

ORDINANCE NO. _____

An ordinance approving an Order by the Board of Harbor Commissioners for exchange of rail property interests between the Port of Los Angeles and Port of Long Beach.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The action of the Board of Harbor Commissioners of the City of Los Angeles, on the 19th day of September, 2019, approving the exchange of interests in certain rail properties between the City of Los Angeles Harbor Department through its Board of Harbor Commissioners and the City of Long Beach Harbor Department, is hereby ratified, confirmed and approved. The approved Order reads:

ORDER NO. _____

THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LOS ANGELES DOES HEREBY ORDER AS FOLLOWS:

Section 1. The exchange of real property between the City of Los Angeles acting by and through its Board of Harbor Commissioners (City) and the City of Long Beach Harbor Department (POLB) whereby (i) a fifty-percent (50%) interest of the jointly owned property owned by City that is located in POLB's Harbor Department District is transferred to POLB; (ii) City will receive a fifty percent (50%) interest of the jointly owned property owned by POLB that is located in the City's Harbor District; and (iii) City will transfer a fifty percent (50%) interest of certain real property owned entirely by City to POLB and POLB will concurrently transfer fifty percent (50%) of its ownership in certain real property owned entirely by POLB, allowing City and POLB to own these properties as tenants in common as joint ownership of these properties is in the public interest. The property being exchanged by the City is no longer required for use by the City or the Harbor Department and public interest and necessity require it to be exchanged in accordance with the provisions of Section 385 of the City Charter of Los Angeles, and pursuant to Section 7.27 of the Los Angeles Administrative Code, the public interest requires that said property be exchanged without notice of sale or advertisement for bids.

Section 2. The documents evidencing the subject exchange described above are authorized: the Master Agreement, the Amended Tenancy in Common Agreement and Quitclaim Deeds evidencing said transfers - Quitclaim Deed transferring City's interests in the property located in POLB's Harbor District to POLB (Transmittal 1 to Board Resolution); Quitclaim Deed transferring POLB interest in property located in City's Harbor Department's Harbor District (Transmittal 2 to Board Resolution); Quitclaim Deed conveying a fifty percent (50%) interest of Harbor Department owned property to POLB

as tenants in common (Transmittal 3 to Board Resolution); and Quitclaim Deed conveying fifty percent (50%) interest of POLB owned property to City's Harbor Department as tenants in common (Transmittal 4 to Board Resolution). The Executive Director and the Secretary of the Board are hereby authorized and directed to execute and attest to the same on behalf of the City upon this Order being approved by the City Council to the above-named documents.

Section 3. The expenditure of \$9,148,155 to be paid to POLB for the acreage owned by POLB in the City's Harbor District as City is receiving a substantially greater amount of property through this exchange.

Section 4. The draft Ordinance authorizing the private exchange and sale pursuant to Section 7.27 of the Los Angeles Administrative Code is approved.

Section 5. The Board Secretary shall certify to the adoption of this Order by the Board of Harbor Commissioners of the of the City of Los Angeles and shall cause a copy of the same to be presented to the City Council as provided in Section 385 of the Charter of the City of Los Angeles and Section 7.27 of the Administrative Code of the City of Los Angeles.

Section 6. The Director of Environmental Management has determined that the action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 1 of the Los Angeles CEQA Guidelines.

I HEREBY CERTIFY that the foregoing Order was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting of _____, 2019.


AMBER M. KLESGES, Secretary

Sec. 2. Pursuant to Section 7.27 of the Los Angeles Administrative Code the Council finds and determines that the public interest requires that property owned by the City of Los Angeles be exchanged without notice of sale or advertisement for bids.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
ESTELLE M. BRAAF
Deputy City Attorney

Date 9/11/19

File No. _____

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____