



Executive Director's
Report to the

Board of Harbor Commissioners

DATE: SEPTEMBER 30, 2020

FROM: CARGO & INDUSTRIAL REAL ESTATE

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF JOINT REVOCABLE PERMIT NO. 20-03 BETWEEN THE CITY OF VERNON AND THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND PORT OF LONG BEACH AS JOINT OWNERS

SUMMARY:

Staff requests approval of Joint Revocable Permit (JRP) No. 20-03 among the City of Vernon, a California municipal corporation, and the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long Beach (POLB), as joint owners, for the construction and maintenance of sidewalk space located on 25th Street in the City of Vernon.

The proposed JRP is for a total of 37 square feet of joint-owned property to construct the required sidewalk width adjacent to newly-installed rail crossing gates. There is no rent for the JRP, as it is strictly for the implementation of safety rail crossing gates and compliance with Americans with Disabilities Act (ADA) requirements.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15301 of the State CEQA Guidelines;
2. Approve Joint Revocable Permit No. 20-03 among the City of Vernon and the City of Los Angeles Harbor Department and Port of Long Beach, as joint owners;
3. Authorize the Executive Director to execute and the Board Secretary to attest to Joint Revocable Permit No. 20-03; and
4. Adopt Resolution No. _____.

DISCUSSION:

Background – On December 22, 1994, the Harbor Department and POLB jointly purchased properties as part of the Alameda Corridor construction project. The properties are located along the former Southern Pacific Railroad and Union Pacific Railroad right-of-way in the County of Los Angeles. The railroad properties were purchased and held by the Harbor Department and POLB as tenants in common, with each holding an undivided 50 percent interest.

SUBJECT: APPROVAL OF JOINT REVOCABLE PERMIT NO. 20-03

The City of Vernon requires 37 square feet of jointly-owned property to construct, at its cost, a sidewalk in connection with its installation of two rail crossing gates. See Transmittal No. 1. The sidewalk is required in order to comply with the ADA. Given the nature of the right of way requirements, staff considered granting an easement over a JRP; however, Port of Long Beach does not convey permanent property rights over jointly-owned property. A copy of the proposed JRP is attached as Transmittal 2.

Summary of the JRP terms are as follows:

<u>Provisions</u>	<u>Description</u>
Real Estate Entitlement	Joint Revocable Permit
Tenant	City of Vernon, a California municipal corporation
Permitted Use	Construction and maintenance of sidewalk facilities
Term	Month-to-month
Termination	Either party may terminate with 60 days' written notice.
Effective Date	The effective date is upon last execution by the Executive Directors of the respective Harbor Departments of the Cities.
Premises	The premises are comprised of two parcels totaling 37 square feet.
Compensation	None
Maintenance	Tenant is responsible for maintaining the premises and all improvements, at its sole cost and expense.
Insurance	Insurance requirements include all standard insurance requirements.
Security Deposit	None

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of a Joint Revocable Permit for the construction and maintenance of sidewalk space located on 25th Street in the City of Vernon, which is an activity involving permitting for operation, maintenance, and minor alteration of existing public structures or facilities involving negligible or no expansion of existing or former use. Therefore, the Director of the Environmental Management Division has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Section 15301 of the State CEQA Guidelines.

SUBJECT: APPROVAL OF JOINT REVOCABLE PERMIT NO. 20-03

FINANCIAL IMPACT:

There is no fiscal impact to the Harbor Department, as there is no rent for the JRP, which is strictly for the implementation of safety rail crossing gates and compliance with ADA requirements.

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved Joint Revocable Permit No. 20-03 as to form and legality.

TRANSMITTALS:

1. Site Map
2. Joint Revocable Permit No. 20-03

Marisa L. Katnich
MARISA L. KATNICH
Director, Cargo & Industrial Real Estate

FIS Approval: *MB*
CA Approval: *JD*

Michael DiBernardo
FOR MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:

Eugene D. Seroka FOR
EUGENE D. SEROKA
Executive Director

EDS:MD:MK:RG:ab
Author: R Globus
BL849ab City of Vernon