

REPORT OF GENERAL MANAGER

NO. 15-224

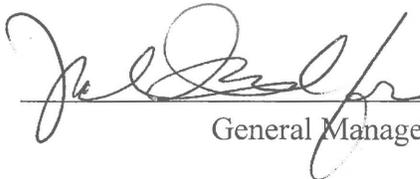
DATE November 04, 2015

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ASCOT HILLS PARK – REVISED MEMORANDUM OF AGREEMENT WITH NORTH EAST TREES

*R. Barajas	<u>CSD fr</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____
V. Israel	_____		



General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Direct Department of Recreation and Parks' staff to include the appropriate and relevant provisions, as described in the Summary of this Report, in the Right-of-Entry Permit to be issued to North East Trees for the Ascot Hills Park Habitat Restoration and Greening Project;
2. Rescind approval of the Memorandum of Agreement (MOA) with North East Trees (NET) approved on June 18, 2015 through Report No. 15-140;
3. Approve a proposed MOA, substantially in the form on file in the Board Office, with North East Trees for the design, construction and maintenance of the Ascot Hills Park Habitat Restoration and Greening Project, subject to the approval of the Mayor and City Council, and of the City Attorney as to form;
4. Direct the Board Secretary to transmit the proposed Agreement to the Mayor, in accordance with Executive Directive No.3, and to the City Attorney for review as to form; and,
5. Authorize the Board President and Secretary to execute the MOA upon receipt of the required approvals.

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SUMMARY:

On June 18, 2015, the Board, through Report No. 15-140, approved a MOA with NET that specified the terms and conditions of each party for the design, construction and maintenance of the proposed Ascot Hills Park Habitat Restoration and Greening Project, for which the Board also, granted conceptual approval for in the same Report.

Under the proposed MOA, the Department of Recreation and Parks will maintain the improvements during the service payback period of twenty (20) years, and NET will complete all the design and construction of the proposed project.

Following the Board's approval of Report No. 15-140, the City Administrative Officer, who reviewed the agreement on behalf of the Mayor's Office, recommended the following:

1. That Indemnification Provisions, Insurance Requirements, Termination Provisions and other relevant provisions be included in the NET Right-of Entry Permit, subject to the approval of the City Attorney as to form.
2. That the Board amend the MOA to replace the Department of Recreation and Parks stipulations B and C of the MOA as follows:
 - B. The City of Los Angeles, Department of Recreation and Parks will implement oversight of the project, including the following activities, which may be further subject to the approval of the Department of Water and Power: completing all necessary environmental review, completing all necessary design review, and authorizing all planting activities.
 - C. The City of Los Angeles, Department of Recreation and Parks will maintain the park project and all installed amenities during the term of the land tenure requirement ending on March 31, 2037.
3. That the Board amend the MOA to replace the Agreement length language as follows:

The agreement, in accordance with NET California Urban Greening Grant Program Grant Agreement, is to be in effect at least until March 31, 2037.

The above recommendations were considered by the City Council, which requested that the Board implement the recommendations.

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Staff has reviewed the proposed clarifications and amendments and concurs with the recommendations.

At its meeting of June 18, 2015, the Board determined that the proposed project was categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Article III, Section 1, Class 4(2, 3, 7) of the City CEQA Guidelines. A Notice of Exemption was filed on July 2, 2015 with the Los Angeles County Clerk. No further CEQA determinations or actions are needed for this project.

FISCAL IMPACT STATEMENT:

Approval of the recommended clarifications and amendments will not have an impact to the Department of Recreation and Parks' General Fund.

This Report was prepared by Cid Macaraeg, Senior Management Analyst II of Real Estate and Asset Management Section, Planning, Construction and Maintenance Branch.