determination would not affect the sale of the property. At such time development is proposed, any activities to occur would need to comply with applicable federal, state, and regional standards.

Otherwise there are no unusual circumstances known to this office on this project site. Therefore, this exception has no application here.

6. Historical Resources. This exception applies when a project may cause a substantial adverse change in the significance of a historical resource.

According to the Zone Information and Map Access System (ZIMAS) the project site is not located within a City Historic Preservation Overlay Zone. The project site is not found on the listing of City Historical Cultural Monuments.

Otherwise there are no unusual circumstances known to this office on this project site. Therefore, this exception has no application here