

APPROVED

APR 05 2007

REPORT OF GENERAL MANAGER

NO. 07-79

DATE April 5, 2007

**BOARD OF RECREATION
and PARK COMMISSIONERS**

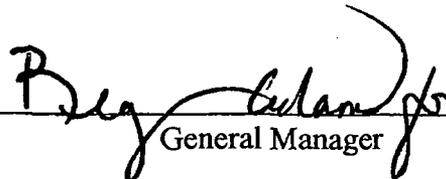
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: COLDWATER CANYON PARK - PROPOSED THREE-PARTY AGREEMENT BETWEEN THE CITY, THE CALIFORNIA STATE COASTAL CONSERVANCY (CONSERVANCY) AND TREEPEOPLE, INC.

WHITE POINT PARK - PROPOSED THREE-PARTY AGREEMENT BETWEEN THE CITY, THE CONSERVANCY AND THE PALOS VERDES PENINSULA LAND CONSERVANCY (PVPLC)

R. Adams	_____	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	_____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Agreement between the City, the California State Coastal Conservancy (Conservancy) and the Department's lessee, TreePeople, Inc., substantially in the form on file in the Board Office, which is intended to protect the public interest with regard to certain improvements at Coldwater Canyon Park that are partly funded by the Conservancy and that are to be constructed/maintained by TreePeople, Inc.;
2. Approve the proposed Agreement between the City, the Conservancy and the Department's licensee, the Palos Verdes Peninsula Land Conservancy (PVPLC), substantially in the form on file in the Board Office, which is intended to protect the public interest with regard to certain improvements at White Point Park that are partly funded by the Conservancy and that are to be constructed/maintained by the PVPLC;
3. Direct the Board Secretary to transmit forthwith the Agreements concurrently to the City Attorney for review and to the Mayor for expedited review and approval in accordance with Executive Directive No. 3, thereafter to be transmitted to the City Council;

REPORT OF GENERAL MANAGER

PG. 2

NO. 07-79

4. Authorize the General Manager to execute the Agreements upon obtaining the necessary approvals and, to request that the Department of General Services record the Agreements with the Los Angeles County Registrar-Recorder; and,
5. Authorize staff to provide oversight for the projects including the signage required by the Conservancy as a condition of the grants.

SUMMARY:

Since 1976, the Conservancy, a non-regulatory agency headquartered in Oakland, has assisted local government entities, non-profits, and the private sector in preserving, restoring and enhancing coastal resources including wetlands and watersheds. The Conservancy has funded \$1.4 billion for projects in every coastal county and along the San Francisco Bay, primarily through voter-approved, general obligation bonds. Projects have included the acquisition of land and easements, the development of trails and campgrounds, and the renovation of urban waterfronts. Also included have been projects for preserving or enhancing wildlife habitats and the acreage used for farming and public recreation. This State agency is separate from the California Coastal Commission, which regulates land use and issues development permits.

In 2006, the Conservancy awarded a grant to two non-profit organizations that are currently developing and will be operating and maintaining educational, environmentally-themed projects on Department property: TreePeople, Inc., at Coldwater Canyon Park and the PVPLC at White Point Park. Public Resources Code Section 31116(c) states that the Conservancy is to require the recording of "an Agreement sufficient to protect the public interest in any improvement or development constructed under a grant to a non-profit organization" under Division 21, Chapter 3 of said Code. Each Agreement must be recorded in the county containing the real property involved with the grants. The required period of public access is 20 years from the date of completing the grant-funded projects. In these two instances, the expiration date for the proposed Agreements is either 2027 or 2028. The purpose of this report is to seek City approval for executing and recording the two Agreements since the grants involve City-owned land.

The proposed Agreements between the Conservancy and the City, represented by the Department of Recreation and Parks, acknowledge the Department's rights with respect to both parks. Each non-profit is required to assume responsibility for constructing and maintaining the improvements funded by the Conservancy.

TreePeople, Inc., at Coldwater Canyon Park

On June 22, 2006, the Conservancy and TreePeople, Inc., entered into Grant Agreement No. 05-126 whereby they were awarded up to \$300,000 to develop an outdoor exhibit, the "LaKretz Urban

REPORT OF GENERAL MANAGER

PG. 3

NO. 07-79

Watershed Garden” (Urban Garden). The Urban Garden will be one of several new exhibits at the TreePeople, Inc., headquarters, which is located on a four-acre plateau within the park and is named the “Center for Community Forestry.” The Urban Garden will occupy a third of an acre; native landscaping and water features will show how new technologies can improve local watershed management. The Santa Monica Mountains Conservancy is also contributing funds for the Urban Garden, which is expected to be completed in 2007.

To date, \$10 million have been raised for the design and construction of the headquarters renovation, which includes the Urban Garden. Already completed is a new conference and public education center that incorporates principles of sustainable, energy-efficient design and is built from both recycled and natural materials. A new underground cistern stores up to 225,000 gallons of stormwater collected from throughout the site for irrigation use.

The Board approved the plans for the headquarters project as a whole, including the Urban Garden, on March 20, 2003 (Report No. 03-75). It was noted that TreePeople, Inc., had filed with Los Angeles County a Notice of Exemption from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 2 (2) of the City CEQA Guidelines. The current lease between the City and TreePeople, Inc., No. 237, was executed on March 2, 1994, and was subsequently amended in order to extend the term to 2029.

Staff of TreePeople, Inc., oversees one of the largest independent environmental programs in California. For over 30 years, their volunteers have taught thousands of school children and adults how best to increase and care for the urban forest as a means of reducing pollution and stormwater runoff. The volunteers also provide training in the planting and caring of approximately 3,000 free fruit trees distributed annually by TreePeople, Inc., throughout Los Angeles County; the aim is to assist low-income neighborhoods in improving nutrition and food security. The organization is participating in the Mayor’s “Million Tree Initiative” by planting 300,000 trees in City parks over the next few years. TreePeople, Inc., staff, also work with government agencies on policy issues such as integrated watershed management.

The Palos Verdes Peninsula Land Conservancy (PVPLC) at White Point Park

On June 5, 2006, the Conservancy and the PVPLC entered into Grant Agreement No. 05-092 whereby the PVPLC was awarded up to \$100,000 to continue developing the White Point Nature Preserve by creating an Interpretive Center. The PVPLC also received \$205,000 in State funds under the Proposition 12 program. The total funding from these and other sources seems sufficient to complete the Center. The grant agreement with the Conservancy requires the Center to be completed by March 2008.

REPORT OF GENERAL MANAGER

PG. 4

NO. 07-79

In 1978, the United States Department of the Interior transferred ownership of the 102-acre White Point property in San Pedro to the City of Los Angeles for public park and recreation use. From the early 1960's, the site had been used by the U. S. Air Force to assemble and store Nike Hercules missiles as part of the national air defense system. In December 1999, and after much community discussion, the Department adopted the recommendation of the White Point Park Citizen Advisory Committee that the ecologically sensitive site should be used for passive recreation with an emphasis on habitat restoration. The PVPLC, headquartered in Rolling Hills Estates, received primary responsibility for developing a master plan for the proposed White Point Nature Preserve. A new, local Steering Committee was formed to assist the PVPLC, and the master plan was completed in August 2001. The Board approved the implementation of the Nature Preserve on April 5, 2000, through Report No. 00-118, and a 25-year Operating Agreement with the PVPLC was executed on February 22, 2002.

As part of the overall site development, one former Nike structure will be renovated. This is the Missile Assembly and Testing Building, which will become the Interpretive Center with a classroom, exhibit space and restrooms; the Center will also provide an operational base for on-site staff. Care will be taken to minimize changes to the original, historic structure. Exhibits will depict the coastal area's history from the occupancy of the Gabrielino Indians, Japanese farmers, and abalone fishermen to the Cold War weapons installation. The Center will have other programming on ecological restoration and conservation, themes that will be reinforced by the surrounding four-acre demonstration garden of native plants.

A final environmental impact report for the entire Nature Preserve was certified by the City Council on December 12, 2001, and a Notice of Determination was filed on December 19, 2001. A related Mitigation Monitoring Plan was adopted at the same time that included procedures for grounds maintenance in compliance with the Department of Interior's "Standards for the Treatment of Historic Properties." It was determined that the design of the Nature Preserve avoids, reduces or mitigates the possible environmental impacts so that none are significant. Coastal Development Permit No. 05-02-128 includes the Interpretive Center as part of the master plan for the Nature Preserve.

The Offices of Council Districts Two and Fifteen, the Assistant General Managers of Operations East and West, and the Superintendents of the Pacific and Valley Regions concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

At present, there is no anticipated impact to the General Fund resulting from the approval of the two Agreements. If, however, the Department were to assume the operation and maintenance of the Conservancy-funded improvements at Coldwater Canyon Park and White Point Park some time

REPORT OF GENERAL MANAGER

PG. 5

NO. 07-79

before 2027 or 2028, an undetermined impact would result, which can best be addressed in that eventuality at that time.

Report prepared by Jocelino E. Joun, Management Analyst II and Joan Reitzel, Senior Management Analyst in Real Estate and Asset Management.