

REPORT OF GENERAL MANAGER

**APPROVED**  
**SEP 07 2011**

NO. 11-231

DATE September 7, 2011

C.D. 6

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: SEPULVEDA FLOOD CONTROL BASIN LEASE – SUPPLEMENTAL AGREEMENT NO. 5 AND SUPPLEMENTAL AGREEMENT NO. 6 TO LEASE NO. DACW09-1-67-11 BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE ARMY CORPS OF ENGINEERS

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

*[Signature]*  
General Manager

Approved *[Signature]*

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Supplemental Agreement No. 5 to Government Lease No. DACW09-1-67-11, substantially in the form on file in the Board Office, adding approximately 61.57 acres to the existing 1,526.80 acres under the lease thereby increasing the total number of acres under the lease to approximately 1,588.36 acres, subject to the approval of the Mayor, and the City Attorney as to form;
2. Approve a proposed Supplemental Agreement No. 6 to Government Lease No. DACW09-1-67-11, substantially in the form on file in the Board Office, removing approximately 1.5 acres from the existing 1,588.36 acres under the lease thereby decreasing the total number of acres under the lease to approximately 1,586.86 acres, subject to the approval of the Mayor, and the City Attorney as to form;
3. Direct the Board Secretary to transmit the proposed Supplemental Agreement No. 5 and Supplemental Agreement No. 6 to the Mayor for review and approval in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,

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4. Authorize the Board President and Secretary to execute Supplemental Agreement No. 5 and Supplemental Agreement No. 6 upon receipt of the necessary approvals.

### SUMMARY:

The United States Army Corps of Engineers (CORPS) has presented the City of Los Angeles Department of Recreation and Park (RAP) two separate Supplemental Agreements to Lease No. DACW09-1-67-11: Supplemental Agreement No. 5 and Supplemental Agreement No. 6. These two agreements have been prepared and presented separately for ease of tracking two separate City of Los Angeles projects within the Sepulveda Flood Control Basin.

On January 5, 1967, Lease No. DACW09-67-11 was entered into between the City of Los Angeles and the United States Army Corps of Engineers to use and occupy, for public park and recreation purposes, approximately 1,641.48 acres of land and water area located within the boundaries of the Sepulveda Flood Control Basin, Los Angeles County, California, for a term of fifty (50) years. Subsequently, four (4) Supplemental Agreements have been entered into. The first three (3) supplemental agreements deleted approximately 114.68 acres from the lease and the fourth supplemental agreement extended the term of the lease until January 2042 and added particular conditions to the lease.

The significance of Supplemental Agreement No. 5 is the increase by approximately 61.57 acres to the existing 1,526.80 acres under the lease thereby extending the total number of acres under the lease to approximately 1,588.36 acres. In all other respects, the terms and conditions of the lease remain unchanged. These additional acres are being developed as the Sepulveda Basin Sports Complex.

Staff has determined that the underlying activity, namely the Sepulveda Basin Sports Complex, for which the proposed amendment to the lease agreement will include, has already been previously evaluated for environmental significance and processed in accordance with the requirements of the City CEQA Guidelines. A Joint Environmental Assessment/Mitigated Negative Declaration was prepared and adopted by the Board on March 19, 2008, and a Notice of Determination was officially filed with the Los Angeles City and County Clerks on March, 25, 2008. Therefore the proposed amendment to the lease agreement is Statutorily Exempt from CEQA pursuant to Article II, Section 2(i) of the City CEQA Guidelines.

The significance of Supplemental Agreement No. 6 is the deletion of approximately 1.5 acres from the existing 1,588.36 acres under the lease (determined by Supplemental Agreement No. 5) thereby reducing the total number of acres under the lease to approximately 1,586.86 acres. In all other respects the terms and conditions of the lease remain unchanged.

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The City of Los Angeles Department of Transportation (LADOT) is entering into an agreement with the CORPS for the 1.5 acres for development as the Encino Park and Ride facility. The CORPS determined to remove the acreage from the RAP lease as it will be a transportation facility and will no longer serve a recreation function.

FISCAL IMPACT STATEMENT:

A budget request of \$65,000 a year to maintain this facility will be requested in the next budget cycle, which will include funding for staffing, materials, and supplies. This request will provide daily maintenance, seven days a week, year round. If the funding is not granted, this facility will be included in the existing Valley Region routes which will result in reduction of core functions on existing routes.

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