

Department of Public Works

Bureau of Engineering
Bureau of Street Services
Joint Report No. 1

March 26, 2021
CD No. 15

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

APR 09 2021


Executive Officer
Board of Public Works

26900 SOUTH WESTERN AVENUE - AUTHORIZATION FOR THE CITY OF LOS ANGELES TO ENTER INTO A LANDSCAPE MAINTENANCE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

AUTHORIZE the President or two members of the Board to execute the Landscape Maintenance Agreement (Transmittal No. 1) for 26900 South Western Avenue with the California Department of Transportation (Caltrans), subject to the conditions listed in this report.

CONDITIONS

The property owner must record the executed Covenant and Agreement (Transmittal No. 2) with the City of Los Angeles (City) to maintain the encroachments, including the landscaping and irrigation system at no cost to the City, with the Los Angeles County Recorder, and submit the recorded copy to the Bureau of Engineering Permit Case Management Division, 201 N. Figueroa Street, 2nd Floor, Los Angeles CA 90012.

TRANSMITTALS

1. Caltrans Landscape Maintenance Agreement.
2. Covenant and Agreement Form.
3. Western Avenue Tree Maintenance Agreement from 1998.

DISCUSSION

Background

SFI Bridgeview LLC, the property owner, requested permission from Caltrans through an encroachment permit to install landscaping within the parkway and irrigation lines under the sidewalk along Western Avenue. Caltrans requires the City to execute a Landscape Maintenance Agreement to maintain the landscaping should the property owner fail to do so.

The property owner has chosen to voluntarily install landscaping including trees along Western Avenue. The Urban Forestry Division (UFD) of the Bureau of Street Services (StreetsLA) does not generally maintain trees within State Highways, of which Western Avenue is classified. Pursuant to a letter (Transmittal No. 3) dated May 28, 1996, UFD previously agreed to maintain trees planted by Caltrans along this corridor; however, the letter has no expiration date, nor does it include trees planted by others subsequent to

the prior agreement. Therefore, the trees are not part of the prior agreement with Caltrans and all landscaping elements, trees, and irrigation lines will be the maintenance responsibility of the applicant and a waiver of damages will be signed and recorded by the property owner. The developer has already constructed all items through a Caltrans encroachment permit but cannot finalize the construction of these items without an executed Landscape Maintenance Agreement. The landscaping provides an aesthetic benefit to the area and is consistent with City landscaping guidelines for public right-of-way as reviewed by the landscaping section within StreetsLA.

There is no known controversy or conflict associated with this encroachment. The encroachment is consistent with the aesthetics and environmental characteristics of the immediate area and does not have an adverse impact on vehicular or pedestrian movements. By requiring the property owner to record a Covenant and Agreement to maintain the landscaping, the risk that the City would be required to perform maintenance can be minimized. The recorded Covenant and Agreement demonstrates that the property owner, and any subsequent property owners, will be maintaining the landscaping indicated in the Caltrans Landscape Maintenance Agreement and allows the City to recover costs should the property owner fail to meet the maintenance commitment. The City Attorney has been consulted and agrees with this method of conveying the responsibility of maintenance to the property owner. Therefore, considering the aesthetic and environmental benefits that the landscaping would provide and the minimized risk to the City, it is recommended that the President or two members of the Board execute the Caltrans Landscape Maintenance Agreement for maintaining landscaping within the State Highway upon prior recordation of the Covenant and Agreement.

(BM RMK TA HB GS)

Report Reviewed by

Respectfully submitted,

BOE (ADM and BSS)



Digitally signed by Gary Lee Moore

Report prepared by:

Gary Lee Moore, PE, ENV SP
City Engineer
Bureau of Engineering

Permit Case Management Division

Bertram Moklebust, PE
District Engineer
Phone No. (213) 378-1265



BM/CS/12-2020-0147.PCM.lk

Adel H. Hagekhalil, PE
Director
Bureau of Street Services

Questions regarding this report may be referred to:
Christine Sotelo, PE
Phone No. (213) 378-1263
E-mail: christine.sotelo@lacity.org