

**APPROVED**  
NOV 20 2013

REPORT OF GENERAL MANAGER

NO. 13-291

DATE November 20, 2013

BOARD OF RECREATION  
AND PARK COMMISSIONERS

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ALISO AND LOS ANGELES CONFLUENCE PARK – 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; TWENTY-FIVE YEAR LEASE AGREEMENT WITH THE DEPARTMENT OF WATER AND POWER; TWENTY-FIVE YEAR USE AGREEMENT WITH THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

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

*V. Israel for*  
General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the conceptual plan for the Aliso and Los Angeles Confluence Park Project, as described in the Summary of this Report;
2. Take the following actions regarding the Donation Agreement (Agreement) between the Department of Recreation and Parks (RAP) and the Trust for Public Land (TPL), a non-profit organization for the acquisition, development, and construction of new parks in Los Angeles:
  - A. Approve a proposed Third Amendment (Third Amendment) to the Donation Agreement, substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP) 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 Council, and the City Attorney as to form;

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- B. Direct the Board Secretary to transmit the proposed Third 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,
  - C. Authorize the Board President and Secretary to execute the Amendment upon receipt of the necessary approvals.
3. Take the following actions regarding a proposed Lease Agreement (Lease) between RAP and the Department of Water and Power (LADWP) for use of LADWP property for public recreational purposes:
- A. Approve a proposed Lease Agreement (Lease), substantially in the form on file in the Board Office, between RAP and LADWP for use of LADWP property for park purposes, subject to the approval of the Mayor and the City Council, and the City Attorney as to form;
  - B. Authorize staff to coordinate with LADWP, and other City Departments as necessary, to expedite the lease of said property, complete due diligence requirements, and obtain any necessary environmental clearances;
  - C. Direct the Board Secretary to transmit the proposed Lease concurrently to the Mayor in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form; and
  - D. Authorize the Board President and Secretary to execute the Lease upon receipt of the necessary approvals.
4. Take the following actions regarding a proposed Use Agreement (Use Agreement) between RAP and the Los Angeles County Flood Control District (LACFCD) for use of LACFCD property for public recreational purposes:
- A. Approve a proposed Use Agreement (Use Agreement), substantially in the form on file in the Board Office, between RAP and the LACFCD for use of LACFCD property for public recreational purposes, subject to the approval of the Mayor and the City Council, and the City Attorney as to form;
  - B. Authorize staff to coordinate with LACFCD, and other City Departments as necessary, to expedite the Use Agreement for said property, complete due diligence requirements, and obtain any necessary environmental clearances;

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- C. Direct the Board Secretary to transmit the proposed Use Agreement concurrently to the Mayor in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form; and
- D. Authorize the Board President and Secretary to execute the Use Agreement upon receipt of the necessary approvals.

### SUMMARY:

The Aliso and Los Angeles Confluence Park Project is a multi-phased project that would develop a 1.8 acre park on publicly owned property located adjacent to the Aliso Creek and the Los Angeles River confluence in the community of Reseda. The project site consists of currently unused, gated and locked LACFCD and LADWP transmissions right-of-way land.

The project concept was developed by TPL, which has been working in collaboration with many partners, including community partners and stakeholders, various City Departments and Bureaus, the Reseda Neighborhood Council, and local residents. Additionally, the Aliso and Los Angeles Confluence Park Project is a key component of the Los Angeles River Revitalization Master Plan.

The scope for the first phase of the Aliso and Los Angeles Confluence Park Project includes an approximately one-half (1/2) mile of decomposed granite walking path; benches; shaded picnic areas; a low-maintenance and water-efficient demonstration garden; decorative gates; and educational and interpretive signs.

The Aliso and Los Angeles Confluence Park Project draft concept plan is shown and highlighted in Exhibit A. It should be noted that the draft concept plan shown in Exhibit A also describes and illustrates various potential future recreational elements and improvements that are unfunded and are outside the scope of the first phase of the Aliso and Los Angeles Confluence Park Project. A map identifying, in general, the portions of the project site that are controlled by LACFCD and LADWP, and proposed to be leased by RAP, is included as Exhibit B.

The Aliso and Los Angeles Confluence Park Project is fully funded. TPL has been awarded a total of \$1,755,000.00 in funding; \$1,500,000.00 from the State of California Proposition 84 Urban Greening Grant Program and \$255,000.00 from the Community Development Block Grant Program.

### Donation Agreement - Third Amendment

On May 17, 2010, the Board of Recreation and Park Commissioners (Board) approved a Donation Agreement (Agreement) between RAP and TPL, for the acquisition, development, and construction of new parks in Los Angeles (Board Report No. 10-121). On August 8, 2012, the Board approved an amendment (Amendment) to the Donation Agreement in order to add two (2) additional park

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acquisition and/or development projects to the list of prospective properties (Board Report No. 12-237). On January 2, 2013, the Board approved a second amendment (Second Amendment) to the Donation Agreement in order to add an additional park acquisition and/or development project to the list of prospective properties (Board Report No. 13-002).

The proposed Third Amendment would amend the Donation Agreement to revise Exhibit A in order to add the Aliso and Los Angeles Confluence Park Project to the list of prospective park projects to be implemented by TPL.

As detailed in the proposed Agreement, TPL is required to prepare, in coordination with RAP, grant applications and conceptual plans for the prospective park projects identified in Exhibit A of the Agreement. If those grant applications are successful, TPL is responsible to coordinate the acquisition (when necessary), development, and construction of each park project. TPL is required to develop a conceptual plan for each park project successfully awarded grant funding and present those plans to RAP for review and approval. Once RAP approves a project's conceptual plan TPL will prepare a detailed set of final plans and specifications for that project. Upon completion of construction of each prospective park by TPL, RAP staff will submit the completed project to the Board for final approval and acceptance. If accepted by the Board, RAP will be responsible for long-term maintenance and operation of each park developed and constructed under the terms of the Agreement.

### LADWP Lease Agreement

The majority of the proposed Aliso and Los Angeles Confluence Park Project will be developed on property under the control of LADWP. This LADWP property is identified as portions of Assessor Parcel Numbers. (APN) 2126-29-901 and 2127-01-902, together with those portions of Kittridge Street that are the subject of City Engineer's Vacation Application No. E1401162 (Council File No. 10-1547) that will, upon final approval of the pending street vacation, revert to LADWP's jurisdiction and control.

In order to implement this proposed project, RAP would need to enter into a Lease with LADWP for use of LADWP property for park purposes. The Lease between RAP and LADWP would be for a term of twenty-five (25) years. The annual lease cost is \$1.00 per year for the first five (5) years of the lease. Future lease costs will be set by the Board of Water and Power Commissioners for each five (5) year period thereafter. Due to the proposed vacation of portions of Kittridge Street, the total leased area will be determined later pursuant to Condition Nos. 19, 20, and 26 of the Lease; however, the total leased area is anticipated to be approximately 0.96 acres. This figure is an estimate and the actual size is unknown until completion of vacation of street and re-survey of the parcels.

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Exhibits A1 and A2 of the Lease identifies the specific areas proposed to be included in the Lease.

It should be noted that Condition No. 47 of the Lease requires RAP to make beneficial use of the subject premises for public park purposes and that the Lease will automatically cease and terminate eighteen (18) months after final execution if for any reason RAP does not obtain all requisite project approvals and purposefully commence with construction of the proposed park improvements. As described above, TPL, pursuant to the terms of the proposed Agreement with RAP, would be responsible for obtain these requisite project approvals.

### LACFCD Use Agreement

A portion of the proposed Aliso and Los Angeles Confluence Park Project will be developed on property under the control of the LACFCD. This LACFCD property includes portions of the Los Angeles River generally located at the confluence with Aliso Creek and segments of right-of-way along the eastern bank of Aliso Creek and the north bank of the Los Angeles River.

In order to implement this proposed project, RAP would need to enter into a Use Agreement with LACFCD for use of the LACFCD property for park purposes. The Use Agreement carries a term of twenty-five (25) years, with each party reserving the right to cancel with sixty (60) days written notice to the other party. There is no consideration required under the proposed Use Agreement.

Exhibit A of the Use Agreement identifies the specific areas proposed to be included in the Use Agreement.

### Environmental Impact:

Staff has determined that the application of the California Environmental Quality Act (CEQA) to the Aliso and Los Angeles Confluence Park project will be addressed when the complete project scope for the project has been determined and all appropriate approvals have been secured to begin the project.

### FISCAL IMPACT STATEMENT:

The approval of the draft conceptual plan for the project will not have an impact on the General Fund. The development of the project is anticipated to be funded by the awarded grant funds or funding sources other than RAP's General Fund.

The approval and execution of the proposed Third Amendment to the Donation Agreement with TPL will not have any impact on the General Fund.

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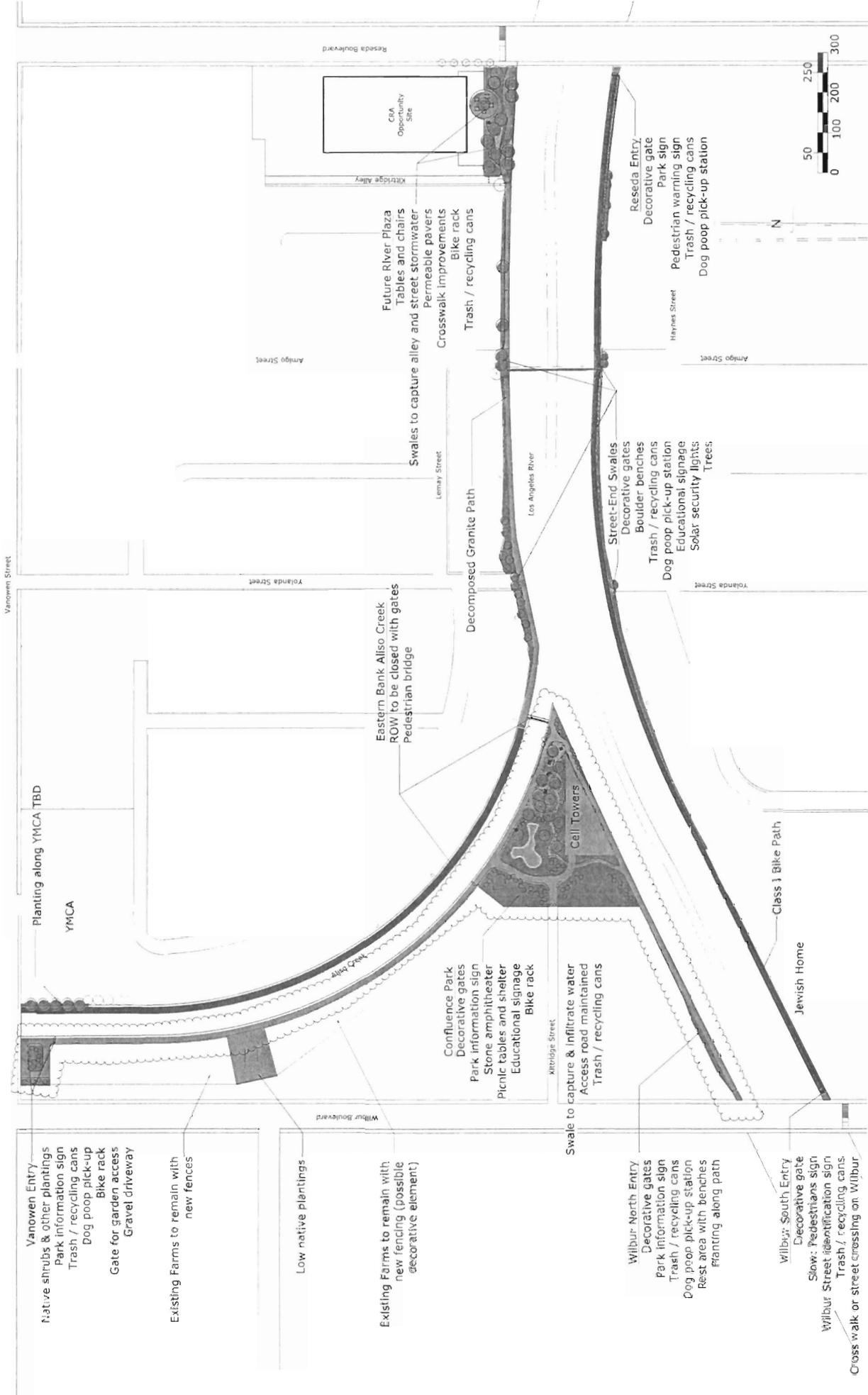
The approval and execution of the proposed Lease with LADWP will have a nominal impact on the RAP's General Fund due to the annual lease cost of one dollar (\$1.00) for the first five (5) years, which will be paid in a single five dollars (\$5.00) payment from Planning, Construction and Maintenance Leasing Account, Fund 302 Department 88 Account 006030.

The approval and execution of the proposed Use Agreement with the LACFCD will not have any impact on the General Fund.

After the project completion, future operations and maintenance costs for Aliso and Los Angeles Confluence Park Project, which is estimated to be by 2019, are currently unknown.

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

# EXHIBIT A



Vanowen Entry  
Native shrubs & other plantings  
Park information sign  
Trash / recycling cans  
Dog poop pick-up  
Bike rack  
Gate for garden access  
Gravel driveway

Existing Farms to remain with  
new fences

Low native plantings

Existing Farms to remain with  
new fencing (possible  
decorative element)

Confluence Park  
Decorative gates  
Park information sign  
Stone amphitheater  
Picnic tables and shelter  
Educational signage  
Bike rack

Swale to capture & infiltrate water  
Access road maintained  
Trash / recycling cans

Wilbur North Entry  
Decorative gates  
Park information sign  
Trash / recycling cans  
Dog poop pick-up station  
Rest area with benches  
Fronting along path

Wilbur South Entry  
Decorative gate  
Slow: Pedestrians sign  
Wilbur Street identification sign  
Trash / recycling cans  
Cross walk or street crossing on Wilbur

Planting along YMCA TBD

YMCA

Eastern Bank Aliso Creek  
ROW to be closed with gates  
Pedestrian bridge

Decomposed Granite Path

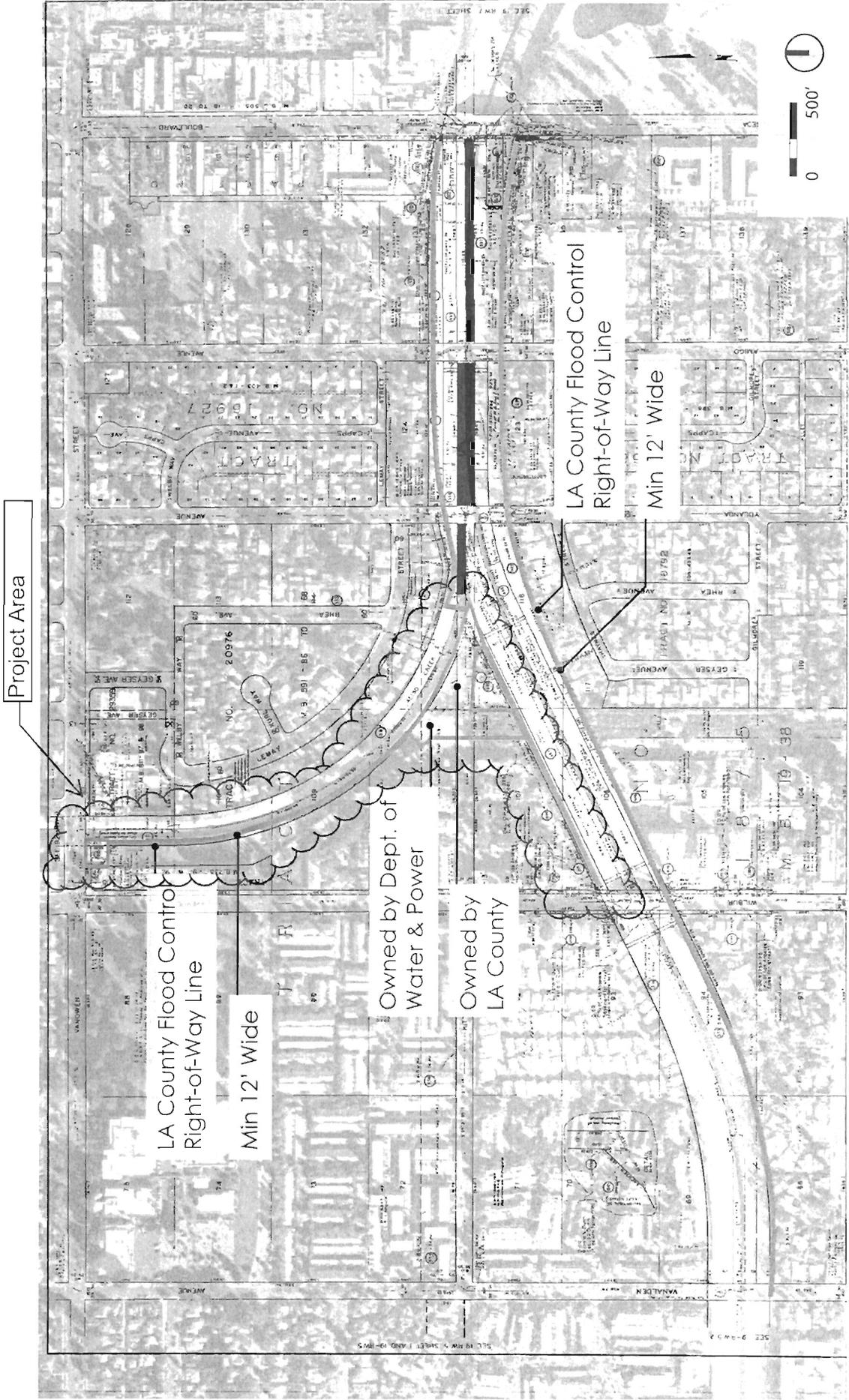
Swales to capture alley and street stormwater  
Permeable pavers  
Crosswalk improvements  
Trash / recycling cans

Street-End Swales  
Decorative gates  
Boulder benches  
Trash / recycling cans  
Dog poop pick-up station  
Educational signage  
Solar security lights  
Trees

Reseda Entry  
Decorative gate  
Park sign  
Pedestrian warning sign  
Trash / recycling cans  
Dog poop pick-up station

## Los Angeles River and Aliso Creek Confluence Project - Draft Concept Plan

EXHIBIT B



Los Angeles River and Aliso Creek Confluence Project Phase 1 and 2 Project Area