

APPROVED

MAY 01 2013

**BOARD OF RECREATION
& PARK COMMISSIONERS**

REPORT OF GENERAL MANAGER

NO. 13-105

DATE May 3, 2013

C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GAGE AND AVALON TRIANGLE POCKET PARK – FIFTEEN YEAR LEASE AGREEMENT BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND LOS ANGELES NEIGHBORHOOD LAND TRUST (LANLT) FOR PARK DESIGN, CONSTRUCTION AND MAINTENANCE

R. Adams _____
H. Fujita _____
V. Israel _____

K. Regan _____
*M. Shull ms
N. Williams _____

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Lease Agreement with the Los Angeles Neighborhood Land Trust (LANLT), substantially in the form on file in the Board Office for the design, construction and maintenance of the Gage and Avalon Triangle Pocket Park (Park), subject to the approval of the Mayor, City Council, and the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Lease Agreement to the Mayor in accordance with Executive Directive 3 for review and approval and, concurrently, to the City Attorney for review and approval as to form; and,
3. Direct the Board President and Secretary to execute the Lease Agreement upon obtaining the required approvals.

SUMMARY:

On January 29, 2013 the City Council adopted the action(s) under Council File (CF) No. 12-1902, instructing the Department of General Services (GSD) and requesting the Department of Recreation and Parks (RAP) to effectuate the transfer of a City-owned vacant street triangle at the intersection of Gage Avenue and Avalon Boulevard, at the approximate street address of 6301-6309, and as described in the legal description attached to CF No. 12-1902, included in this Report as Exhibit A, from the jurisdiction of the Department of

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Public Works (DPW) to the jurisdiction of RAP, at no cost to RAP, to be developed as a park. The Motion, CF 12-1902, further requests that RAP pursue a street vacation of the public Right-of-Entry (ROE) included in the legal description; provide to Los Angeles Neighborhood Land Trust (LANLT) a ROE permit to develop and construct said park; and, enter into a fifteen (15) year Lease agreement with LANLT beginning on the Certificate of Occupancy, Notice of Completion or Certificate of Completion is issued for the premises. Furthermore, CF No. 12-1902 authorizes the Department of Public Works Bureau of Engineering (BOE) to issue construction permits as necessary to LANLT.

On March 20, 2013, the Board of Recreation and Parks Commissioners adopted Board Report No. 13-071, approving the transfer of said triangle-shaped median street property at the corner of Gage Avenue and Avalon Boulevard with the approximated street address of 6301 – 6309 South Avalon Boulevard, Los Angeles, California 90003 from the jurisdiction of DPW to RAP; and authorizing RAP staff to pursue the processing of a street vacation for a portion of the transferred property, in accordance with the City Council's intended purpose to transfer and create the street median into a park, as indicated in CF No. 12-1902. In addition, the issuance of a necessary ROE permit to LANLT to develop and maintain the site was approved by the Board on March 20, 2013 by the Board's adoption of the recommendations in Board Report No. 13-071 on that date.

CEQA:

Staff has determined that the proposed transfer of jurisdiction, street vacation, and right to develop the property, along with the construction of the proposed improvements to create a new pocket park, are all actions that are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 4(7), Class 5(3), and Class 11(6) of the City CEQA Guidelines, and Article 19, Section 15325(f) of the State CEQA Guidelines.

Council District 9 and RAP Assistant General Manager of Planning, Construction and Maintenance Branch are in support of the Recommendations as set forth by RAP.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the RAP's General Fund associated with this action. Improvements to the Gage and Avalon Triangle Pocket Park site will be made by LANLT. By this fifteen (15) year Lease, LANLT will be responsible for the maintenance, operations and community services of Gage and Avalon Triangle Pocket Park for that term, at no expense to the RAP.

This report was prepared by Gregory Clark, Management Analyst II, Real Estate and Asset Management Section.