



CITY OF SOUTH PASADENA

OFFICE OF THE MAYOR

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March 23, 2009

Honorable Jose Huizar, Councilmember
Los Angeles City Council – 14th District
200 North Spring Street
Los Angeles, CA 90012

RE: CALTRANS ATTEMPT TO DEMOLISH MAYCREST BUNGALOWS

Dear Councilmember Huizar:

Recently we received a letter from Assemblymember Kevin De León stating that your office and Caltrans District 7 had reached agreement on the desirability of demolishing the bungalow court at 4215-4223 Maycrest Court. Assemblymember De León asked South Pasadena to support Caltrans' request in the event they inform South Pasadena of their intent to carry out this demolition.

I am writing to provide background on these bungalows, and South Pasadena's 35-year effort in the federal court to require Caltrans to maintain and rent the properties that they acquired for the now-rescinded route 710 surface freeway. Let me also provide a summary of the history of Caltrans' refusal to abide by the federal court injunctions that have been in place since 1973. Finally, let me conclude with a request that you and the City of Los Angeles join with South Pasadena in supporting the one best solution to this property dilemma – support for Assembly Member Portantino's Assembly Bill 113, which will require Caltrans to return these properties, after 40 years of State ownership and neglect, to our residents and our cities' tax rolls.

When South Pasadena filed suit against Caltrans and the federal government in 1973, the City recognized (and Caltrans eventually agreed) that to prevent nuisance and deterioration of our neighborhoods and those of El Sereno and Pasadena, Caltrans should be required to maintain and rent all housing that it had previously acquired in the corridor. The injunction also forbid Caltrans from acquiring further properties – but as we subsequently learned during the Civil Rights Act investigation into Caltrans' unfair treatment of El Sereno, Caltrans in fact did acquire more properties in the 1970s and 1980s.

By the time the federal government finally gave Caltrans its approval for the freeway funding, in 1998, Caltrans had let the Maycrest Bungalows become vacant and fall into disrepair. In 1998, Caltrans attempted to secure court approval to demolish the Maycrest Bungalows, but the court did not grant that request.

Shortly thereafter, federal judge Dean Pregerson renewed the injunction and made clear that absent “waste,” Caltrans had an ongoing duty to maintain the corridor properties. During this period, our South Pasadena staff and attorneys urged Caltrans to repair the Maycrest Bungalows, in light of the important housing they had provided and their distinctive architectural contribution to the El Sereno community.

Rather than comply with the injunction and South Pasadena’s request, Caltrans simply did nothing – until 2003, when Caltrans asked South Pasadena to support demolition. Believing then – as we do now – that the state of the bungalows was entirely due to Caltrans’ neglect rather than economic infeasibility – South Pasadena again declined. Caltrans then withdrew their proposal to ask the Court’s permission – perhaps realizing that they could not prove their case for demolition.

That is where I think we are now again; rather than meeting their legal and community obligations to the corridor cities, Caltrans is seeking the easy way out. South Pasadena urges you not to accede to its unjustified request, but instead to confirm that they are obligated to carry out the terms of the injunction.

Fortunately, developments since 2003 offer both El Sereno and South Pasadena a permanent solution to Caltrans’ irresponsibility as landlord in the former surface freeway corridor. In late 2003, the federal government withdrew its approval of the surface freeway funding, and in the spring of 2004 Caltrans and the California Transportation Commission similarly withdrew their route approval.

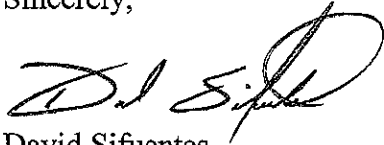
We have attempted since 2004 to secure Caltrans’ release of these properties as excess to the needs of a surface freeway, and of equal importance, to end Caltrans’ role as landlord that has proven as unsatisfactory for Caltrans as it has for our communities. We have made progress; we were able to secure from the Southern California Association of Governments an amendment to the Regional Transportation Plan to remove the surface freeway as the route 710 project, and instead substitute for consideration a tunnel project – thereby removing the last excuse that Caltrans had cited for not returning these properties to their communities. Last summer we reached a consensus with Senator Gilbert Cedillo to advance his legislation that would in part have removed the surface freeway forever from state law and provided yet further impetus for the properties’ release.

Thus, Assembly Member Anthony Portantino’s AB 113 is both timely and appropriate for all corridor communities to support. This bill (while enabling consideration of the tunnel to continue) would place all properties, including the Maycrest Bungalows, in the hands of either public or private owners who will secure their preservation as housing for our residents. Regardless of the passage of AB 113, instead of demolishing the buildings, Caltrans should repair and re-rent the buildings, or better yet, sell the property for private occupancy or community use.

Thank you for taking the time to consider our history and perspective on this issue. At your earliest convenience I would like to meet with you to explore how we can best combine our

efforts to aid you in serving your constituents and our closest neighbors. Please feel free to contact me for the meeting at (626) 429-5149.

Sincerely,



David Sifuentes
Mayor

CC: Honorable Congressman Adam Schiff, 29th Congressional District
Honorable Senator Gilbert Cedillo, 22nd Senate District
Honorable Assemblymember Anthony Portantino, 44th Assembly District
Mayor Stephen A. Del Guercio, City of La Canada Flintridge
Mayor Bill Bogaard, City of Pasadena
Mayor Pro Tem Richard D. Schneider M.D., City of South Pasadena
Councilmember Michael A. Cacciotti, City of South Pasadena
Councilmember Philip C. Putnam, City of South Pasadena
Councilmember Mike Ten, City of South Pasadena
City Manager Lilian Myers, City of South Pasadena
Linda Wilford, District Property Service Manager, Caltrans