

APPROVED
OCT 18 2017

BOARD REPORT

BOARD OF RECREATION
AND PARK COMMISSIONERS

NO. 17-226

DATE October 18, 2017

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EL SERENO ARROYO PLAYGROUND EXPANSION - ACQUISITION AND APPROVAL OF PURCHASE AND SALE AGREEMENT; APPROVAL TO AMENDED LEASE BOUNDARY AREA WITH CALTRANS; EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO ARTICLE III, SECTION 1(Y), CLASS 25 OF THE CITY CEQA GUIDELINES (TRANSFERS OF OWNERSHIP OF INTERESTS IN LAND TO PRESERVE OPEN SPACE)

AP Diaz	_____	V. Israel	_____
<i>for</i> R. Barajas	<i>EBD</i>	S. Pinacortez	_____
H. Fujita	_____	N. Williams	_____

M. Allen
General Manager

Approved X Disapproved _____ Withdrawn _____
With Corrections to the Report and Resolution _____

RECOMMENDATIONS

Phase I – El Sereno Arroyo Playground Expansion Private Lot Acquisition

1. Adopt the Resolution, (Attachment 1) authorizing staff to request the assistance of the Department of General Services (GSD) and other entities, per Charter Section 594 (a) and (b), in obtaining fee simple title to a privately owned, 0.115 acre or 5,034 square foot vacant parcel identified by (Los Angeles County's Assessor Parcel Number (APN) 5220-027-004) near the intersection of Concord and Lowell and Alhambra Avenue in the Northeast Los Angeles area of the City of Los Angeles using allocated Capital B funds, as described in the Summary of this Report and setting it apart and dedicating it as park property in perpetuity;
2. ~~Approve the proposed Disposition and/or Purchase and Sale Agreement (PSA) (Attachment 2) subject to the approval of the City Attorney as to form. (See correction below)~~
3. Direct the Board Secretary to transmit forthwith the proposed PSA to the City Attorney for review and approval as to form;
4. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee to setup the necessary accounts and make the necessary corrections as needed; and transfer the necessary monies to the appropriate City Departments accounts or escrow
2. Authorize RAP staff to negotiate the proposed Disposition and/or Purchase and Sale Agreement (PSA) for the El Sereno Arroyo Playground site identified by APN: 5220-027-004, subject to the approval of the City Attorney as to form and legality, with terms consistent with the summary set forth in this Report and the PSA term sheet distributed to the Board at the meeting of October 18, 2017;

BOARD REPORT

PG. 2 NO. 17-226

company account in order to expeditiously effectuate the acquisition of the El Sereno Arroyo Playground expansion acquisition site identified by APN 5220-027-004.

5. Authorize the Board President and Secretary to execute the project and acquisition agreements/PSA upon receipt of the necessary approvals;
6. Direct the Board Secretary, to accept the grant deed to the parcel, which shall be set apart and dedicated as park property in perpetuity;
7. Authorize RAP to use Capital B Funds (Fund 302, Department 89, Account No. 89270K-(CG)) as needed to cash flow the acquisition and necessary due diligence and pre-acquisition costs and any and all other acquisition related costs listed as reimbursement cost in the PSA for all related El Sereno Arroyo Playground Expansion Project acquisitions (El Sereno Arroyo Playground Acquisition and Expansion Project) with the understanding that Proposition K will reimburse a portion or all of Capital B funds, once the Proposition K funds are made available;
8. Authorize necessary spending from Proposition K funds for the acquisition of parcel APN: 5220-027-004 to pay or reimburse Capital B Funds as soon as funds are made available as part of the El Sereno Arroyo Playground Acquisition and Expansion Project, and future acquisition of the El Sereno Arroyo Playground acquisition parcels (Park Expansion, Attachment 3) and related pre-acquisition and/or acquisition costs, reimbursement costs;

Phase II – Amendment of boundary of the El Sereno Arroyo Playground with Caltrans.

9. Authorize RAP staff to amend the existing agreement with the State of California, Department of Transportation (Caltrans) to reflect a revised boundary for the existing El Sereno Arroyo Playground property and to include adjacent property owned by Caltrans under same agreement for the use as part of the El Sereno Arroyo Playground to be terminated upon purchase of properties in question or under mutual terms of the agreement;

Phase III – Negotiation for Acquisition of Caltrans properties known as the El Sereno Arroyo Playground Acquisition and Park expansion sites

10. Authorize RAP staff to negotiate the acquisition of any and all property owned by Caltrans known as the El Sereno Arroyo Playground properties and park expansion sites for the future use as a permanent dedicated park development and use as a dedicated park property serving the El Sereno Community and surrounding communities to be shared by the public as an intercity community park serving a larger area and demographics.

BOARD REPORT

PG. 3 NO. 17-226

SUMMARY:

Phase I – El Sereno Arroyo Playground Expansion Private Lot Acquisition:

On August 17, 2010, City Council approved an agreement between Board and the Trust for Public Land (TPL) for the acquisition, development and construction of new parks. The original agreement was for four (4) prospective parks. The El Sereno project – now known as the El Sereno Arroyo Playground acquisition and expansion project was one (1) of those four (4) projects. The development of the four (4) parks has been completed. There have been three (3) subsequent amendments to the original agreement allowing for the addition of additional prospective parks. The efforts and arrangement between Trust for Public Land (TPL) and RAP have been very successful; allowing for an expedited process that has resulted in the quick acquisition and development of parks necessary to meet funding and construction deadlines. Lack of staff has made the acquisition of parks a difficult tasks and without assistance from groups like TPL, many of these projects would not be possible in meeting the Mayor's Goals for new parks. On March 14, 2012, the Board approved an amendment to Donation Agreement between TPL and RAP for the acquisition and development and construction of new parks. On October 24th, 2012, the Board executed an amendment to the Donation Agreement. The El Sereno project was listed on the list of prospective properties and projects of the executed amendment to the donation agreement. RAP Real Estate staff continues to address the shortage of Parks in the City of Los Angeles, even though RAP has acquired more parks within the last couple of years than it ever has in the entire history of RAP. Nevertheless, the City of Los Angeles still ranks low in total number of acres of park land as a percentage of City area and in acres of park per 1,000 residents or density. Through various efforts of the 50-Park initiative and cooperative efforts like this one with TPL, RAP, Real Estate is quickly moving ahead in providing more park space that will benefit all residents and others in the City of Los Angeles by using forward thinking planning in its acquisition of parks in an effort to create a Los Angeles that is more prosperous, and healthy as it moves toward becoming that Jewel of a City in the West Coast.

On April 1, 2015, the Board authorized through Report No. 15-067 (Attachment 4) RAP's General Manager, or his designee, to submit the Proposition K 9th Funding Cycle grant proposals for the proposed capital improvement projects, as detailed in the project listed as Attachment No.1 to the Proposition K L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request for Proposals; and, adopted the Resolution designating RAP's General Manager, or his designee, as the person authorized to obligate the grantee and execute all contractual documents required of successful grantee agencies for the Proposition K 9th Funding Cycle Request for Proposal process specific to this Report was the El Sereno Arroyo Playground expansion project.

On June 8, 2016, the City Council adopted forthwith the City Engineer's Report Council File (CF) No. 16-0428, relative to the collection of annual assessment for the acquisition of land, development, improvement, restoration and maintenance of park and recreational facilities for Proposition K. Included in that Report was the El Sereno Arroyo Playground expansion project, RAP was awarded a total of One Million, Twenty-Five Thousand, One Hundred Dollars (\$1,025,100.00) in Proposition K funds.

BOARD REPORT

PG. 4 NO. 17-226

RAP is now interested in acquiring one (1) of the parcels that is part of the El Sereno Arroyo Playground acquisition and expansion project and time is of the essence necessitating an expedited process so that the acquisition and funding of the required parcel is not lost and thus jeopardizing a strong community, Council Office 14 (CD14) and the State of California (STATE) supported project. RAP staff is requesting that the Board approve an additional amendment or step to facilitate the acquisition of this parcel that is part of the El Sereno Arroyo Playground acquisition, expansion and development project and that is part of the Donation agreement between RAP and the Trust for Public Land (TPL). RAP staff also recommends that the Board approve the drafting and execution forthwith of the PSA either and/or between the owner of property or TPL and RAP subject to City Attorney approval. These actions are necessary to proceed as expeditiously as possible and upon completion of all city due diligence with the acquisition of parcel identified by APN: 5220-027-004. Staff also recommends that the Board authorize staff to proceed with the final approval to acquire the parcels in question and to request the assistance of TPL and the Department of General Services (GSD) and other entities in negotiating and drafting any and all documents necessary to acquire the parcel and future parcels necessary for the acquisition of the El Sereno Arroyo Playground and expansion sites as intended by the approvals and actions by the Board, City Council and RAP's Proposition K request for funding, and awarding of funds for the El Sereno Arroyo Playground Expansion Project.

Final approval is required for the acquisition of approximately 0.115 acre or 5,034 square foot of a privately owned vacant parcel, located at Lowell and Concord and Alhambra Road with an APN 5220-027-004, for the purpose of acquiring new park land and expanding the existing El Sereno Arroyo Playground and its development. The proposed new park site will be part of the larger phased El Sereno Playground expansion project that will serve a part of the City that lacks sufficient park space for families. The area is a densely populated area that is surrounded by apartment complexes and single family homes. The existing park is heavily used and would benefit from an expansion in size to accommodate the needs of the surrounding community. This acquisition would help meet the open space and park needs of the community. As part of the acquisition approval actions taken by the Board and City Council, staff recommends that GSD proceed along with assistance of TPL to acquire the privately owned parcel (APN: 5220-027-004) – the Acquisition site. The Board also authorizes the Department's Chief Accounting Employee of RAP to use Capital B Funds (Fund 302, Department 89, Account No. 89270K-(GC)) as needed to cash flow the acquisition and necessary due diligence and pre-acquisition costs and any other acquisition related costs for all related El Sereno Arroyo Playground Expansion Project acquisitions (El Sereno Arroyo Playground Expansion) with the understanding that Prop K funds will reimburse Capital A funds, once they are made available. TPL and GSD have completed negotiations for the parcel identified as APN: 5220-027-004. An appraisal was prepared by Buss-Shelger Associates, with an estimated "as-is" Market Value of Ninety Thousand Dollars (\$90,000.00) as of March 20, 2017. Funding sources are available to purchase the 1st Phase of the El Sereno Arroyo Playground Expansion Project. RAP, GSD and TPL are ready to proceed with the acquisition of the parcel identified as APN: 5220-027-004 using Capital A Funds as part of the 1st phase of this 2 phase acquisition and development project. TPL has entered into an Option agreement with the property owner for its acquisition.

BOARD REPORT

PG. 5 NO. 17-226

Due to the nature of the option agreement and its deadline, TPL must act by the end of October 2017 to acquire the site.

Acquisition Cost and Funding

The cost of the proposed acquisition of the parcel identified as APN: 5220-027-004 is Ninety Thousand Dollars (\$90,000.00), plus additional acquisition costs related to site acquisition, such as site security and preliminary site development, which could increase the total cost of the acquisition and its maintenance. The projected costs for the acquisition is One Hundred Eighteen Thousand, Six Hundred Seventy-Five Dollars (\$118,675.00), plus an estimated amount of Ten Thousand Dollars (\$10,000.00) in closing costs and; cost consisting of the following acquisition costs:

Appraisal Fees: Three Thousand, Two Hundred Twenty-Five Dollars (\$3,225.00)

Phase I Environmental Assessment: Two Thousand, Four Hundred Fifty Dollars (\$2,450.00)

Legal Fees: Ten Thousand Dollars (\$10,000.00)

Outside Project Management: Thirteen Thousand Dollars (\$13,000.00)

Total Twenty-Eight Thousand, Six Hundred Seventy-Five Dollars (\$28,675.00) (the "Reimbursement Funds")

Total Project cost: One Hundred Twenty-Eight Thousand, Six Hundred Seventy-Five Dollars (\$128,675.00)

All funding for the acquisition and related costs of the acquisition of new park land of the parcel identified as APN: 5220-027-004 as part of the El Sereno Arroyo Playground Expansion Project will come from Capital B Funds (Fund 302, Department 89, Account No. 89270K-(CG)) as needed to cash flow and pay the acquisition and necessary due diligence and pre-acquisition costs and any other acquisition related costs for all related El Sereno Arroyo Playground Expansion Project acquisitions (El Sereno Arroyo Playground Expansion) with the understanding that Proposition K funds will reimburse Capital B funds, once they are made available.

On April 1, 2015, the Board authorized through Report No. 15-067 RAP's General Manager, or his designee, to submit the Proposition K 9th Funding Cycle grant proposals for Acquisition of open space to expand the El Sereno Arroyo Playground and development of said expansion to be developed with trees, a picnic area, perimeter fencing, an active area and a grassy area. RAP was awarded Proposition K Funds.

There is currently One Million, Twenty-Five Thousand, One Hundred Dollars (\$1,025,100.00) in Proposition K acquisition funds available. Capital B funds will be made available to reimburse and make up the difference for the acquisition of the El Sereno Arroyo project acquisition.

BOARD REPORT

PG. 6 NO. 17-226

TPL will act as the buying agent for this acquisition. TPL has entered into an option Agreement with the current owners of the property. Per the option agreement, escrow must close no later than October 27, 2017. TPL will also enter into an Agreement with the City in order to acquire the El Sereno Arroyo Playground site identified by APN: 5220-027-004. TPL will use City funds to acquire the property which it will then convey to the City via grant deed. GSD will ensure that City receives the property for the City and conveys jurisdiction to RAP. Upon acceptance, RAP will set apart and dedicate the property as park property in perpetuity. All funds for the acquisition will go directly into escrow.

The owners of the above mentioned property and TPL have agreed to a final purchase price of Ninety Thousand Dollars (\$90,000.00) and GSD agrees with the stated purchase price. An additional amount is required for escrow fees, title report fees, and other closing costs and related acquisition costs. The final overall cost of said (not-to-exceed \$130,000) acquisition will be determined at a later time. RAP, GSD, and TPL will review the final cost as part of their due diligence prior to closing escrow.

Phase II – Amendment of boundary of the El Sereno Arroyo Playground with Caltrans:

EL SERENO PLAYGROUND HISTORY AND LEASE BOUNDARY AMENDMENT:

On June 15, 2011, the Board through Report No. 11-186 (Attachment 5) approved a lease agreement between CALTRANS and RAP for the use and maintenance of a CALTRANS vacant parcel for open space use identified in the map of the area. CALTRANS and RAP executed an agreement for 25 years on January 23, 2012 retroactively. Said agreement is set to expire on July 31, 2036. On January 2, 2013, the Board through Report No. 13-001 (Attachment 6) accepted Landscape and Recreational Improvements installed by the Trust for Public Land and officially named the open space area as the El Sereno Arroyo Playground. The El Sereno Arroyo Playground is now a developed playground area that currently serves 2,370 community residents and an undetermined number of neighboring residents in the City of Alhambra. As TPL, GSD and RAP proceed with the acquisition and further expansion and development of the heavily used El Sereno Arroyo Playground Expansion parcels, it has been made apparent and evident that the existing Boundary of the area of site control for the El Sereno Arroyo Playground needs to be revised. Therefore, RAP and CALTRANS staff recommend that the boundary for the El Sereno Arroyo Playground be revised to reflect correctly the current playground and future acquisition area. Rap staff therefore recommends an amendment to the existing Lease with CALTRANS reflecting a change in the Boundary or lease hold area. The corrected boundary should reflect the current playground area of future Caltrans acquisition sites as indicated in the attached map of project site and will eliminate all other sites not part of the El Sereno Arroyo Playground Expansion project.

NEED ASSESSMENT

The proposed El Sereno Arroyo Playground Expansion acquisition, will continue to serve this community area of 2,370 residents and an undetermined number of adjacent City Residents not served by parks (Park Analysis Report (Attachment 7). An estimated 2,370 residents live within a one-half (½) mile walking distance of the proposed Mt. Lee Park Park. There are no parks

BOARD REPORT

PG. 7 NO. 17-226

within one (1) mile of this Northeast area of working class community. An un-estimated number of future and current neighboring residents will also be served by the addition/expansion of the El Sereno Arroyo Playground.

TREE AND SHADE:

El Sereno Arroyo Playground is a fully developed playground site with some slope areas full of vegetation/plants and trees and playground equipment enjoyed by kids, seniors and adults.

The park is heavily used and would benefit from a permeant status as a park and expansion. It is expected that area will be preserved as park land and the overall projects has the full support of the 14th Council District Office. Several Community groups have organized themselves to preserve the park and hold regular meetings at the park to address all issues with the future of the Park.

ENVIROMENTAL IMPACT STATEMENT

March 23, 2017

A Phase I Environmental Site Assessment (ESA) was completed on ~~XXXXXX~~ in conformance with the scope and limitations of ASTM Standard Practice E1527-05 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) for the subject property. The ESA report indicated that there are no recognized environmental conditions in connection with the property, and therefore, no impediment to the City's acquiring the property for public use.

Staff determined that the subject project consists of the acquisition of property with the intent to preserve open space for park purposes. Therefore, the project is categorically exempt from the provisions of California Environmental Quality Act (CEQA), pursuant to Article III, Section 1(y), Class 25 of the City CEQA Guidelines.

In addition to the Office of Council District 14, the Assistant General Manager concurs with staff's recommendations.

FISCAL IMPACT STATEMENT

Maintenance funds for the new expanded parkland will be requested as part of the Department of Recreation and Park's annual budget process. As RAP plans the new development scope, staffing needs will need to be assessed.

This report was prepared by John Barraza, Management Analyst II in Real Estate and Asset Management, Planning and Construction Division.

BOARD REPORT

PG. 8 NO. 17-226

List of Attachments

1. Attachment 1 - Resolution
2. Attachment 2 - Purchase and Sale Agreement
3. Attachment 3 - Park Expansion
4. Attachment 4 - Report No 15-067
5. Attachment 5 - Report No. 11-186
6. Attachment 6 - Report No. 13-001
7. Attachment 7 - Park Analysis Report

RESOLUTION NO. _____

WHEREAS, On August 17, 2010, City Council approved an agreement between the Board of Recreation and Park Commissioners (Board) and the Trust for Public Land (TPL) for the acquisition, development and construction of new parks. The original agreement was for four prospective parks. The El Sereno project – now known as the El Sereno Arroyo Playground acquisition and expansion project was one of those four (4) projects.

WHEREAS, On April 1, 2015, the Board authorized through Report No. 15-067 (Exhibit A) the Department of Recreation and Parks' (RAP) General Manager, or his designee, to submit the Proposition K 9th Funding Cycle grant proposals for the proposed capital improvement projects, to the Proposition K L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request for Proposals; and,

WHEREAS, RAP was awarded a total of One Million, Twenty-Five Thousand Dollars (\$1,025,100.00) in Proposition K funds to acquire the El Sereno Arroyo Playground expansion site; and,

WHEREAS, the El Sereno Arroyo Playground and Expansion project consists for a privately owned parcel and several Caltrans parcels (Exhibit B); and,

WHEREAS there is currently developed park on Caltrans Property that is to be acquired by City/RAP when the properties are sold by CALTRANS; and,

WHEREAS, the El Sereno Arroyo Playground is under the control of RAP via a Lease Agreement with the State and said Lease will require a boundary adjustment, and,

WHEREAS, Proposition K and Capital B funds will be used to pay for the acquisition of the privately owned parcel, which is part of the El Sereno Arroyo Playground Expansion project; and,

WHEREAS, there are no City owned parks within one (1) mile of this site and this acquisition will provide much needed parkland in the heavily congested area of El Sereno. And the acquisition will add to the open space in the area through expanded availability of recreational activities and facilities. The proposed acquisition site with the County of Los Angeles Assessor's Parcel Number (APN) 5220-027-004; and,

WHEREAS, a Class "A" appraisal has been prepared and reviewed by the Department of General Services (GSD) and concluded that the appraised value is supported by the report's data, the valuation being compatible with the sellers' asking price of Ninety Thousand Dollars (\$90,000.00); and

WHEREAS, the Total Project acquisition cost for the parcel identified as APN: 5220-027-004 is: One Hundred Twenty-Eight Thousand, Six Hundred Seventy-Five Dollars (\$128,675.00) and acquisition cost is not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00); and,

WHEREAS, TPL has entered into an option agreement to purchase the parcel identified as APN: 5220-027-004 at the appraised value of Ninety Thousand Dollars (\$90,000.00); and,

WHEREAS the preliminary Report of a Phase I site assessment indicates that there is no environmental impediment to RAP acquiring the site for public use; and,

WHEREAS, funding for the acquisition will come from Proposition K and be used to reimburse portions of Capital B funds; and,

WHEREAS, RAP staff requests authority to proceed with the final acquisition of all El Sereno Arroyo Playground and Expansion project parcels in order to ensure Property acquisition is expedited and property is acquired and preserved as park property in perpetuity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Recreation and Park Commissioners of the City of Los Angeles(Board), authorize staff to amend the existing agreement with CALTRANS to reflect the expand use of the El Sereno Arroyo Playground expansion sites for development currently under State of California, Department of Transportation (CALTRANS) ownership; and,

BE IT FURTHER RESOLED, that the Board authorize TPL and RAP staff to negotiate and finalize any and all documents necessary for the acquisition of pending CALTRANS properties that will become part of the expanded El Sereno Arroyo Playground Park properties upon the completion of the preliminary acquisition activities, and contingent on the following conditions:

- A. Appropriate California Environmental Quality Act (CEQA) documentation will have been completed; and,
- B. All environmental assessments, Phase I, and Phase II if needed, will have been completed and satisfied prior to close of escrow; and,
- C. The Department of General Services will negotiate and or concur with a purchase price that is consistent with their professional opinion of market value; and,
- D. Clearance/resolution of all and any Title issues prior to closing of escrow; and,
- E. Sufficient funding for any portion or portions of the acquisition projects will be obtained and said funds to be used for all acquisition and any and all related administration acquisition costs of the projects.

BE IT FURTHER RESOLVED that the Board of Recreation and Park Commissioners of the City of Los Angeles that the Department of General Services be requested to assist in acquiring the vacant property identified by APN: 5220-027-004 in accordance with the provisions of Charter Section 594 (a) and (b); and,

BE IT FURTHER RESOLVED that the Department Chief Accounting Employee is authorized to allocate One Hundred Thirty Thousand Dollars (\$130,000.00) from Capital B Funds (Fund 302, Department 89, Account No. 89270K-(GC)) as needed to cash flow the acquisition and pay the necessary due diligence and pre-acquisition costs and any other acquisition related costs for all related El Sereno Arroyo Playground Expansion Project acquisitions (El Sereno Arroyo Playground Expansion) with the understanding that Proposition K funds will reimburse Capital B

Funds, once they are made available for the payment of Phase I assessment, the appraisal, administrative, legal, outside project management for the acquisition and related costs; and,

~~BE IT FURTHER RESOLVED that the Agreement of Purchase and Sale Agreement be approved, subject to the form on file in the Board Office, subject to the approval of the City Attorney as to form and~~ (Please see correction below)

BE IT FURTHER RESOLVED that the Board President and Secretary be authorized to execute the Agreement upon receipt of the necessary approvals; and,

BE IT FURTHER RESOLVED that the Department Chief Accounting Employee is authorized to allocate monies to acquire the project site, and to transfer the necessary monies to fund the acquisition to the appropriate City Department or escrow company account in order to expeditiously effectuate the acquisition of the El Sereno Arroyo Playground acquisition and expansion project new park site as recommended City of Los Angeles Council Office 14 and RAP Real Estate Staff; and,

BE IT FURTHER RESOLVED that the Board Secretary is directed to accept the grant deed to the parcel, which shall be set apart and dedicated as park property in perpetuity as a new park known as the "El Sereno Arroyo Playground".

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on _____, 20__ (Report. No. 17-____).

Iris Davis, Secretary

Resolution No. _____

BE IT FURTHER RESOLVED that an Agreement of Purchase and Sale (Agreement) be approved, consistent with the project set forth in Board Report 17-226 and the term sheet distributed to the Board at the meeting of October 18, 2017, subject to the approval of the City Attorney as to form and legality, and;

APPROVED

REPORT OF GENERAL MANAGER

NO. 15-067

DATE April 01, 2015

APR 01 2015
BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PROPOSITION K - L.A. FOR KIDS PROGRAM 9TH FUNDING CYCLE
GRANT PROPOSALS - AUTHORIZATION TO SUBMIT GRANT
APPLICATIONS; RESOLUTION

R. Adams

V. Israel

for R. Barajas

USD

K. Regan

H. Fujita

N. Williams

[Signature]
General Manager

*As amended
see attached*

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Authorize the Department of Recreation and Parks' (RAP) General Manager, or his designee, to submit the Proposition K 9th Funding Cycle grant proposals for the proposed capital improvement projects, as detailed in the attached project list (Attachment No. 1), to the Proposition K L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request for Proposals; and,
2. Adopt the accompanying Resolution designating RAP's General Manager, or his designee, as the person authorized to obligate the grantee and execute all contractual documents required of successful grantee agencies for the Proposition K 9th Funding Cycle Request for Proposal process;
3. Authorize RAP's General Manager, or his designee, to make technical corrections, as necessary, to the proposed project list included in this Report.

REPORT OF GENERAL MANAGER

PG. 2 NO. 15-067

SUMMARY:

In 1996, Proposition K was passed and created a citywide assessment district that generates \$25,000,000 each year for a period of 30 years. The funds generated from the Proposition K assessments are to be used for capital improvement projects involving the acquisition, development, improvement, and restoration of parks and recreational facilities in the City of Los Angeles. Through a separate process, a portion of the Proposition K assessments also provides maintenance funds on an annual basis for those facilities improved using Proposition K funds. Over the 30-year period, Proposition K Program is required to distribute \$143,650,000 of the \$750,000,000 in assessments through an open and competitive process to eligible governmental agencies, City departments and nonprofit organizations. For the 9th Grant Funding Cycle, approximately \$26.6 million has been made available for eligible projects.

On January 29, 2015, the L.A. for Kids Steering Committee, on behalf of the City of Los Angeles, released the Proposition K 9th Funding Cycle Request for Proposals (RFP) inviting proposals to be submitted by eligible proposers for eligible projects for the Proposition K L.A. for Kids Program. The deadline for submission of the grant proposals is April 30, 2015.

In concurrence with the concerned Council Offices and RAP's Planning, Construction and Maintenance Branch staff, seventeen (17) capital improvement projects have been identified for submission of proposals for the Proposition K 9th Funding Cycle competitive grant funds. Pursuant to the RFP, grant proposals must include a Board resolution authorizing submission of the proposals, committing to make the property available for the projects, and specifying the person(s) authorized to obligate the grantee and execute all contractual documents required of successful Proposition K grantee agencies.

RAP's Planning, Construction and Maintenance Branch staff has assessed the proposed projects and determined that the listed projects meet the criteria for eligible Proposition K projects. Staff has also developed the related project cost estimates. There is no match requirement associated with this grant program; however, supplemental funding is encouraged.

Prior to undertaking the activities for which each grant is being sought, as lead agency for the projects, RAP must perform, complete, and certify the adequacy of the environmental review in accordance with the California Environmental Quality Act (CEQA).

REPORT OF GENERAL MANAGER

PG. 3

NO. 15-067

FISCAL IMPACT STATEMENT:

Grant awards will cover Fiscal Years 2016-17, 2017-18 and 2018-19. There is no anticipated fiscal impact on the Department's General Fund for the completion of these projects. Sixteen (16) of the proposals are for improvements to existing park facilities and therefore, the Department does not anticipate to have any increase in the maintenance costs. The one (1) acquisition application being proposed is for the acquisition of the El Sereno Arroyo Playground. The property is owned by the State and currently operated and maintained by RAP through a lease agreement. Since the parcel is already maintained by RAP, it is not anticipated that maintenance costs for this site will increase.

This Report was prepared by Cathie M. Santo Domingo, Superintendent, Planning, Construction and Maintenance Branch, and Isophine Atkinson, Senior Management Analyst, Grants Administration.

ATTACHMENT NO. 1

Department of Recreation and Parks
Planning, Construction and Maintenance Branch

Proposition K – L.A. for Kids Program 9th Funding Cycle
Project Recommendations

No.	Facility	Council District	Scope of Work
1	Baldwin Hills Recreation Center	10	Replace/upgrade existing lighting
2	Banning RC	15	Replace/upgrade existing lighting
3	Brand Park	7	Replace/upgrade existing lighting
4	Cheviot Hills RC	5	Replace/upgrade existing lighting
5	El Sereno Arroyo Playground	14	Acquisition
6	Highland Park RC	1	Replace/upgrade existing lighting
7	Lemon Grove Park	13	Replace/upgrade existing lighting
8	Mt Carmel RC	8	Replace/upgrade existing lighting
9	North Hollywood Park	2	Replace/upgrade existing lighting
10	Northridge	12	Replace/upgrade existing lighting
11	Reseda Park	3	Replace/upgrade existing lighting
12	Sepulveda RC	6	Upgrade sports field lighting
13	South Park	9	Replace/upgrade existing lighting
14	Van Ness Pool	8	Remove and replace existing pool and bathhouse
15	Van Nuys Sherman Oaks	4	Replace/upgrade existing lighting
16	Westchester RC	11	Replace/upgrade existing lighting
17	Yosemite Recreation Center	14	Replace/upgrade existing lighting

RESOLUTION NO. _____

WHEREAS, the passage of Proposition K in 1996 created a Citywide assessment district that generates \$25,000,000 each year in funds for the acquisition, development, improvement, restoration, and maintenance of park and recreation facilities through an annual assessment on all properties within the City of Los Angeles over a thirty (30)-year period; and

WHEREAS, Proposition K is required to allocate \$143,650,000 of the total amount generated over thirty (30) years through an open and competitive process for governmental agencies, City departments, and non-profit organizations; and

WHEREAS, the Proposition K L.A. for Kids Steering Committee, on behalf of the City of Los Angeles, has released the Proposition K 9th Funding Cycle Request For Proposals inviting proposals to be submitted for eligible capital improvement and/or acquisition projects for the Proposition K L.A. for Kids Program; and

WHEREAS, the Proposition K L.A. for Kids Program has made available approximately \$16.9 million for the Proposition K competitive grant process for the 9th Funding Cycle commencing July 1, 2016, and ending June 30, 2019; and

WHEREAS, there are three categories for which a project may be eligible for Proposition K funding, two (2) categories are for the construction or improvement of facilities, and one (1) category is for the acquisition of parks and/or natural lands;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Recreation and Park Commissioners authorizes the General Manager of the Department of Recreation and Parks or designee to submit grant applications for the proposed capital improvement projects, as detailed in Attachment No. 1, to the Proposition K – L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request For Proposals; and

BE IT FURTHER RESOLVED, that the Board commits to making the properties on Attachment No. 1 available for purposes of the projects and its related programs and services thereto, if awarded grant funds; and

BE IT FURTHER RESOLVED, that the Board authorizes the General Manager of the Department of Recreation and Parks or designee to obligate the grantee and execute all contractual documents required of successful Proposition K grantee agencies.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on _____ (Board Report No. _____).

LATONYA D. DEAN, Board Secretary

RESOLUTION NO. _____

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING
BOARD OF RECREATION AND PARK COMMISSIONERS
April 1, 2015

15-067

PROPOSITION K – L.A. FOR KIDS PROGRAM 9TH FUNDING
CYCLE GRANT PROPOSALS – AUTHORIZATION TO SUBMIT
GRANT APPLICATIONS; RESOLUTION

Cathie Santo Domingo, Superintendent, amended the last sentence of the first paragraph on page 2 to read as follows:

"For the 9th Grant Funding Cycle, approximately ~~\$26.6~~ \$16.9 million has been made available for eligible projects."

She also amended the fourth recital of the accompanying resolution to reflect the same change.

She further amended the report to replace Attachment 1 of the report, Proposition K – L.A. for Kids Program 9th Funding Cycle Project Recommendations, with a version that replaced Brand Park with Ritchie Valens Park, identified funding categories, and included the estimated funding request amounts.

Department of Recreation and Parks
 Planning, Construction and Maintenance Branch

Proposition K - L.A. for Kids Program 9th Funding Cycle
Project Recommendations - April 1, 2015

Funding Category - Aquatics Upgrade

Estimated Available Funding Amount - \$4,588,051

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	Van Ness Pool	5720 2nd Ave., Los Angeles	8	Remove and replace existing pool and bathhouse	\$ 4,500,000
Total =					\$ 4,500,000

Funding Category - Lighting

Estimated Available Funding Amount - \$6,586,496

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	Baldwin Hills Recreation Center	5401 Highlight Pl., Los Angeles	10	Replace/upgrade existing lighting	\$ 450,000
2	Banning Recreation Center	1331 Eubank Ave., Wilmington	15	Replace/upgrade existing lighting	\$ 450,000
3	Cheviot Hills Recreation Center	2551 Motor Ave., Los Angeles	5	Replace/upgrade existing lighting	\$ 400,000
4	Highland Park Recreation Center	6150 Piedmont Ave., Los Angeles	1	Replace/upgrade existing lighting	\$ 420,000
5	Lemon Grove Park	4959 Lemon Grove Ave., Los Angeles	13	Replace/upgrade existing lighting	\$ 420,000
6	Mount Carmel Recreation Center	830 W. 70th St., Los Angeles	8	Replace/upgrade existing lighting	\$ 430,000
7	North Hollywood Park	11430 Chandler Bl., North Hollywood	2	Replace/upgrade existing lighting	\$ 430,000
8	Northridge Park	18300 Lemarsh St., Los Angeles	12	Replace/upgrade existing lighting	\$ 450,000
9	Reseda Park	18411 Victory Bl., Reseda	3	Replace/upgrade existing lighting	\$ 450,000
10	Ritchie Valens Park	10731 Laurel Canyon, Pacoima	7	Replace/upgrade existing lighting	\$ 450,000
11	Sepulveda Recreation Center	8825 Kester, Panorama City	6	Replace/upgrade existing lighting	\$ 420,000
12	South Park	345 E. 51st St., Los Angeles	9	New soccer field lighting	\$ 500,000
13	Van Nuys Sherman Oaks Park	14201 Huston St., Sherman Oaks	4	Replace/upgrade existing lighting	\$ 450,000
14	Westchester Recreation Center	7000 W. Manchester Ave., Los Angeles	11	Replace/upgrade existing lighting	\$ 420,000
15	Yosemite Recreation Center	1840 Yosemite Dr., Los Angeles	14	Replace/upgrade existing lighting	\$ 450,000
Total =					\$ 6,590,000

Funding Category - Acquisition of Parks / Natural Lands

Estimated Available Funding Amount - \$5,779,888

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	El Sereno Arroyo Playground	Intersection of Concord and Alhambra	14	Acquisition	TBD
Total =					\$ -

EXECUTIVE COMMITTEE:

Chair: Susan Swan
Vice Chair: Don Seligman
Secretary: Kris Sullivan



BOARD MEMBERS:

Chip Clements Laura Howe
Ron Deutsch Sheila Irani
Lucinda Phillips Chris Laib
Greg Bertens Jamie Robertson

Griffith Park Advisory Board
THURSDAY, MAY 25th 2017, 6:30pm
Griffith Park Visitor's Center Auditorium
4730 Crystal Springs Drive L.A.CA, 90027

September 19, 2017

Re: Lake Hollywood Park Floral Mural for Playground Wall

To whom it may concern,

Sheila Irani presented a proposal for a Floral Mural installation at Lake Hollywood Park to us at our May, 2017 Board meeting.

We are very pleased to share with you our full support for the proposal. It's a perfect fit for the Park particularly with the Children's Playground.

Thank you for your consideration, we greatly appreciate it!

Sincerely yours,

Susan Swan*
Chair

Don Seligman*
Vice Chair

*signed electronically

**AGREEMENT OF PURCHASE AND SALE
(El Sereno Arroyo Expansion)**

This Agreement of Purchase and Sale (this "**Agreement**") is made and entered into effective as of _____, 20__ ("**Effective Date**") by and between **THE TRUST FOR PUBLIC LAND**, a California nonprofit public benefit corporation, ("**TPL**") and **THE CITY OF LOS ANGELES**, a California municipal corporation, through its Board of Recreation and Park Commissioners ("**City**"). TPL and City are each a "Party" and together may be collectively referred to as the "Parties" hereinafter.

RECITALS

A. The addresses and telephone numbers of the Parties to this Agreement are set forth below. Telephone and facsimile numbers are included for information only.

TPL:

The Trust for Public Land
101 Montgomery St., Suite 1100
San Francisco, CA 94104
Tel: (415) 800-5286
FAX: (415) 442-0541
Attn: Rachel Lem
Email: Rachel.Lem@TPL.org

CITY:

City of Los Angeles,
Board of Recreation and Park Commissioners
221 North Figueroa St., 3rd Floor
Los Angeles, California 90012
Tel: (213) 202-2640
Fax: (213) 202-2610

Copies of any notice to TPL should also be sent to:

The Trust for Public Land
Western Division
101 Montgomery Street, Suite 900
San Francisco, CA 94104
Attn: Gilman Miller
Tel: (415) 495-5660, ext. 360
Fax: (415) 442-0541
Gilman.Miller@tpl.org

Copies of any notice to City should also be sent to:

Los Angeles City Attorney's Office
200 N. Main St., 7th Floor
Los Angeles, California 90012
Attn: Real Property/Environment Division
Tel: (213) 978-8120
Fax: (213) 978-8090

B. TPL entered into an Option Agreement dated June 27, 2017 (the "**Option**"), to purchase from W.E. Hall Company, Inc. ("**Current Owner**") certain real property located in Los Angeles County, California, as further described in Exhibit A, attached hereto (the "**Property**"). The Property includes all tenements, hereditaments, and appurtenances, including improvements, fixtures, water, crops, oil, gas and minerals located in, under, and on it, and all rights appurtenant to it, including but not limited to water rights, grazing rights, access rights and oil, gas and mineral rights, development rights, air rights, and all other rights, privileges, licenses, and permits in any way related to or accruing to the use and benefit of the Property.

C. TPL wishes to exercise its rights under the Option but to instruct the Current Owner to deed the Property directly to the City for and in consideration of payment into escrow by City in the amount of the Fair Market Value (defined below) of the Property plus the Reimbursement Funds (defined below).

D. City wishes to purchase the Property from TPL on the terms and subject to the conditions set forth in this Agreement. The purpose of this sale is to enable the parties to this Agreement to provide open space and recreational opportunities to the public.

NOW, THEREFORE, in consideration of the foregoing recitals, the Parties agree as follows:

1. Purchase and Gift Terms. Upon exercise of its rights under the Option, TPL shall direct the Current Owner to deed the Property directly to the City on the terms and conditions set forth herein.

1.1 Fair Market Valuation of Property. Pursuant to an appraisal prepared by Ron Buss of Buss-Shelger Associates dated March 24, 2017 (the "**Appraisal Report**"), the fair market value of the Property has been determined to be Ninety Thousand Dollars (\$90,000) (the "**Fair Market Value**"). Current Owner has approved this Fair Market Value so TPL may exercise its right to acquire the Property pursuant to the terms of the Option by paying Current Owner the Fair Market Value. The City's purchase price for the Property shall also be equal to the Fair Market Value of the Property, accordingly, Ninety Thousand Dollars (\$90,000) shall be the "**Purchase Price**".

1.2 Reimbursement of Expenses. In addition to paying the Fair Market Value defined above, the City will also reimburse TPL for the following expenses (the "**Reimbursement Funds**"), as further described in the Project Budget Form submitted as part of the Proposition K L.A. For Kids Program:

Appraisal Fees: \$3,225

Phase I Environmental Assessment: \$2,450

Legal Fees: \$10,000

Outside Project Management: \$13,000

Total \$28,675 (the "**Reimbursement Funds**")

1.3 Method of Payment. The Fair Market Value and Reimbursement Funds will be paid into escrow in cash or cash equivalents by the City at least one day prior to the Close of Escrow to allow TPL to exercise its rights under the Option and direct the Current Owner to directly deed the Property to City.

2. Conditions Precedent to Closing. The parties' respective obligations to close the purchase and sale of the Property shall be conditioned upon all of the following:

(a) By ten (10) calendar days prior to Close of Escrow deadline set forth in Section 4.2 ("**Contingency Deadline**"), City has approved of the title, physical, structural and environmental condition of the Property;

(b) By Close of Escrow, City has received authorization to expend the Purchase Price and the Reimbursement Funds for this acquisition, which funds are to be deposited into

escrow and used to i) pay to Current Owner the Purchase Price, and ii) reimburse TPL for Reimbursement Funds as described in Section 1.2 above, less those funds as may be retained by escrow to cover escrow fees, title fees, and any other closing costs not paid by Current Owner as specified in the Option;

(c) By the Close of Escrow, TPL has received authorization from its Board of Directors to complete the transaction which is the subject of this Agreement;

(d) Prior to Close of Escrow, TPL has exercised its rights under the Option and has directed the Current Owner to deed the Property directly to City, and Current Owner has complied with TPL's directions and

(e) Satisfaction of all obligations stated herein by both City and TPL, within the time periods provided in this Agreement (if any).

If any condition precedent is not satisfied or waived by the party whom that contingency benefits, such party may terminate this Agreement by written notice to the other party; in such event the parties shall have no further obligation to each other under this Agreement. Any condition precedent shall be deemed either satisfied or waived unless the appropriate party notifies the other party in writing prior to the applicable deadline that the contingency has not been met.

3. Condition of the Property.

3.1 Due Diligence. TPL has provided the City the opportunity to investigate and review the Property Information contained in that Preliminary Title Report issued by First American Title Insurance Company dated as of March 9, 2017, under Order No. NCS-722509-SF ("**Title Report**"); and the general physical condition of the Property. TPL commissioned a Phase I Environmental Site Assessment of the Property, prepared by Rincon Consultants, dated April 25, 2017, which found no evidence of recognized environmental conditions in connection with the Property. City must complete all such investigations and review on or before the Contingency Deadline. If City determines that it is dissatisfied with the condition of the Property or the Title Report, then City may terminate this Agreement by delivering written notice to TPL on or before the Contingency Deadline. If City fails to deliver any such written termination notice to TPL on or before the Contingency Deadline, then City shall be deemed to have accepted the condition of the Property and the Title Report and elected to proceed to close escrow and acquire the Property.

3.2 "As-Is" Sale. Except as otherwise expressly provided herein, City hereby acknowledges and agrees that the sale of the Property hereunder is and will be made on an "as is, where is" basis and that neither TPL, nor any attorney, representative, agent or employee of TPL has made, or will make, and except for TPL's express warranties set forth in this Agreement, TPL specifically negates and disclaims, any representations, warranties or guaranties of any kind or character whatsoever, whether express or implied, oral or written, past, present or future, of, as to, concerning or with respect to the Property.

3.3 Title. TPL shall direct the Current Owner to convey directly to City by grant deed (the "**Grant Deed**"), in the form attached hereto as Exhibit B, fee simple title to the Property free and clear of all exclusions, reservations, conditions, covenants, monetary liens or

encumbrances, including deeds of trust, except: (a) the lien for nondelinquent real property taxes; (b) general and special taxes and assessments shown as paid or not yet due; (c) the standard printed exceptions or exclusions on the form of title insurance policy issued pursuant to Section 3.5; and (d) exceptions accepted by City, or deemed accepted by City, in accordance with Section 3.1, above.

3.4 Title Policy. TPL will cause Escrow Holder to provide City with a CLTA standard coverage owner's title policy in the full amount of the Purchase Price, insuring that title to the Property is vested in City upon Close of Escrow subject only to the exceptions set forth in the Title Report. The cost of the Title Policy shall be paid from the Reimbursable Funds amount.

3.5 Possession. The City shall receive possession of the Property, directly from the Current Owner, at Close of Escrow, free and clear of anyone in possession.

4. Escrow and Closing.

4.1 Escrow Holder. TPL has opened an escrow with First American Title Insurance Company, 2755 Campus Drive, Suite 125, San Mateo, CA 94403, Erwin J Broekhuis, Commercial Escrow Officer, National Commercial Services, Tel: 650.356.1729, Fax: 714.361.3573, Email: ebroekhuis@firstam.com (the "**Escrow Holder**") for the purpose of closing the City's acquisition of the Property from Current Owner pursuant to TPL exercising its Option.. Escrow instructions as to the conveyance from the Current Owner to the City upon TPL's Option exercise will be approved by both City and TPL.

4.2 Close of Escrow. "Close of Escrow" shall be the date the Grant Deed and the City's certificate of acceptance are recorded in the official records of the Los Angeles County Recorder's Office. Escrow shall close no later than October 27, 2017 (the "**Close of Escrow**"); provided, however, that the parties may extend this date by mutual written agreement.

4.3 Closing Costs and Prorations. City shall pay all escrow fees and those closing costs not borne by the Current Owner. No documentary tax or real property transfer tax arising out of the conveyance of the Property shall be owed as the Property is being transferred to the City which is exempt from such taxes. Any other closing expenses, fees and charges shall be paid for by City out of the Reimbursement Funds. Escrow Holder shall see to it that all real property taxes, if any, which are due and payable and a lien as of the Close of Escrow shall be paid by the Current Owner as specified in the Option. The tax amount so withheld will be made payable to the Los Angeles County Tax Collector's Office following the Close of Escrow. Any taxes which have been prepaid by Current Owner per the Option shall not be prorated (as between TPL and the City), but TPL shall have the sole right, after Closing, to apply to the Los Angeles County Treasurer for refund of the taxes attributable to the period after acquisition pursuant to the Revenue and Taxation Code Section 5096.7;

5. TPL's Promise not to Further Encumber. TPL shall not, without the prior written consent of the City, make or allow to be made any leases, contracts, options or agreements whatsoever affecting the Property which would in any manner impede TPL's ability to perform hereunder and deliver title as agreed herein.

6. TPL's Representations. TPL represents and warrants that:

(a) Subject to the conditions precedent set forth in Section 2, TPL will no later than the Close of Escrow have the power to exercise its rights under the Option and cause the Property to be conveyed to City.

(b) To TPL's knowledge, there is no action, suit, litigation, arbitration or other proceeding pending or threatened, which in any manner affects the Property.

(c) TPL has full power and authority to execute and deliver this Agreement and to consummate the transactions provided herein, subject to the conditions precedent set forth in Section 2. Subject to the conditions precedent set forth in Section 2, the persons signing this Agreement for TPL have full power and authority to sign for TPL and to bind it to this Agreement.

(d) TPL has no knowledge of any violations of any law, order, ordinance or regulation or policy of insurance affecting the Property.

(e) TPL has not received notice and has no knowledge of any pending or threatened condemnation of all or part of the Property.

(f) This Agreement and the other documents to be executed by TPL hereunder, upon execution and delivery thereof by TPL, will have been duly entered into by TPL, and will constitute legal, valid and binding obligations of TPL, subject to the conditions precedent set forth in Section 2. Neither this Agreement nor anything provided to be done under this Agreement violates or shall violate any contract, document, understanding, agreement or instrument to which TPL is a party or by which it is bound.

(g) TPL has no knowledge of any unrecorded agreements affecting the Property other than as may be set forth in the Property Information. To TPL's knowledge, the Property Information contains all encumbrances, restrictions and obligations, both recorded and unrecorded, pertaining to the Property.

(h) TPL represents and warrants that it is not a "foreign person" as defined in Section 1445 of the Internal Revenue Code. TPL's United States Taxpayer Identification Number is 23-7222333.

(i) TPL represents and warrants that it is a nonprofit public benefit corporation duly organized, validly existing and in good standing under the laws of the State of California.

(j) To TPL's knowledge, except as may be set forth in the Property Information, the Property is not subject to any investigation by any governmental authority or any judicial or administrative proceedings alleging the material violation of or liability under any hazardous materials law, or any outstanding written order or agreement with any governmental authority or private party relating to any hazardous materials laws or hazardous materials claims.

(k) TPL agrees to disclose to City all material findings with respect to the condition of the Property that TPL may have actual knowledge of, without any further inquiry, which findings are not contained in the Title Report and/or Property Information delivered to City.

7. **City's Representation.** City represents and warrants that subject to approval by its Board of Recreation and Park Commissioners, City has all the requisite power and authority to enter into this Agreement and to consummate the transactions contemplated hereby.

8. **Risk of Loss.** All risk of loss shall remain with TPL until Close of Escrow. In the event the Property is destroyed or damaged after the Effective Date of this Agreement and prior to Close of Escrow, City or TPL may, at their option elect to terminate this Agreement with no damages accountable to City.

9. **Notices.** All notices pertaining to this Agreement shall be in writing delivered to the parties hereto by facsimile transmission, personally by hand, courier service or Express Mail, or by first class mail, postage prepaid, at the addresses set forth in Recital A. All notices shall be deemed given: (a) if sent by mail, when deposited in the mail, first class postage prepaid, addressed to the party to be notified; (b) if delivered by hand, courier service or Express Mail, when delivered; or (c) if transmitted by facsimile, when transmitted. The parties may, by notice as provided above, designate a different address to which notice shall be given.

10. **Remedies Upon Default.** In the event City or TPL defaults in the performance of any of their respective obligations under this Agreement, TPL or City shall, in addition to any and all other remedies provided in this Agreement or by law or equity, have the right of specific performance against the defaulting party.

11. **No Broker's Commission.** Each party represents to the other that it has not used a real estate broker in connection with this Agreement or the transaction contemplated by this Agreement. In the event any person asserts a claim for a broker's commission or finder's fee against one of the parties to this Agreement, the party on account of whose conduct the claim is asserted will hold the other party harmless from said claim.

12. **Time of the Essence; Dates.** Time is of the essence to this Agreement. In the event that any date specified in this Agreement falls on Saturday, Sunday or a public holiday, such date shall be deemed to be the succeeding day on which the public agencies and major banks are open for business.

13. **Binding on Successors.** This Agreement shall be binding not only upon the parties but also upon their heirs, personal representatives, assigns and other successors in interest.

14. **Additional Documents.** TPL and City agree to execute such additional documents, including escrow instructions, as may be reasonable and necessary to carry out the provisions of this Agreement.

15. **Additional Documents to be Provided by TPL to City.** TPL agrees to provide the following documents to City prior to the Close of Escrow.

(a) **Resolution.** A certified resolution of the Board of Directors of TPL authorizing the transaction contemplated by this Agreement, the execution, delivery, and performance of this Agreement, any other obligation of TPL contemplated by this Agreement, and authorizing the person who will sign this Agreement to do so on behalf of TPL.

(b) Certificate of Good Standing. A certificate of good standing of TPL certified by the proper governmental authority in the State of California.

16. Assignment. City may not assign its interests under this Agreement without the written consent of TPL.

17. Entire Agreement; Modification; Waiver. This Agreement constitutes the entire agreement between City and TPL pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understandings. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all parties. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver and agreeable to both parties.

18. Counterparts. This Agreement may be executed in counterparts; each of which shall be deemed an original and which together shall constitute one and the same agreement.

19. Severability. Each provision of this Agreement is severable from any and all other provisions of this Agreement. Should any provision(s) of this Agreement be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

20. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

21. Survival of Close of Escrow. All representations, warranties, covenants, conditions, agreements and other obligations set forth in this Agreement shall survive the Close of Escrow and the recordation of the Grant Deed and shall not merge therein unless specifically stated otherwise in this Agreement.

Signature Page to Follow

IN WITNESS of the foregoing provisions the parties have signed this Agreement below:

<p>TPL:</p> <p>THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation</p> <p>By: _____</p> <p>Title: _____</p> <p>Date: _____, 2017</p>	<p>CITY:</p> <p>THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its Board of Recreation and Park Commissioners</p> <p>By: _____ President</p> <p>By: _____ Secretary</p> <p>Date: _____, 2017</p>
<p>ATTEST:</p> <p>Holly Wocott, City Clerk</p> <p>By: _____ Deputy</p> <p>Date: _____, 2017</p>	<p>APPROVED AS TO FORM:</p> <p>Michael N. Feier</p> <p>By: _____ Laura M. Cadogan Deputy City Attorney</p> <p>Date: _____, 2017</p>

EXHIBIT A

Legal Description of Property

Real property in the City of Los Angeles, County of Los Angeles, State of California, described as follows:

LOT 47 IN BLOCK 9 OF TRACT NO. 4952 IN THE CITY OF LOS ANGELES IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 70 PAGE 31 ET SEQ., OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5220-027-004

EXHIBIT B
Form of Grant Deed to Property

RECORDING REQUESTED BY,
AND WHEN RECORDED MAIL TO:

City of Los Angeles
111 E. First Street, Room 201
Los Angeles, CA 90012
ATTN: _____

MAIL TAX STATEMENTS TO SAME
ADDRESS AS ABOVE

Space above this line for Recorder's Use Only

APN(s): 5220-027-004

Documentary transfer tax is \$ _____
() computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at the time of sale.
() Unincorporated area () City of _____
() Realty not sold.

GRANT DEED

For good and valuable consideration, the receipt of which is hereby acknowledged, **W.E. HALL COMPANY, INC.**, a California corporation ("**Grantor**"), does hereby grant and convey to **CITY OF LOS ANGELES**, a municipal corporation, acting by and through its Board of Recreation and Parks Commissioners ("**Grantee**"), all the real property situated in the County of Los Angeles, State of California, described at Exhibit A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD, the above granted and described premises, together with all tenements, hereditaments, and appurtenances, including leases, improvements, fixtures, timber, water, crops, oil, gas and minerals located in, under, and on it, and all rights appurtenant to it, including, but not limited to, timber rights, water rights, grazing rights, access rights, and oil, gas and mineral rights, development rights, air rights, and all other rights, privileges, licenses, and permits owned by Grantor (if any) and in any way related to or accruing to the use and benefit of that real property, unto Grantee, and its assigns.

IN WITNESS WHEREOF, Grantor has executed this instrument this _____ day of _____, 2017.

W.E.HALLCOMPANY, INC.
a California corporation

By: Exhibit Only—Do not Sign
Name: _____

Title: _____
[***add notary page***]

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION

Real property in the City of Los Angeles, County of Los Angeles, State of California,
described as follows:

LOT 47 IN BLOCK 9 OF TRACT NO. 4952 IN THE CITY OF LOS ANGELES IN THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN
BOOK 70 PAGE 31 ET SEQ., OF MAPS, IN THE OFFICE OF THE COUNTY
RECORDER OF SAID COUNTY.

APN: 5220-027-004

APPROVED

REPORT OF GENERAL MANAGER

NO. 15-067

DATE April 01, 2015

APR 01 2015
BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PROPOSITION K - L.A. FOR KIDS PROGRAM 9TH FUNDING CYCLE
GRANT PROPOSALS - AUTHORIZATION TO SUBMIT GRANT
APPLICATIONS; RESOLUTION

R. Adams

V. Israel

for R. Barajas

USD

K. Regan

H. Fujita

N. Williams

[Signature]

General Manager

Approved *as amended see attached*

Disapproved

Withdrawn

RECOMMENDATIONS:

That the Board:

1. Authorize the Department of Recreation and Parks' (RAP) General Manager, or his designee, to submit the Proposition K 9th Funding Cycle grant proposals for the proposed capital improvement projects, as detailed in the attached project list (Attachment No. 1), to the Proposition K L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request for Proposals; and,
2. Adopt the accompanying Resolution designating RAP's General Manager, or his designee, as the person authorized to obligate the grantee and execute all contractual documents required of successful grantee agencies for the Proposition K 9th Funding Cycle Request for Proposal process;
3. Authorize RAP's General Manager, or his designee, to make technical corrections, as necessary, to the proposed project list included in this Report.

REPORT OF GENERAL MANAGER

PG. 2

NO. 15-067

SUMMARY:

In 1996, Proposition K was passed and created a citywide assessment district that generates \$25,000,000 each year for a period of 30 years. The funds generated from the Proposition K assessments are to be used for capital improvement projects involving the acquisition, development, improvement, and restoration of parks and recreational facilities in the City of Los Angeles. Through a separate process, a portion of the Proposition K assessments also provides maintenance funds on an annual basis for those facilities improved using Proposition K funds. Over the 30-year period, Proposition K Program is required to distribute \$143,650,000 of the \$750,000,000 in assessments through an open and competitive process to eligible governmental agencies, City departments and nonprofit organizations. For the 9th Grant Funding Cycle, approximately \$26.6 million has been made available for eligible projects.

On January 29, 2015, the L.A. for Kids Steering Committee, on behalf of the City of Los Angeles, released the Proposition K 9th Funding Cycle Request for Proposals (RFP) inviting proposals to be submitted by eligible proposers for eligible projects for the Proposition K L.A. for Kids Program. The deadline for submission of the grant proposals is April 30, 2015.

In concurrence with the concerned Council Offices and RAP's Planning, Construction and Maintenance Branch staff, seventeen (17) capital improvement projects have been identified for submission of proposals for the Proposition K 9th Funding Cycle competitive grant funds. Pursuant to the RFP, grant proposals must include a Board resolution authorizing submission of the proposals, committing to make the property available for the projects, and specifying the person(s) authorized to obligate the grantee and execute all contractual documents required of successful Proposition K grantee agencies.

RAP's Planning, Construction and Maintenance Branch staff has assessed the proposed projects and determined that the listed projects meet the criteria for eligible Proposition K projects. Staff has also developed the related project cost estimates. There is no match requirement associated with this grant program; however, supplemental funding is encouraged.

Prior to undertaking the activities for which each grant is being sought, as lead agency for the projects, RAP must perform, complete, and certify the adequacy of the environmental review in accordance with the California Environmental Quality Act (CEQA).

REPORT OF GENERAL MANAGER

PG. 3

NO. 15-067

FISCAL IMPACT STATEMENT:

Grant awards will cover Fiscal Years 2016-17, 2017-18 and 2018-19. There is no anticipated fiscal impact on the Department's General Fund for the completion of these projects. Sixteen (16) of the proposals are for improvements to existing park facilities and therefore, the Department does not anticipate to have any increase in the maintenance costs. The one (1) acquisition application being proposed is for the acquisition of the El Sereno Arroyo Playground. The property is owned by the State and currently operated and maintained by RAP through a lease agreement. Since the parcel is already maintained by RAP, it is not anticipated that maintenance costs for this site will increase.

This Report was prepared by Cathie M. Santo Domingo, Superintendent, Planning, Construction and Maintenance Branch, and Isophine Atkinson, Senior Management Analyst, Grants Administration.

ATTACHMENT NO. 1Department of Recreation and Parks
Planning, Construction and Maintenance BranchProposition K – L.A. for Kids Program 9th Funding Cycle
Project Recommendations

No.	Facility	Council District	Scope of Work
1	Baldwin Hills Recreation Center	10	Replace/upgrade existing lighting
2	Banning RC	15	Replace/upgrade existing lighting
3	Brand Park	7	Replace/upgrade existing lighting
4	Cheviot Hills RC	5	Replace/upgrade existing lighting
5	El Sereno Arroyo Playground	14	Acquisition
6	Highland Park RC	1	Replace/upgrade existing lighting
7	Lemon Grove Park	13	Replace/upgrade existing lighting
8	Mt Carmel RC	8	Replace/upgrade existing lighting
9	North Hollywood Park	2	Replace/upgrade existing lighting
10	Northridge	12	Replace/upgrade existing lighting
11	Reseda Park	3	Replace/upgrade existing lighting
12	Sepulveda RC	6	Upgrade sports field lighting
13	South Park	9	Replace/upgrade existing lighting
14	Van Ness Pool	8	Remove and replace existing pool and bathhouse
15	Van Nuys Sherman Oaks	4	Replace/upgrade existing lighting
16	Westchester RC	11	Replace/upgrade existing lighting
17	Yosemite Recreation Center	14	Replace/upgrade existing lighting

RESOLUTION NO. _____

WHEREAS, the passage of Proposition K in 1996 created a Citywide assessment district that generates \$25,000,000 each year in funds for the acquisition, development, improvement, restoration, and maintenance of park and recreation facilities through an annual assessment on all properties within the City of Los Angeles over a thirty (30)-year period; and

WHEREAS, Proposition K is required to allocate \$143,650,000 of the total amount generated over thirty (30) years through an open and competitive process for governmental agencies, City departments, and non-profit organizations; and

WHEREAS, the Proposition K L.A. for Kids Steering Committee, on behalf of the City of Los Angeles, has released the Proposition K 9th Funding Cycle Request For Proposals inviting proposals to be submitted for eligible capital improvement and/or acquisition projects for the Proposition K L.A. for Kids Program; and

WHEREAS, the Proposition K L.A. for Kids Program has made available approximately \$16.9 million for the Proposition K competitive grant process for the 9th Funding Cycle commencing July 1, 2016, and ending June 30, 2019; and

WHEREAS, there are three categories for which a project may be eligible for Proposition K funding, two (2) categories are for the construction or improvement of facilities, and one (1) category is for the acquisition of parks and/or natural lands;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Recreation and Park Commissioners authorizes the General Manager of the Department of Recreation and Parks or designee to submit grant applications for the proposed capital improvement projects, as detailed in Attachment No. 1, to the Proposition K – L.A. for Kids Program in response to the Proposition K 9th Funding Cycle Request For Proposals; and

BE IT FURTHER RESOLVED, that the Board commits to making the properties on Attachment No. 1 available for purposes of the projects and its related programs and services thereto, if awarded grant funds; and

BE IT FURTHER RESOLVED, that the Board authorizes the General Manager of the Department of Recreation and Parks or designee to obligate the grantee and execute all contractual documents required of successful Proposition K grantee agencies.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on _____ (Board Report No. _____).

LATONYA D. DEAN, Board Secretary

RESOLUTION NO _____

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING
BOARD OF RECREATION AND PARK COMMISSIONERS
April 1, 2015

15-067

PROPOSITION K – L.A. FOR KIDS PROGRAM 9TH FUNDING
CYCLE GRANT PROPOSALS – AUTHORIZATION TO SUBMIT
GRANT APPLICATIONS; RESOLUTION

Cathie Santo Domingo, Superintendent, amended the last sentence of the first paragraph on page 2 to read as follows:

“For the 9th Grant Funding Cycle, approximately ~~\$26.6~~ \$16.9 million has been made available for eligible projects.”

She also amended the fourth recital of the accompanying resolution to reflect the same change.

She further amended the report to replace Attachment 1 of the report, Proposition K – L.A. for Kids Program 9th Funding Cycle Project Recommendations, with a version that replaced Brand Park with Ritchie Valens Park, identified funding categories, and included the estimated funding request amounts.

**Department of Recreation and Parks
Planning, Construction and Maintenance Branch**

**Proposition K - L.A. for Kids Program 9th Funding Cycle
Project Recommendations - April 1, 2015**

Funding Category - Aquatics Upgrade

Estimated Available Funding Amount - \$4,588,051

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	Van Ness Pool	5720 2nd Ave., Los Angeles	8	Remove and replace existing pool and bathhouse	\$ 4,500,000
Total =					\$ 4,500,000

Funding Category - Lighting

Estimated Available Funding Amount - \$6,586,496

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	Baldwin Hills Recreation Center	5401 Highlight Pl., Los Angeles	10	Replace/upgrade existing lighting	\$ 450,000
2	Banning Recreation Center	1331 Eubank Ave., Wilmington	15	Replace/upgrade existing lighting	\$ 450,000
3	Cheviot Hills Recreation Center	2551 Motor Ave., Los Angeles	5	Replace/upgrade existing lighting	\$ 400,000
4	Highland Park Recreation Center	6150 Piedmont Ave., Los Angeles	1	Replace/upgrade existing lighting	\$ 420,000
5	Lemon Grove Park	4959 Lemon Grove Ave., Los Angeles	13	Replace/upgrade existing lighting	\$ 420,000
6	Mount Carmel Recreation Center	830 W. 70th St., Los Angeles	8	Replace/upgrade existing lighting	\$ 430,000
7	North Hollywood Park	11430 Chandler Bl., North Hollywood	2	Replace/upgrade existing lighting	\$ 430,000
8	Northridge Park	18300 Lemarsh St., Los Angeles	12	Replace/upgrade existing lighting	\$ 450,000
9	Reseda Park	18411 Victory Bl., Reseda	3	Replace/upgrade existing lighting	\$ 450,000
10	Ritchie Valens Park	10731 Laurel Canyon, Pacoima	7	Replace/upgrade existing lighting	\$ 450,000
11	Sepulveda Recreation Center	8825 Kester, Panorama City	6	Replace/upgrade existing lighting	\$ 420,000
12	South Park	345 E. 51st St., Los Angeles	9	New soccer field lighting	\$ 500,000
13	Van Nuys Sherman Oaks Park	14201 Huston St., Sherman Oaks	4	Replace/upgrade existing lighting	\$ 450,000
14	Westchester Recreation Center	7000 W. Manchester Ave., Los Angeles	11	Replace/upgrade existing lighting	\$ 420,000
15	Yosemite Recreation Center	1840 Yosemite Dr., Los Angeles	14	Replace/upgrade existing lighting	\$ 450,000
Total =					\$ 6,590,000

Funding Category - Acquisition of Parks / Natural Lands

Estimated Available Funding Amount - \$5,779,888

No.	Facility	Address	Council District	Scope of Work	Estimated Funding Request
1	El Sereno Arroyo Playground	Intersection of Concord and Alhambra	14	Acquisition	TBD
Total =					\$ -

APPROVED
JUN 15 2011

REPORT OF GENERAL MANAGER

NO. 11-186

DATE June 15, 2011

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ALHAMBRA AVENUE AND CONCORD AVENUE – COMMUNITY GARDEN/OPEN SPACE – APPROVAL OF LEASE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

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

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed twenty five-year Lease Agreement, substantially in the form on file in the Board Office, between the State of California Department of Transportation (Caltrans) and the City of Los Angeles (City) for the leasing of Caltrans property, located at the corner of Concord Avenue, Lowell Avenue, and Alhambra Road in El Sereno, to be developed and maintained as a community garden and/or open space, subject to the approval of the Mayor, and the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 3 and concurrently to the City Attorney for review and approval as to form;
3. Authorize the Board President and Secretary to execute the proposed Agreement upon receipt of the necessary approvals; and,
4. Authorize staff to draft and issue (if necessary) a temporary Right of Entry Permit to the designated/authorized non-profit until the proposed operation/maintenance/partnership agreements are executed.

REPORT OF GENERAL MANAGER

PG. 2

NO. 11-186

SUMMARY:

The City of Los Angeles' Department of Recreation and Parks (RAP), Caltrans, Council Office Fourteen and the El Sereno Community have been in discussions over the possibility of leasing a property from Caltrans located at 5520 Concord Avenue, Los Angeles, California 90032 and more commonly described as the real property at the corner of Concord Avenue, Lowell Avenue and Alhambra Road. The proposed plan is to lease the vacant site and develop the site into a community garden or open space area that can be enjoyed by the surrounding community. All parties involved in the discussions of the vacant site agree that the site's use would better serve the community if it was developed into an open space area that could add to the recreational enjoyment of the community.

The area in question is a low income area that lacks open space area that kids and adults can enjoy. The leasing of the site would add much needed open space and help meet the request of both the community and council office for additional recreational open space in the area. Caltrans also agrees that the site would better serve the States' interest and community's interest if the site was maintained as an open space area that can be enjoyed by the community's children.

Also, it is hoped that this continued cooperation between RAP and Caltrans will lead to the development and use of this and other potential sites as additional open space sites for recreational uses in the area. If this is accomplished, this will help address the shortage of open space available for use by the community and at the same time prevent the vacant sites from becoming blighted, and crime ridden areas within the community of El Sereno. The addition of this site and others as open space would help meet both the Mayor's goal and RAP's goal of providing more recreational open space in areas of low income, and in areas that lack park space.

As the Partnership Program evolves and grows, the plan is for a non-profit to maintain the lease site through a partnership agreement at no cost to RAP or to Caltrans. In the meantime a Right of Entry Permit would be issued to the non-profit that would allow for the maintenance of the site. The Los Angeles Conservation Corps (LACC) has been proposed as a possible entity that could maintain the site for RAP based on its expertise in managing these types of sites. LACC has and does maintain other Caltrans sites for RAP, and its experience and efficiency has proven to be a successful relationship and partnership for RAP; and a benefit to the communities that are served by this arrangement.

The current operator of the El Sereno Community Garden is LACC. LACC develops and trains a local community person to manage and maintain the garden. This lead person organizes a gardening council that governs the site. Technical and general education about gardening, horticulture and related subject matters are provided at the site by LACC to the community. LACC is also very successful in providing opportunities and training for the youth of the community. LACC oversees and enforces all rules and regulations governing the use of the site and has worked effectively with other government agencies such as the United States Department of Agriculture in ensuring the

REPORT OF GENERAL MANAGER

PG. 3

NO. 11-186

garden is in compliance. The LACC assumes liability and responsibility for maintaining and operating the community garden at its own expense. Funding provided by LACC, facilitates the development and maintenance of the community garden site. This project has proven to be a great example of inter-agency cooperation, and has demonstrated the potential for similar successful partnerships between government agencies and non-profits. LACC is also capable of maintaining the area as open space recreational area as it does with a portion of the El Sereno Community Garden. It should be noted that it has been suggested that the property could be developed as a dog park. At this time, no decision has been made other than to keep the property as open space.

The proposed lease between the RAP and Caltrans is for a term of twenty-five (25) years. RAP will be required to pay an annual fee of one hundred dollars (\$100) for the use the Caltrans Property. The proposed Lease will also allow for the development of an open space recreation facility/park which the surrounding community has been requesting for several years. Caltrans approves and supports the proposed project development and agrees with the City's efforts to enhance the quality of life for the surrounding community. Caltrans has indicated its willingness and support for this project by offering a lease for twenty-five (25) years, with the City of Los Angeles for the operation and maintenance of open space or a community garden at the same site. The term of this agreement will also make it possible for the site to be eligible for additional grant funding to develop the site.

The community project site, which will be open to the public, will continue to enhance the quality of life, beautify the surrounding community, and instill a strong sense of pride in the community and its youth through the development of the site into a park recreation, and/or open space. The Office of Council District Fourteen, Caltrans, and RAP strongly support this project, and wish to continue these successful partnerships that are providing much needed green open space in a low income neighborhood. It is the intent of RAP and the Council Office of District 14 that the vacant site in El Sereno will be developed and maintained as a community garden or open space recreation area by a non-profit at no expense or liability to RAP or the City of Los Angeles. The leasing of this site offers RAP another option for increasing park space for an annual lease cost of \$100 to RAP.

Staff has determined that the project will consist of the issuance of a lease agreement to allow minor alterations to land, water and vegetation in the development of the community garden or open space. Therefore, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 4 (3, 7) of the City CEQA Guidelines.

As stated above, this Project has very strong support from the Councilmember for the Fourteenth District, the Community of El Sereno, as well as support from Caltrans and RAP staff.

REPORT OF GENERAL MANAGER

PG. 4

NO. 11-186

FISCAL IMPACT STATEMENT:

All costs and any liabilities associated with this Lease will be incurred by the approved non-profit. The annual lease cost of \$100 will be paid from Planning, Construction and Maintenance Leasing Account, Fund 302 Department 88 Account 6030.

This report was prepared by John Barraza, Management Analyst II of Real Estate and Asset Management Division.

APPROVED
JAN 02 2013

REPORT OF GENERAL MANAGER

NO. 13-001

DATE January 2, 2013

BOARD OF RECREATION
AND PARK COMMISSIONERS

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ALHAMBRA AVENUE AND CONCORD AVENUE - ACCEPTANCE OF
LANDSCAPE AND RECREATIONAL IMPROVEMENTS INSTALLED BY THE
TRUST FOR PUBLIC LAND; NAMING OF PARK AS EL SERENO ARROYO
PLAYGROUND

R. Adams _____

K. Regan _____

H. Fujita _____

*M. Shull amp

V. Israel _____

N. Williams _____

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Accept landscape and recreational improvements installed at 5520 Concord Avenue pursuant to the Donation Agreement 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 as a gift from TPL;
2. Authorize the Board Secretary to furnish TPL with a letter of acceptance;
3. Approve the naming of the property located at 5520 Concord Avenue, Los Angeles, California 90032, as El Sereno Arroyo Playground; and,
4. Authorize the installation of appropriate park signage and acknowledgement signage.

SUMMARY:

On May 17, 2010, the Board of Recreation and Park Commissioners (Board) approved a Donation Agreement (Agreement) between RAP and TPL, a non-profit organization, 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

REPORT OF GENERAL MANAGER

PG 2

NO. 13-001

order to add two additional park acquisition and/or development projects to the list of prospective properties (Board Report No. 12-237).

As detailed in the Agreement, TPL and RAP are to collaborate on the preparation and submittal of grant applications and conceptual plans for the prospective park projects identified in Exhibit A of the Agreement. Once funding is successfully identified and awarded to those prospective park projects, TPL is responsible to coordinate the acquisition (where necessary), development, and construction of each park project. TPL is required to develop plans for each park project and present those plans to RAP for review and approval. 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.

One of the prospective park projects identified in Exhibit A of the Agreement is the El Sereno Park project, which proposed the development of a new public park at Alhambra Avenue and Concord Avenue (5520 Concord Avenue).

Alhambra Avenue and Concord Avenue (5520 Concord Avenue) - El Sereno Park Project

On June 15, 2011, the Board approved a twenty-five-year Lease Agreement between the State of California Department of Transportation (Caltrans) and the City for the lease of Caltrans property located at 5520 Concord Avenue, at the corner of Concord Avenue, Lowell Avenue, and Alhambra Road in the El Sereno community of the City, for use as public open space (Board Report No. 11-186).

Pursuant to the Donation Agreement, TPL worked with RAP to develop a conceptual plan for the improvement of the property. The plan was developed using the results of outreach and public workshops performed by TPL in partnership with RAP and local community organizations.

The project scope of work included a perimeter walking path, fitness equipment, a playground, picnic tables, seat walls and decorative fencing, landscaping, and a children's sensory garden specifically designed for young children ages up to 5 year old. The sensory garden was designed to provide a range of natural sensory experiences to stimulate and support early childhood development, including motor and sensory skill development, strength building, and sensory integration encouraging visual, olfactory, aural, and tactile tolerance and learning.

The total cost of the project was approximately \$1,100,000. Project funding was comprised of grants, donations, and in-kind resources from both public and private sources. Project funders, partners, and donors included: PlayCore, First 5 LA, National Recreation and Park Association, The Rosalinde and Arthur Gilbert Foundation, Aileen Getty, Grifols, EPT DESIGN, Breen Engineering,

REPORT OF GENERAL MANAGER

PG 3

NO. 13-001

Inc., Assemblymember Gil Cedillo, Concerned Neighbors of El Sereno, LA-32 Neighborhood Council, Sierra Park Elementary, Heritage Disposal, LA Conservation Corps, Wilson High School, Valley Crest Landscape Companies, Kaiser Permanente, Union Bank Foundation, and Los Angeles Neighborhood Initiative.

The project is now complete, and TPL has furnished RAP with the required permits, drawings, operation and maintenance manuals, warranties and guarantees.

Proposed Naming

Per Section III.F of the Instruction on Naming Parks and Recreation Centers (Board Report No. 701, 1974 and Board Report No. 381, 1976), "The Planning staff designates temporary names for proposed or newly acquired sites for purposes of administration and accounting. These names are used only until formal naming can be made." Per the Instruction on Naming Parks and Recreation Centers, the geographic location of the park was used in designating the temporary name of Alhambra Avenue and Concord Avenue.

During the planning and construction of the project TPL received suggestions from the community for the naming of the park. In response, TPL established a process for community members to recommend and vote on the proposed name for the park and solicited the assistance of an independent election administrator to oversee the vote counting. On October 11, 2012, a large number of community members came out to the park in order to cast their ballots. The most popular entry was for the name El Sereno Arroyo Playground.

On November 9, 2012, staff presented and discussed the proposed name of the new park at the Facility Maintenance and Repair Task Force meeting.

In keeping with the expressed desires of the local community and the Instruction on Naming Parks and Recreation Centers - which encourages the use of community and geographic based names - staff recommends formally naming the park located at 5520 Concord Avenue as El Sereno Arroyo Playground. It should be noted that the formal naming of a park by the Board does not prohibit consideration of subsequent naming requests.

The completion of the naming process will allow for the installation of appropriate park signage at the site.

Staff has determined that the subject 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 4(3,7) of the City CEQA Guidelines. Staff finds that the Project has not substantially changed from that previously evaluated

REPORT OF GENERAL MANAGER

PG 4

NO. 13-001

that would not require any additional mitigation, nor have the environmental conditions at the site substantially changed. Therefore, no additional CEQA documentation is required.

FISCAL IMPACT STATEMENT:

The maintenance cost of the park has not yet been determined. Maintenance funds for the new park will be requested as part of the annual City budget process.

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



EQUITABLE PARKS & AMENITIES
DECISION SUPPORT SYSTEM

Park Analysis Report



Scenario Information

Scenario Name:
El Sereno Arroyo Play Ground and Expansion

Description:
New Park

Scenario Type:
New Park

Park Class:
Neighborhood

Baseline Dataset*:
All Parks (RAP and Non-RAP)

*The baseline dataset is the existing parks dataset whose service areas are used to calculate the currently non-served metrics given below in blue. These residents and households, which would be served by the proposed park, are not currently served by any existing park in the baseline dataset.

Population and Age Breakdown

Household and Income Breakdown

	Total Residents Served:	Currently Non-Served Residents Served:
Residents Served:	2,370	2,370

	Total Households Served:	Currently Non-Served Households Served:
Households Served:	708	708

Residents Served by Age		
Under Age 5:	153	153
Age 5 to 9:	140	140
Age 10 to 14:	177	177
Age 15 to 17:	109	109
Age 18 to 64:	1,463	1,463
Age 65 and Over:	328	328

Households Served by Annual Income		
Under \$25,000:	69	69
\$25,000 to \$34,999:	108	108
\$35,000 to \$49,999:	112	112
\$50,000 to \$74,999:	180	180
\$75,000 and Over:	239	239

Source: Census/ACS 2010