

**ATTACHMENT B**

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY REQUIRED FOR THE WILLOWBROOK/ROSA PARKS STATION IMPROVEMENT PROJECT (“PROJECT”)**

**BACKGROUND**

The property and property interests are required for the construction and operation of the Project. The Community Development Commission of the County of Los Angeles (“CDC”) is the fee owner of the parcels and Willowbrook Center Partnership (“Willowbrook”) is the master tenant. The address, record owner, physical description, and nature of the property interest sought to be acquired for the Project are summarized as follows:

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Property Owner/Master Tenant</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>
6150-008-046 6150-008-047 6150-008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	Willowbrook	Construction and operation of the Civic Plaza and Transit Station	Leasehold and Improvements pertaining to realty
6150-008-048	11780-11640 South Wilmington Avenue, Willowbrook CA 90222	Willowbrook and CDC	Pedestrian Crossing	Pedestrian Access Easement
6150-008-046 6150-008- 047 6150- 008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	CDC	Construction and operation of the Civic Plaza and Transit Station	Fee Interest
6150-008-046 6150-008- 047 6150- 008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	Willowbrook and CDC	Construction and Construction staging	Temporary Construction Easement

A revised written offer for the Property comprising of portions of APN: 6150-008-047, 6150-008-047 and 6150-008-048 was presented to the CDC and Willowbrook on November 3, 2016 for acquisition of Property consisting of: (1) the fee and leasehold interest in 49,165 square feet (including 14,941 square feet of building improvements) owned by the CDC that is leased to Willowbrook as more particularly described in Exhibit A-1 (the “Shopping Center Area”); (2) a 4,742 square foot pedestrian easement (the

“Permanent Easement”), as more particularly described in Exhibit A-2; and three (3) temporary construction easements (the “Temporary Construction Easements”) which will encumber three (3) separate areas totaling 19,210 square feet, as more particularly described in Exhibit A-3. In addition to the above described property interests, LACMTA require certain improvements to the remaining portion of the Kenneth Hahn Shopping Center (“Shopping Center”) required as a result of the Project. To date, the offer has not been accepted by the Master Tenant, and negotiations have not resulted in a settlement agreement. The CDC has waived its right to receive compensation for its ownership of the fee interest, and the permanent and temporary easements as confirmed by prior Resolution adopted by Board of Supervisors.

**A. The public interest and necessity require the Project.**

The need for the Project is based on population and employment growth, the high number of major activity centers served by the Project, high existing transit usage, and severe traffic congestion. The public interest and necessity require the Project for the following specific reasons:

1. The Project area is located in the Willowbrook community, an unincorporated area of Los Angeles County. Willowbrook has a high concentration of low-income, minority, transit-dependent residents. It is also surrounded by other economically distressed and transit dependent communities, including: the Watts neighborhood of the City of Los Angeles to the north; the City of Compton and other unincorporated areas of Los Angeles County to the south; the City of Lynwood and the City of South Gate to the east; and the City of Gardena and other unincorporated areas of Los Angeles County and neighborhoods of the City of Los Angeles to the west. The Project will provide significant improvements for low-income, elderly and transit-dependent persons living in the Corridor area by improving the mobility of those who live and/or work in Willowbrook and adjacent communities.
2. Implementation of the Project will result in a reduction of vehicle miles per day and reduction of auto air pollutants.
3. The Project will be a major link to the existing county-wide rail transit system, and will thereby provide alternative means of transportation during fuel crises and increased future traffic congestion.
4. The Project will improve transportation equity by meeting the need for improved transit service of the significant transit-dependent population within the Project area.
5. The Project will help meet Regional Transit Objectives through the Southern California Association of Governments’ (SCAG’s) Performance Indicators of mobility, accessibility, reliability, and safety.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

**B The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.**

Metro prepared an Initial Study/Negative Declaration for the Willowbrook/Rosa Parks Station Improvement Project in compliance with the California Environmental Quality Act (CEQA) Guidelines. The environmental review process included preparation of an Initial Study (“IS”) meeting all California Environmental Quality Act (CEQA) requirements that resulted in a Negative Declaration (“ND”) document, and a National Environmental Policy Act (NEPA) Categorical Exclusion (CE) Category II (d) Document. On May 7, 2015, the Draft IS and ND were released for public review and comment for a 30-day public review period. Metro staff presented on the project at meetings for five community organizations which serve the Project area. On May 28, 2015, staff also hosted a Public Hearing specifically to solicit comments from community members. Information flyers regarding the public review and comment period were also distributed throughout the community.

Public feedback on the IS included interest in the proposed Mobility Hub, local hire opportunities, and the Project’s potential to turn the Station into a stronger gateway for the community. The Draft IS was updated to address the comments received during the public review period. The resulting Final IS and ND were certified with the State Clearinghouse on June 5, 2015. Per CEQA guidelines, a Notice of Determination was published on October 23, 2015.

**C. The Property is necessary for the Project.**

The Willowbrook/Rosa Parks Station is a multimodal, multi-level station served by the Metro Blue Line, Metro Green Line, and six Metro and six municipal bus and community shuttle services, including Gardena Municipal Bus Line 5; DASH Watts; Lynwood Breeze Route D; The Link Willowbrook A and B; and the MLKMCC Shuttle. The Project is situated on properties owned by Caltrans and the CDC, which is comprised of Metro right-of-way adjacent to and under the I-105 Freeway and Wilmington Avenue. The Station is located in the Willowbrook community, an economically-distressed area of unincorporated Los Angeles County.

The Station has been operating for 25 years and requires significant modernization and enhancement to improve its capacity to meet the growth in transit demand and the changing needs of the community. Much of the existing transit infrastructure has reached economic and functional obsolescence as a result of the increasing levels of patronage and over more than two decades of service life. Additionally, features typical to a “Gateway Station” are lacking, such as customer amenities, attractive pedestrian connections, modern bicycle infrastructure and enhancements, and elements that would support station area transit oriented development (TOD) opportunities being planned by the Los Angeles County Regional Planning Department.

With the planned extensions of Metro Green Line service to the South Bay, and the opening of new Metro rail lines including the Crenshaw/LAX Transit Corridor, Regional Connector, and Metro Purple Line extension, the Willowbrook/Rosa Parks Station will be part of an expanded rail system that will make available a wider range of regional employment, educational, and cultural opportunities for the low income and minority residents of the Willowbrook community. The Project aims to: 1) improve safety and circulation between the various modes; 2) improve access from surrounding uses to the Station; 3) improve transit patron experience; and 4) increase the sense of security. These objectives cannot be achieved within the existing station footprint. Acquisition of the Property is needed to include: construction of a transit security facility, which will provide an increased sense of security for patrons; potential construction of a Metro Customer Service Center to serve a disproportionate number of patrons dependent on subsidized transit in the station area; and construction of a Mobility Hub, to include a Bike Hub, to support and encourage active transportation and a variety of first/last mile options.

The Property was chosen based upon the approved IS/ND for the Project. Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

**D. Offers were made in compliance with Government Code Section 7267.2.**

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner and Master Tenant, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and Master Tenant and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Obtained appraisals to determine the fair market value of the Property, which included consideration of any immovable fixtures and equipment;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation;
3. Determined the Owner of the Property by examining the county assessor's record and a preliminary title report;

4. Made a written offer to the Owner and Master Tenant for the full amount of just compensation - which was not less than the approved appraised value;
5. Provided the Owner with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer.

It is recommended that the based on the above Evidence, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to the Owner.

#### **E. CEQA/NEPA Compliance**

The environmental impacts of the Project were evaluated in the Final Initial Study/Negative Declaration (IS/ND). The IS/ND was circulated and review by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. All public comments received were addressed; and were incorporated in the Final IS/ND document pursuant to and in compliance with CEQA Guidelines. No substantive comments on content or significant environmental issues related to the proposed project were raised, and the CEQA process concluded August 2015 with no comments or challenges. The Project is exempt from NEPA pursuant to (CFR) 771.118(c). The Final IS/ND document served as documentation to support the exemption from NEPA in anticipation of the Federal Transit Administration's (FTA) consideration of a Federal TIGER grant to help fund the Project. FTA found that the Project is exempt under 23 Code of Federal Regulations (CFR) 771.118(c) (5).

#### **CONCLUSION**

Staff recommends that the Board approve the Resolution of Necessity.