

REPORT OF GENERAL MANAGER

NO. 05-232

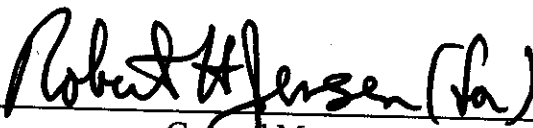
DATE September 14, 2005

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HANSEN DAM RECREATION AREA - AMENDMENTS TO GROUND LEASE AND OPERATING AGREEMENT BETWEEN THE CITY AND THE CHILDREN'S MUSEUM OF LOS ANGELES

J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	*M. Shull	<u>MS</u>

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Consider, in accordance with Section 15164 (c-d) of the State CEQA Guidelines, the Final Mitigated Negative Declaration (MND) for the Los Angeles Children's Museum at Hansen Dam that was adopted by the Board on May 22, 2000, and its Addendum, dated August 19, 2005, finding that the proposed changes to the project will not result in any new significant environmental effects or any substantial increase in the severity of the significant effects previously identified in the adopted MND, nor in any new or modified mitigation measures or alternatives;
2. Approve the proposed second amendment, substantially in the form on file in the Board Office, to the ground lease between the City and the CMLA which incorporates additional museum premises, lease terms, and parking area as described in the summary below, subject to the approval of the Mayor, City Council, and the City Attorney as to form;
3. Approve the proposed second amendment, substantially in the form on file in the Board Office, to the operating agreement between the City and the CMLA which incorporates additional museum premises, lease terms, and parking area as described in the summary below, subject to the approval of the Mayor, City Council, and the City Attorney as to form;

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4. Direct the Board Secretary to transmit the proposed amendments to the Mayor in accordance with Executive Directive No. 16 for review and recommendation, and concurrently to the City Attorney for review as to form, and; upon obtaining their approvals, request that the amendments be forwarded to the City Council for approval; and,
5. Upon obtaining all required approvals, authorize the Board President and Secretary to execute the amendments.

### SUMMARY:

On May 22, 2000, the Board approved Report No. 00-195 and adopted Resolution No. 9858 authorizing the relocation of the Los Angeles Children's Museum to a 0.85 acre vacant site owned by the Department of Recreation and Parks (Department) and located adjacent to the Hansen Dam Recreation Area near the intersection of Foothill Boulevard and Osborne Street. The Board also approved a fifty-year ground lease between the City and the Children's Museum of Los Angeles (CMLA) for use of the site and authorized the Department's General Manager to negotiate and execute an operating agreement with the CMLA for the construction, operation, and maintenance of a children's museum. The fifty-year ground lease was executed on June 28, 2000, and the operating agreement was executed on June 27, 2001.

The initial plans for the children's museum specified that the entire project would be constructed on the 0.85 acre Hansen Dam site and adjacent portion of vacated Stonehurst Avenue (Exhibit A). Although the majority of the museum building will be constructed on the Department's Hansen Dam site, the CMLA has revised the project so that a portion of the building and certain outdoor features will extend onto adjacent property owned by the US Army Corps of Engineers (Corps) and leased to the City under a fifty-year lease agreement. The portion of building and outdoor features that are planned to be constructed on Corps property include: museum ticket box office, museum store, restrooms, outdoor garden, and entrance gate (Exhibit B).

The lease between the City and Corps specifically allows the City to enter into third party agreements for use of leased Corps property at the Hansen Flood Control Basin. In discussions with Department staff and the CMLA, the Corps has agreed to allow the revised museum project elements to be constructed on Corps property under lease to the City provided all terms and conditions of the lease are observed. The fifty-year City/Corps lease was executed in January 1969. Although it is anticipated that this lease will be renewed, the City can currently provide use of the subject Corps property to the CMLA for only that period of time remaining in the lease term.

In order to satisfy zoning requirements for the children's museum project, the Department, with the concurrence of the CMLA and approval of the Corps, proposes to designate an area off Dronefield Avenue within 750 feet of the museum building for museum visitor parking. This paved lot, part of the City's leasehold from the Corps, is overflow parking for the Hansen Dam Recreation Area and is currently not designated for any particular facility.

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In accordance with the requirements of the California Environmental Quality Act (CEQA) and its Guidelines, a Mitigated Negative Declaration (MND) was prepared for the Children's Museum. The Final MND and associated Mitigation Monitoring Program were adopted by the Board on May 22, 2000, and by the City Council on May 24, 2000. A Notice of Determination was filed with the Los Angeles City Clerk and County Clerk on June 20, 2000.

With respect to the proposed changes to the Children's Museum project, an evaluation was made, in accordance with Section 15162(a) of the State CEQA Guidelines, on whether a subsequent MND would have to be prepared, thus requiring public review, or whether an Addendum to the Final MND could be prepared (Section 15164(b) of the State CEQA Guidelines) if only minor technical changes or additions were involved.

With respect to the conditions set forth in Section 15162(a), it was determined that since the project involves no substantial changes, no new information of substantial importance, nor any new or modified mitigation measures or alternatives, no major revisions in the adopted MND were required. Therefore, a subsequent MND was not required to be prepared. Consequently, an Addendum to the Final MND was prepared. In accordance with Section 15162(3)(A)-(D) of the State CEQA Guidelines, copies of the Addendum and the Final MND have been provided to the Board to consider prior to taking any action on approving the amendments to the ground lease and the operating agreement.

Staffs from Operations West and the Seventh Council District have been consulted and concur with this report's recommendations.

### FISCAL IMPACT STATEMENT:

The proposed amendments will not have any fiscal impact to the City.

Prepared by Drew Tolliffe, Real Estate and Asset Management, and David Attaway, Environmental Section.