

APPROVED

REPORT OF GENERAL MANAGER

NO. 12-237

DATE August 8, 2012

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BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 8

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PROPOSITION 84 STATEWIDE PARK PROGRAM – RESCISSION OF PREVIOUS BOARD ACTION – REVISED AMENDMENT TO DONATION AGREEMENT BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE TRUST FOR PUBLIC LAND FOR THE ACQUISITION, DEVELOPMENT, AND CONSTRUCTION OF NEW PARKS IN LOS ANGELES

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<i>[Signature]</i>
V. Israel	_____	N. Williams	_____

[Signature]
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Rescind approval of Board Report No. 12-066, approved by the Board at its meeting of March 14, 2012, which approved a proposed Amendment to the Donation Agreement, substantially in the form on file in the Board Office, between the Department of Recreation and Parks and the Trust for Public Land for the acquisition, development, and construction of new parks in Los Angeles;
2. Approve a proposed revised Amendment to the Donation Agreement, substantially in the form on file in the Board Office, between the Department of Recreation and Parks and the Trust for Public Land for the acquisition, development, and construction of new parks in Los Angeles, subject to the approval of the Mayor and the City Attorney as to form;
3. Direct the Board Secretary to transmit the proposed revised Amendment concurrently to the Mayor in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form; and,
4. Authorize the Board President and Secretary to execute the revised Amendment upon receipt of the necessary approvals.

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SUMMARY:

In Board Report No. 12-066, approved by the Board at its meeting of March 14, 2012, the Board approved a proposed Amendment to the Donation Agreement (Amendment) between the Department of Recreation and Parks (RAP) and the Trust for Public Land (TPL) for the acquisition, development, and construction of new parks in Los Angeles. The approved Amendment modified Exhibit A of the Agreement in order to add three additional park acquisition and/or development projects - to the list of prospective properties. Those three projects were the Colden Avenue Pocket Park project, the South Victoria Avenue Park project, and the Madison Avenue Park project.

Following the Board's approval, the Amendment was transmitted to the Mayor in accordance with Executive Directive No. 3, for review and approval. The City Administrative Officer (CAO) reviewed the agreement on behalf of the Mayor and recommended modifications to the Amendment in order to remove the Madison Avenue Park project from the list of additional park acquisition and/or development projects.

The CAO recommended that the Madison Avenue Park project be removed from the list of projects due to concerns that the scope of the Madison Avenue Park project may conflict with a separate project being developed at the site, i.e., the East Hollywood Public Garden and Achievement Center project, that the Board approved at its meeting of May 16, 2012 (Board Report No. 12-158). RAP staff is currently working with the CAO, and other City staff to resolve any potential conflicts between the two projects, and will return to the Board with an update on the status of the two projects at that site at a later date.

Staff has made the recommended changes to the Amendment and is now submitting a revised Amendment for the Board's consideration and approval. Except as noted above, the terms, conditions, and provisions of the revised Amendment remain substantially the same as those in the Amendment that was approved by the Board at its meeting of March 14, 2012.

Environmental Review

Staff has determined that the South Victoria Avenue Park project was previously evaluated for environmental impacts in accordance with California Environmental Quality Act (CEQA) and was determined to be exempt from the provisions of CEQA pursuant to Article III, Section 1, Class 3(6), Class 4(1,3) of the City CEQA Guidelines, and Article 19, Section 15325, Class 25(f) of the State CEQA guidelines. Staff finds that the South Victoria Avenue Park has not substantially changed from previous evaluations that would not require any additional mitigation, nor have the environmental conditions at the site substantially changed. Therefore, no additional CEQA documentation is required for approval of the supplemental funding of the project.

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Staff has determined that CEQA for the prospective Colden Avenue Pocket Park project identified in the proposed Amendment will be addressed when the complete project scope for each project has been determined and sufficient funds have been identified and secured to begin the project.

FISCAL IMPACT STATEMENT:

The approval and execution of the proposed revised Agreement will not have any impact on the RAP's General Fund. The development of these projects is anticipated to be funded by grant funds or funding sources other than RAP's General Fund.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction Division, and Maintenance.