

**APPROVED**  
**JAN 21 2015**

REPORT OF GENERAL MANAGER \_\_\_\_\_

NO. 15-007

DATE January 21, 2015

**BOARD OF RECREATION  
& PARK COMMISSIONERS**

C.D. 9

**BOARD OF RECREATION AND PARK COMMISSIONERS**

**SUBJECT: 50 PARKS INITIATIVE – WAYS PARK PROJECT - PROPOSITION 84 STATEWIDE PARK PROGRAM – DONATION AGREEMENT BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND HEAL THE BAY FOR THE DEVELOPMENT AND CONSTRUCTION OF NEW PARKS IN LOS ANGELES; PRELIMINARY AUTHORIZATION TO ACQUIRE PROPERTY; APPROVAL OF CONCEPTUAL PLAN**

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

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

*as amended  
see attached*

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Donation Agreement (Agreement), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (Department) and Heal the Bay (HTB) for the acquisition, development, and construction of new parks in Los Angeles, subject to the approval of the Mayor, the City Council, and the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Agreement concurrently to the Mayor in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form;
3. Authorize the Board President and Secretary to execute the Agreement upon receipt of the necessary approvals;

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4. Take the following actions regarding the WAYS Park Project:
  - A. Preliminarily approve the transfer of jurisdiction of 0.38 acres of City owned surplus property, located at the southwest corner of McKinley Avenue and 87th Street (APNs 6042-003-900 and 6042-003-901), for the purpose of creating a new neighborhood park;
  - B. Authorize staff to work with General Services Department (GSD) to complete a transfer of jurisdiction of the 0.38 acres of City surplus property at the southwest corner of McKinley Avenue and 87th Street;
  - C. Direct staff to return to the Board for final authorization to accept the transfer of jurisdiction of said property upon the completion of due diligence requirements; and,
  - D. Approve the conceptual plan for the WAYS Park, as described in the Summary of this Report.

### SUMMARY:

On November 7, 2006, California voters passed the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006”, which authorizes \$5.4 billion in general obligation bonds for a number of State grant programs. One of the grant programs created is the Proposition 84 Statewide Park Program, which dedicated a total of \$368 million to make grant awards to projects that demonstrate the creation of new park and recreation facilities in proximity to the most critically underserved communities throughout California on a competitive basis in two rounds (\$184 million available each round). Another grant program that was created was the Sustainable Communities and Climate Change Reductions Urban Greening Grant Program, which dedicated at total of \$90 million to make grant awards for urban greening projects and plans that promote the development of sustainable communities that reduce greenhouse gas emissions.

In September 2009, the State released a Request for Proposals for the first round of competitive grants for the Proposition 84 Statewide Park Program. Heal the Bay (HTB), an environmental non-profit organization whose mission is to ensure safe, healthy and clean coastal waters and watersheds in Southern California, partnered with Wisdom Academy for Young Scientists (WAYS), a South Los Angeles elementary charter school, to develop and submit a grant application for a multi-benefit public parkway that would provide recreational amenities and environmental water quality features on the City owned surplus property located at the southwest corner of McKinley Avenue and 87th Street (WAYS Park). On November 8, 2010, the State announced the award of 62 grants, totaling

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\$182 million, from the first funding round of the Proposition 84 Statewide Park Program. The grant application that was prepared and submitted by HTB for the WAYS Park project was successful, and the project was awarded a total of \$1,328,843 in grant funding.

When the grant application for this project was prepared and submitted by HTB it was intended that HTB, in partnership with WAYS, would operate and maintain the new park. On November 2, 2011, the City Council adopted a Motion authorizing the Department of Public Works, Bureau of Engineering, in consultation with Council District 9, to negotiate and execute a lease with HTB for the development and maintenance of the WAYS Park project and for the use and operation of the site as a multi-benefit (Council File No. 11-0122-S1). That lease was executed on November 3, 2011 and has a term of thirty (30) years.

In November 2012, HTB entered into discussions with Department about potentially partnering on the development of the project. Through the resultant discussions it was determined that the most efficient and ideal method to ensure the permanence of the new WAYS Park and the proposed new recreational improvements would be for Department to coordinate with HTB to develop the WAYS Park project as part of RAP's 50 Park Initiative, and for the jurisdiction of the City-owned surplus property to be transferred from the Department of General Services to the Department of Recreation and Parks.

### Donation Agreement

The purpose of the Donation Agreement (Agreement) is to identify the primary roles and responsibilities of the Department and HTB with respect to the parties joint efforts to acquire, develop, and construct new parks and open space in Los Angeles that would, upon completion, be conveyed to the Department for long-term maintenance and operation.

As described in the proposed Agreement, HTB would be responsible for preparing, in coordination with the Department, any grant applications and conceptual plans for prospective park projects. The Agreement requires HTB to present the conceptual plans for any prospective park project successfully awarded grant funding to the Department for review and approval. Once the Department approves a prospective park project's conceptual plan HTB would be responsible for preparing a detailed set of final plans and specifications for that project, which would be ultimately submitted to the Board of Recreation and Park Commissioners' for its review and approval. HTB would then be responsible for coordinating the design, development, and construction of any approved projects, subject to certain conditions as described in the Donation Agreement. Upon completion of construction of a prospective project under this agreement by HTB, staff would then submit the project to the Board for final acceptance. If a project is accepted by the Board, the Department would assume responsibility for the long-term operations and maintenance of the project, and any constructed site improvements, subject to the terms of Donation Agreement and the

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requirements of any grant or funding agreements. Additionally, Department would assume the obligations as grantee of any grant agreement HTB entered into for the development of the park.

### WAYS Park Project

WAYS Park is proposed to be developed on a 0.38 acre site that is located at the southwest corner of McKinley Avenue and 87th Street, in the South Los Angeles area of City. The property is City-owned surplus property, and is currently vacant and unused by the City. A portion of the site is a street median, which is subject to the public Right-Of-Way and under the jurisdiction of the Department of Public Works.

The WAYS Park project proposes to develop the site with improvements that will include shade trees, a native garden or small community garden, fitness stations, play equipment, a walking track and game tables. The WAYS Park project also proposes to include various environmental water quality features that are designed to capture and treat storm water runoff from the park and the surrounding streets.

The conceptual plan for the WAYS Park Project is attached hereto as Attachment A. The project conceptual plan was developed with input from public workshops and meetings facilitated by HTB in partnership with local community organizations. These proposed recreational, open space, and storm water improvements would enhance this under-utilized City owned property and would provide a much needed outdoor recreational facility for residents in the surrounding community, including the students at the nearby WAYS charter school.

The State has awarded HTB a total of \$1,328,843.00 in grant funding from the Proposition 84 Statewide Park Program for this project. HTB staff anticipated that this funding is sufficient to meet the project scope.

Staff has determined that California Environmental Quality Act (CEQA) for the WAYS Park Project will be addressed when the final project scope for the project has been determined and all appropriate approvals have been secured to begin the project.

### FISCAL IMPACT STATEMENT:

The approval and execution of the Donation Agreement for this project will have a minor impact on the Department's General Fund.

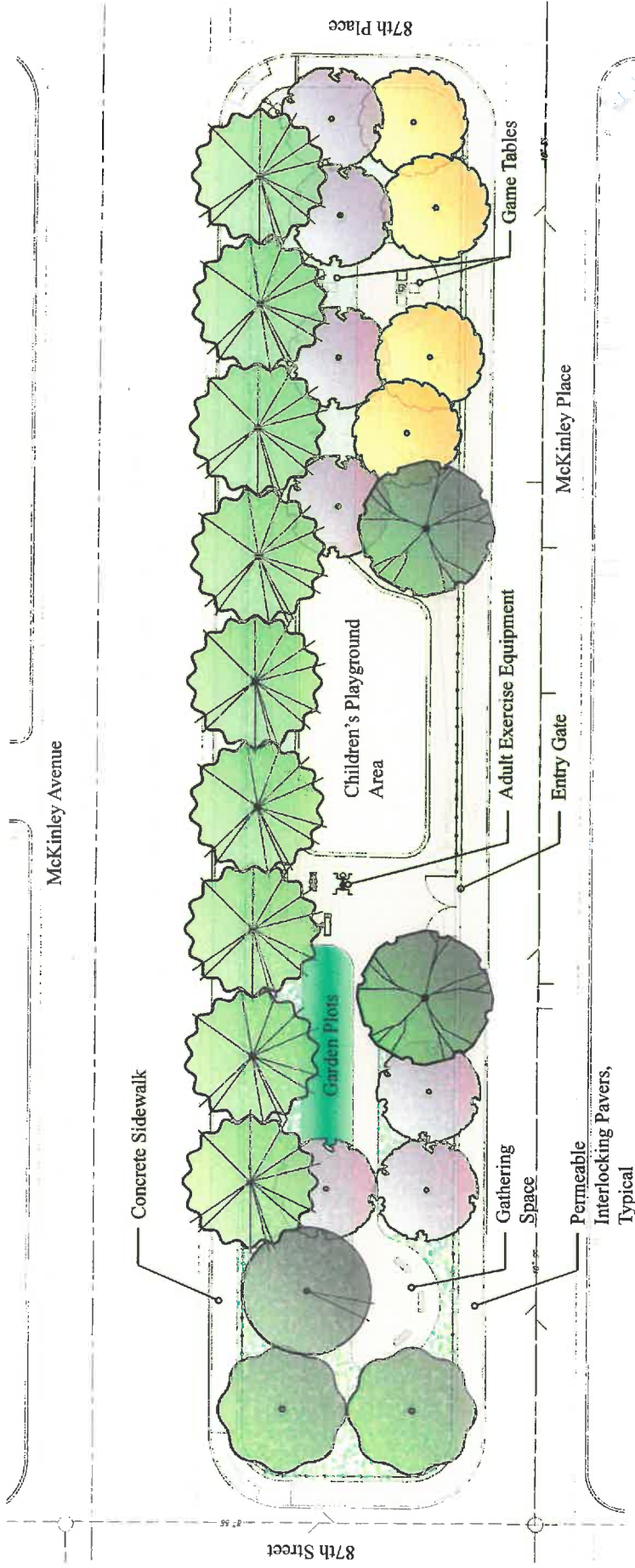
The approval the conceptual plans for this projects will not have any impact on the General Fund. The development of this projects is anticipated to be funded by the awarded grant funds or funding sources other than the Department's General fund.

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This report was prepared by Darryl Ford, Principal Project Coordinator, Planning, Construction, and Maintenance Branch.



**WAYS Park**  
 87th Street & McKinley Avenue  
 Los Angeles, CA



EXCERPT FROM THE MINUTES OF THE REGULAR MEETING  
BOARD OF RECREATION AND PARK COMMISSIONERS  
January 21, 2015

15-005

50 PARKS INITIATIVE – WAYS PARK PROJECT –  
PROPOSITION 84 STATEWIDE PARK PROGRAM – DONATION  
AGREEMENT BETWEEN THE DEPARTMENT OF  
RECREATION AND PARKS AND HEAL THE BAY FOR THE  
DEVELOPMENT AND CONSTRUCTION OF NEW PARKS IN  
LOS ANGELES; PRELIMINARY AUTHORIZATION TO ACQUIRE  
PROPERTY; APPROVAL OF CONCEPTUAL PLAN

Commissioner Sanford requested that the Donation Agreement be amended to require Heal the Bay and/or North East Trees to commit to assisting the Department on a continued basis with the community partnership that they have built in the area.