

DATE: February 3, 2020

TO: RMC Governing Board

FROM: Mark Stanley, Executive Officer

SUBJECT: Item 14: Consideration of a resolution approving a Proposition 68 grant to From Lot to Spot for the Lower LA River Pocket Park Project (RMC 19009)

PROGRAM AREA: Rivers/Tributaries & Parkways

PROJECT TYPE: Development

JURISDICTION: City of Cudahy

PROJECT MANAGER: Marybeth Vergara

RECOMMENDATION: That the RMC Board approve a grant in the amount of \$332,490 to the non-profit organization From Lot to Spot for the Lower LA River Pocket Park Project (RMC19009).

PROJECT DESCRIPTION:

Exhibit A – Tasklist & Timeline
 Exhibit B – Project Budget
 Exhibit C- LAUSD Board of Education Report Letter
 Exhibit D- Project Location

With the passage of the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, the RMC established Proposition 68 grant program guidelines which provided for project applications to be submitted for funding consideration (RMC Resolution 2019-06).

In Spring 2019, staff opened a Call for Projects between April 29, 2019 and July 15, 2019. Under Chapter 8 of Proposition 68, \$30,000,000 is allocated for projects throughout all of the RMC territory. Note, projects within the Los Angeles River corridor have a separate RMC urban river funding source.

Projects prioritized for funding recommendations to the Governing Board are subject to multiple factors upon review, including project score and ranking amongst territory-wide submittals, project readiness, and public benefit value. Project proponents are provided the opportunity to receive higher scores based on additional information provided through staff interviews that demonstrate an alignment with RMC goals and objectives, and granting of funds is consistent with RMC programs, which include:

Common Ground, from the Mountains to the Sea - Supports the Watershed and Open Space Plan vision for the San Gabriel and Los Angeles River Watersheds, seeks to restore balance between natural and human systems. Guiding principles: 1) growing greener (create,

expand and improve open space and access to open space), 2) enhancing waters and waterways, and 3) coordinate regional planning efforts.

RMC Environmental Justice Policy - To ensure that the public, including minority and low-income populations, are informed of opportunities to participate in the development and implementation of all RMC-related programs, policies and activities, and that they are not discriminated against, treated unfairly, or caused to experience disproportionately high and adverse human health or environmental effects from environmental decisions.

Tribal Consultation - To ensure Indian tribes and tribal communities are able to provide meaningful input into the development of regulations, rules policies, programs, projects, plans, property decisions, and activities that may affect tribal communities; supporting AB52 and CEQA, which require separate consideration of tribal cultural resources from that of paleontological resources.

After review by RMC staff, this grant received a score of 78.66 out of a total 100 points or 78% and recommends funding of this project.

Project:	Lower LA River Pocket Park Project- Cudahy	
Applicant:	From Lot to Spot	
Program area:	Urban Lands	
Amount requested:	\$332,490	
Amount recommended for funding:	\$332,490	
RMC PROP 68 REGIONWIDE GRANT PROGRAM - EVALUATION CRITERIA SUMMARY		
Factor	Project Score	Total Possible Points
1. Access Value	9.38	11
2. Urban Land Value	10	10
3. Water Sustainability/Water Storage/Water Infrastructure	8.13	13
4. Habitat and Restoration Resource Values	9.13	10
5. Environmental Justice and Disadvantaged Communities	24.75	25
6. Matching Funds	1.75	9
7. Readiness	1.76	5
8. Stakeholders/Partners Resource Value	9.63	11
9. Stewardship and Management Plan Value	4.13	6
TOTAL POINTS	78.66	100

The Lower LA River Pocket Park Project includes the conversion of a 4800 sq. ft. vacant lot adjacent to the LA River, which is owned by LAUSD in the City of Cudahy. The ultimate goal is to transform this lot into a community designed, nature inspired park featuring reclaimed irrigation, native vegetation and stormwater catchment features. The project is located approximately 600 feet from the Los Angeles River, making it an addition to the network of greenspaces being developed along the river in the coming years.

The project is an exemplary joint-use project between the Los Angeles Unified School District (LAUSD) and the City of Cudahy who will maintain the park site once completed. This will be the first ever LAUSD joint-use agreement that involves a stand-alone park project to be constructed and may set a standard for future similar projects. Not only will the park serve as a recreational

space, but its environmental features will align with the state's initiative to increase the amount of green and open space to disadvantaged communities with the green infrastructure needed to combat the impacts of climate change. The project design includes sustainable, environmentally conscious features which were chosen by the community during charettes held between 2016-2018 and include utilizing recycled materials such as recycled concrete pavers with permeable pebbles to allow water to percolate into the ground, a low-water use plant palette that will foster a natural habitat for plants and insects. There will also be a nature inspired play area, and the water will be connected to a purple pipe irrigation system for recycled water use.

The community around the project area is a Disadvantaged and Severely Disadvantaged area with a tremendous need for more park and public space. The pocket parks would serve all surrounding areas, providing them with a respite from urban density and industrial and uses, as well as provide community greening. The City of Cudahy has recently been part of regional and local planning processes. In addition, the City was involved with the Lower Los Angeles River Revitalization Master Plan (AB 530) which involved City Staff input for projects identified in the Plan along the Lower LA River.

Most importantly, the City finalized the new blueprint for the future, Cudahy General Plan 2040, in May 2018. After a two-year process, including community input from residents in every corner of the city, Proposition 1 Grant Program (RMC 17003), the final Cudahy General Plan 2040 lays out how the City will move forward including the development of the Pocket Parks throughout Cudahy. If approved, the grantee can begin work in February 2020- December 2022, for a two year process.

BACKGROUND: This grant was submitted along with eight (8) other grants under the Lower LA River Grant Program. This is an ongoing grant program of the RMC and projects are received and scored as they are received by the RMC staff. The project was submitted as a Development project under the Rivers and Tributaries Program. The overall project score was 78.5. However, due to the fact that this project is within the Lower LA River, and is within a Severely Disadvantaged Community (SDAC), this project justifies a grant recommendation under the Lower LA River Grant Program.

FISCAL INFORMATION: This action approves a grant award to the non-profit organization, From Lot to Spot in the amount of \$332,490 for the Lower LA River Pocket Park project.

This will fund Grant Administration and Project Management, construction and non-construction costs.

Funding for this project allocated from the following:

Proposition 68, Chapter 852 Statues of 2017

Chapter 7 of Proposition 68, entitled "California River Recreation, Creek and Waterway Improvement Program," allocates one hundred sixty-two million dollars (\$162,000,000) for projects to protect and enhance an urban creek. Thirty-seven million, five hundred thousand dollars (\$37,500,000) of the funds available in Chapter 7 is allocated to the Rivers and Mountains Conservancy for projects that protect or enhance the Lower Los Angeles River watershed and its tributaries pursuant to Section 79508 of the Water Code and Division 22.8 (commencing with Section 32600) and Division 23 (commencing with Section 33000).

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:

Public Resources Code Division 22.8 provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

Exhibit A:
Tasklist and Timeline

From Lot to Spot Lower LA River Pocket Park Project												
Proposal	2020				2021				2022			
	1st QT	2nd QT	3rd QT	4th QT	1st QT	2nd QT	3rd QT	4th QT	1st QT	2nd QT	3rd QT	4th QT
0.00 Project Development												
0.01 Grant Administration		█	█	█								
0.02 Project Management, Reporting and Close-Out		█	█	█								
1.00 Planning												
1.01 LAUSD & City of Cudahy Joint Use Agreement			█									
1.02 Schematic Design				█								
1.03 Obtain Permits, CEQA NOE				█								
1.04 Construction Plans				█	█							
1.05 Contractor Procurement						█						
2.00 Community Engagement												
2.01 Create all PR literature for project (flyers, etc.)		█										
2.02 Community Update Meetings (2)			█		█							
2.03 Forming & Facilitating Park Advisory Committee					█	█	█					
2.04 Community Build Day & Grand Opening							█					
3.00 Installation and Construction												
3.01 Site Prep					█							
3.02 Signage Installation					█							
3.03 Construction Begins					█	█						
4.00 Maintenance & Maintenance												
4.01 Objective monitoring (12 months)								█	█	█	█	
4.02 Post-construction engagement (12 months)								█	█	█	█	
4.03 Evaluation and assessment(12 months)								█	█	█	█	

Other				
Funding Acknowledgement Sign	LS			Item 14 3,100.00
TOTAL CONSTRUCTION				\$192,552.00
Monitoring				
Objective monitoring - post construction	\$10,000.00	LS		\$10,000.00
Hazard Insurance/Bond	LS			\$ 4,350.00
Contingency				\$ 29,560.00
PROJECT GRAND TOTAL				\$332,450.00



Board of Education Report

Exhibit C: LAUSD Board of
Education Report

File #: Rep-264-18/19, **Version:** 1

Authorization to Negotiate and Execute a Joint Powers Agreement with the City of Cudahy for the Development, Use and Maintenance of a Vacant District Parcel As a Pocket Park
February 19, 2019
Facilities Services Division

Action Proposed:

Staff proposes that the Board of Education authorize, pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500 et seq.) of the Government Code, the Chief Facilities Executive, and/or his designee, to negotiate and execute a Joint Powers Agreement (“JPA”), and/or any other reasonable instruments, with the City of Cudahy (“City”) in order to facilitate the development, use, and maintenance of a vacant District parcel as a passive pocket park. The JPA shall remain in effect until terminated by either party.

Background:

The District and City have an ongoing interest in improving student and community access to park space. The District owns a vacant lot located at 8020 Park Avenue in the City of Cudahy (the “Parcel”). The Parcel is approximately 4,400 square feet, triangle shaped, unimproved, and vacant. The Parcel is located across the street from Park Avenue Elementary School (“Park Avenue”) (see attached parcel map and aerial). The Parcel has no formal use, and it generally sits empty and unused, except during dismissal time when Park Avenue parents use it as a gathering space. The District has owned the Parcel since 1968 and based on staff’s research, it has never had a formal use. The District does not have any current plans for the Parcel, with the exception of fulfilling its responsibility to provide ongoing maintenance, as necessary.

While providing green space is a goal of the District’s, the development of this Parcel has not been prioritized due to the severe repair and modernization needs of District schools. However, the City has determined that the development of the Parcel for use as a pocket park would provide a valuable community resource that would help meet the social needs of its residents and provide benefit to the general public. The Parcel is located approximately 300 feet from Cudahy Park, a city park that features two softball/baseball fields, basketball courts, multi-use fields, and a skate park. The development of the Parcel into a passive pocket park will complement the nearby city park. Based on this, District and City staff have found that entering into a JPA to facilitate the development, use, and maintenance of the Parcel as a pocket park is in the best interest of both entities and their mutual communities/constituents. It is anticipated that the development will include various landscaping improvements and seating.

Under the terms and conditions of the proposed JPA, the development, maintenance and repair of the Parcel shall be undertaken pursuant to the power provided to the City by the State of California and in accordance with the City’s Municipal Code and the District’s design standards for landscaping, which may include soil testing. Moreover, the financing of these activities, and the liability for the Park shall be the sole responsibility of the City.

It is anticipated that the City will utilize third party funding and/or services to develop and maintain the Parcel/park. At the Cudahy City Council’s March 20, 2018 meeting, the Council approved a resolution to

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establish a partnership with From Lot to Spot, Inc., (“FLTS”) a 501(c) (3) non-profit corporation, and the District. FLTS’s core mission is transforming vacant lots into social and recreational “spots” in communities of need. At the Council’s November 20, 2018 meeting, the City Council discussed and directed staff to explore the possibility of entering into an agreement to develop the Parcel. The City Council directed staff to review all options and return to the Council at a later date. At its January 15, 2019 meeting, the City Council reviewed and considered approving tentative terms for the proposed JPA and development of the Parcel. The City Council directed staff to work with the District to develop a mutually acceptable agreement for the development and use of the Parcel.

Park Avenue is located in Local District East and Board District 5 (Vacant).

Expected Outcomes:

The execution of the JPA will facilitate the development of the Parcel into a passive pocket park, and its use and maintenance pursuant to the power provided to the City by the State of California and in accordance with the City’s Municipal Code, and the District’s design standards for landscaping, which may include soil testing.

Board Options and Consequences:

Failure to approve this action will preclude the District and City from negotiating and entering into a JPA that would facilitate the development, use, and maintenance of the Parcel as a public pocket park. The community and students of Cudahy would not benefit from the development of a pocket park.

Policy Implications:

None.

Budget Impact:

The activities associated with negotiating and executing a JPA with the City requires staff time from Facilities and the Office of the General Counsel. Additional funding is not needed to implement the proposed action. The City will fund (it is anticipated that the City will utilize third party funding and/or services to develop and maintain the Parcel/park) all costs associated with the development, use and maintenance of the park.

Student Impact:

The proposed JPA will facilitate the development, use, and maintenance of a vacant and unimproved District parcel located across the street from Park Avenue into a passive pocket park. Students and the greater Cudahy community will benefit from this resource.

Issues and Analysis:

Pending approval from the Board and City Council, the District and City will negotiate and enter into a JPA for the development, use, and maintenance of the Park. The JPA shall remain in effect until terminated by either party. Under the terms and conditions of the proposed JPA, the development, maintenance and repair of the Parcel shall be undertaken pursuant to the power provided to the City by the State of California and in accordance with the City’s Municipal Code and the District’s design standards for landscaping, which may include soil testing. Moreover, the financing of these activities, and the liability for the Park shall be the sole responsibility of the City.

The JPA will include provisions requiring the improvements meet certain District standards and guidelines, including, but not limited to, those related to landscaping, which may include soil testing. Once the park is complete, the City will be required to add it to its inventory of existing park space and assume all maintenance obligations. The District will retain title to the Parcel, and in the event the District decides to sell, lease or

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otherwise utilize the Parcel, the JPA will be terminated. The JPA may include provisions for Park Avenue's exclusive use of the park during certain times.

Attachments:

Attachment A- Parcel Map and Aerial.

Informatives:

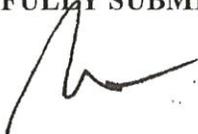
None.

Submitted:

2/1/19

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RESPECTFULLY SUBMITTED,



AUSTIN BEUTNER
Superintendent

APPROVED BY:



MARK HOVATTER
Chief Facilities Executive
Facilities Services Division

REVIEWED BY:



DAVID HOLMQUIST
General Counsel

PRESENTED BY:



AARON BRIDGEWATER
Director of Facilities Planning and Development
Facilities Services Division

 Approved as to form.

REVIEWED BY:



CHERYL SIMPSON
Director, Budget Services and Financial Planning

 Approved as to budget impact statement.

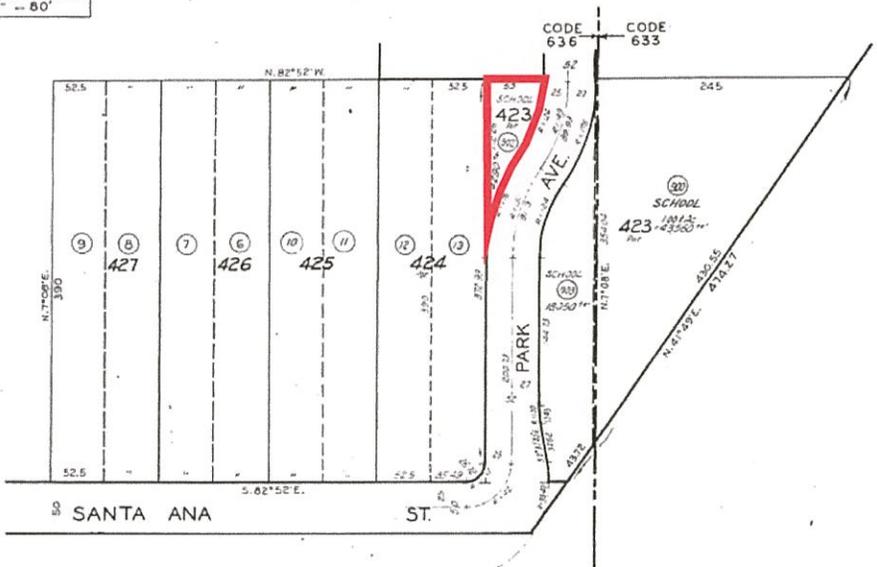
Vacant District Parcel

Item 14



6224 13
SCALE 1" = 80'

5-17-60
9-13-58
1-6-61
2-9-61
9-29-61
3-17-63 P
70104202



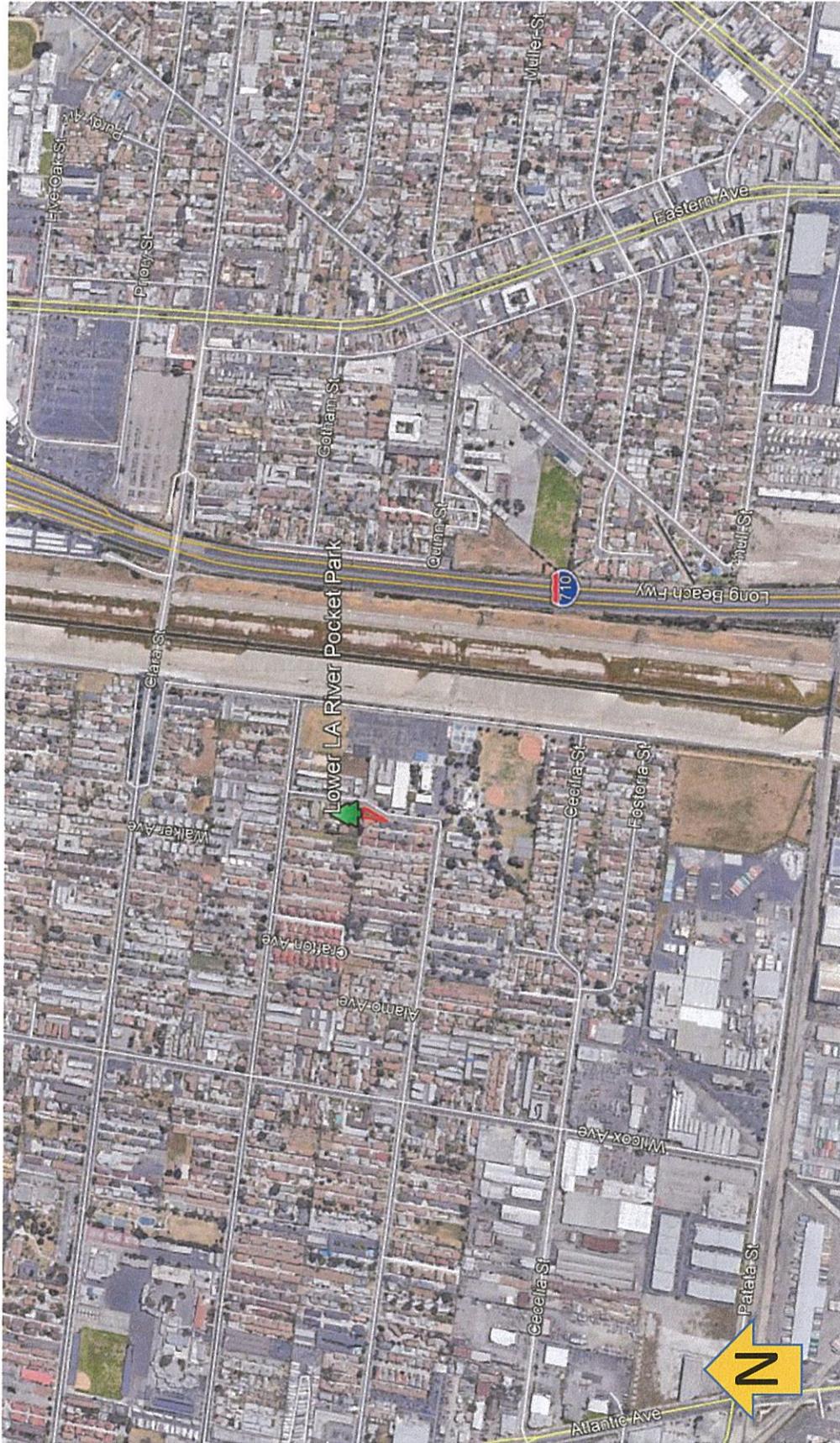
TRACT NO. 180
M.B. 13-198

CODE
633
636

FOR PREV. ASSMT. SEE: 1843-13.

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

Project Location Map



February 3, 2020 – Item 14

RESOLUTION 2020-06

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A PROPOSITION 68 GRANT TO FROM LOT TO SPOT FOR THE LOWER LOS ANGELES RIVER POCKET PARK PROJECT (RMC19009)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (“Proposition 68”); and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 68, Chapter 7, Section 80100(a)(1)(B) or Chapter 8, Section 80110(b)(6) of the Water Code; and

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
- 2 FINDS that the Proposition 68 RMC Grant Program is consistent with the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (“Proposition 68”), which provides funds for the RMC grant program.
- 3 FINDS the proposed project meets at least one of the purposes of Proposition 68.
- 4 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 5 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 6 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 7 ADOPTS the staff report dated February 3, 2020.
- 8 AUTHORIZES a grant of in the amount of \$332,490 to From Lot to Spot for the Lower LA River Pocket Park Project (RMC19009).

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on February 3, 2020.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall, Jr.
Deputy Attorney General