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March 16, 2022

Honorable John Lee
Chairperson Arts, Parks, Health, Education, and Neighborhoods Committee
Los Angeles City Council

c/o Eric Villanueva
Office of the City Clerk
City Hall, Room 395

COUNCIL FILE NO. 14-1510-S11 SIXTH STREET VIADUCT REPLACEMENT PROJECT / NON-FINANCIAL TRANSFER

Dear Councilmember Lee and Honorable Members:

On May 31, 2019, the City Council authorized the Bureau of Engineering (BOE), the Department of Recreation and Parks, and the Department of General Services, with assistance and cooperation of the City Attorney and City Administrative Officer to undertake the necessary actions to effectuate a non-financial transfer of jurisdiction of those properties acquired by the BOE for the Sixth Street Viaduct Replacement Project. This report follows up on the previous report to delineate the areas of responsibility and to provide details of the actions that must occur in order to clearly assign the operations and maintenance responsibilities.

SUMMARY

The Sixth Street Viaduct Replacement Project is a \$588 million bridge replacement project between the neighborhoods of Boyle Heights and the Arts District in Council District 14. The old viaduct, which was demolished beginning in 2016, was determined to have a condition called Alkali-Silica Reaction (ASR), leaving it extremely vulnerable to structural failure in a major earthquake. In order to rectify this, the City is constructing a new 3,500 linear foot viaduct in place of the old structure.

In accordance with Council File No. 14-1510-S11, the City Council authorized City departments to undertake the necessary actions to effectuate a non-financial transfer of jurisdiction of those properties acquired by the BOE for the Sixth Street Viaduct Replacement Project to allow the Department of Recreation and Parks to operate and maintain the open space below the viaduct.



It is noted that within the open space is the existing Sixth Street tunnel, which is located within the public right-of-way and provides access to the Los Angeles River (LA River). The City has ownership of the tunnel, with maintenance performed by StreetsLA. The tunnel is used by the US Army Corps of Engineers (USACE) and Los Angeles County Flood Control District (LACFCD) to maintain their flood control facilities. Prior to the new Viaduct construction, USACE and LACFCD were provided unrestricted vehicular access to the LA River. This will continue to be the case once the landscaping and open spaces are developed. While USACE and LACFCD have access through the tunnel, there was no previous record of an access easement. If required, an access easement will be prepared and recorded.

The recommendations below provide the necessary steps to effectuate the non-financial transfer of jurisdiction as directed by the previous City Council action, and implement actions necessary to allow for operations and maintenance of the open space property beneath the viaduct:

RECOMMENDATION

Therefore, the departments recommend that the City Council, subject to the approval of the Mayor:

1. REQUEST that the Department of Recreation and Parks be the designated entity to operate and maintain the public right-of-way areas depicted in Exhibit (A) as a landscaped and open space area.
2. REQUEST the City Attorney to prepare and present an ordinance that would transfer jurisdiction and control of the property depicted in Exhibit (A) from the Department of Public Works to the Department of Recreation and Parks.
3. REQUEST the Department of Recreation and Parks consider, approve, and accept the area in Exhibit (A) for use as public open space.
4. DESIGNATE the Board of Recreation & Parks Commissioners as the sole entity responsible for issuing any permits for use of the areas shown in Exhibit (A)
5. REQUEST the Department of Recreation and Parks to establish any necessary funds and/or accounts to receive any revenues generated from the operation of the land in Exhibit (A) and to expend funds related to operation, maintenance, landscaping and improvements of the land in Exhibit (A)
6. REQUEST that the Department of Recreation and Parks determine that funds or revenues generated from the use of the land in Exhibit (A) shall solely be used for the operations, maintenance, programming, and improvements of the land in Exhibit (A)
7. INSTRUCT the Department of Public Works to retain control and jurisdiction of the public right-of-way and serve as the designated City entity to inspect and maintain

the viaduct, in accordance with applicable maintenance agreements with the California Department of Transportation, along with all associated structures including, but not limited to tunnel and access ways, bicycle ramps, stairs, sanitary sewers, storm drains, and lighting as depicted in Exhibit (B). Storm drains that serve the park shall be maintained by the Department of Recreation and Parks as depicted in Exhibit (B).

8. AUTHORIZE the Department of Public Works, Office of Community Beautification, to issue Right-of-Entry permits to city graffiti contractors to remove graffiti and other items from the bridge and all associated structures, including, but not limited to, the bicycle ramps, stairs, and lighting as depicted in Exhibit (B).
9. INSTRUCT the Bureau of Engineering, in coordination with the Department of Recreation and Parks, to conduct all necessary surveys, execute all land dedications, and perform other actions as necessary to establish the legal description of all easements, maintenance boundaries, right of way maps or other documentation needed to effectuate this action.

Department staff hereby submits the attached report for consideration by the Council.

Sincerely,



MICHAEL A. SHULL
General Manager, Department of Recreation & Parks



BARBARA ROMERO
Director and General Manager, LA Sanitation & Environment



GARY LEE MOORE, PE, ENV SP
City Engineer

Attachment:

Exhibit (A): Sixth Street PARC – Recreation & Parks Maintenance Map

Exhibit (B): Sixth Street Viaduct - Department of Public Works Maintenance Map