



BOARD REPORT

NO. 16-095

DATE April 20, 2016

C.D. 4 and 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK CRYSTAL SPRINGS - NEW BASEBALL FIELDS (W.O. #E170110B) PROJECT - PROPOSED PROJECT CHANGES; ADDENDUM TO PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT

AP Diaz _____ V. Israel _____
*R. Barajas anf K. Regan _____
H. Fujita _____ N. Williams _____

Ramon Barajas for
General Manager

Approved Disapproved _____ Withdrawn _____
As Amended _____

RECOMMENDATIONS

- 1. Approve proposed project changes to the Griffith Park Crystal Springs - New Baseball Fields (W.O. #E170110B) project...
2. Find that the original Project as analyzed in the previously certified Environmental Impact Report (EIR) is being changed to reduce its environmental impact...
3. Authorize the issuance of an Addendum, with the previously certified EIR for the Project, as the CEQA clearance for the approval of proposed changes...
4. Approving Report No. 16-095 does not commit the Department of Recreation and Parks SUMMARY to any further action...

ORIGINAL PROJECT

The original Project proposed construction of two (2) new youth baseball fields within the northern portion of the existing Crystal Springs Picnic Area (Attachment 2, Figure 2-5). The City prepared an EIR (SCH #2013011012), which analyzed two project alternatives in addition to the original proposed Project (Attachment 2). Alternative 1B (Attachment 2, Figure 2-6), proposed that the ballfields be constructed at two different locations within the Crystal Springs Picnic Area, including the location where the changed Project is proposed for construction. Each baseball field as originally proposed would have measured 190 feet from home plate to the

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centerfield fence which would be approximately 16 feet high. Each field would have natural grass and a dirt playing surface, two (2) dugouts, bleachers, outfield and perimeter fencing, and scoreboards. The original Project also included landscaping and an irrigation system. The original Project would also eliminate the northeast segment of the access loop driveway around Crystal Springs Picnic Area, creating two cul-de-sacs at each terminus of the impacted loop driveway segment. Construction of the northern cul-de-sac would have eliminated five (5) parking spaces. Additionally, approximately seven (7) picnic tables would have been relocated.

The Board of Recreation and Park Commissioners certified the EIR on April 2, 2014 (Report No. 14-061). Project opponents appealed the EIR certification to the City Council, which on August 15, 2014, denied the appeal and concurred with and adopted the Board's action (Council File No. 14-0588). The certified EIR concluded that the original proposed Project would result in potentially significant environmental impacts to:

- cultural resources (because of the potential for encountering archaeological and/or paleontological resources during construction);
- construction noise (which could impact receptors at adjacent residential areas);
- operational noise (which could impact users in picnic areas and the children's play area);
- biological resources (because of potential impacts to nesting birds from tree removal); and
- aesthetics (because of a reduction in visual quality of the picnic area due to tree removal and the addition of two new baseball fields in place of approximately 4 acres of existing picnic area).

The City's final project approval adopted six mitigation measures to reduce potentially significant environmental impacts related to: nesting birds (biological resources) by scheduling construction outside of the nesting bird season or, if construction is to occur during nesting bird season, surveys would be conducted to identify any active nests and a buffer zone would be established around these nests; noise impacts during project construction by implementing noise-reducing construction practices and establishing a complaint/response tracking program; noise impacts from project operation by relocating impacted picnic and play areas; cultural resources by requiring archaeological and paleontological monitoring and, if needed, implementation of treatment plans.

The City found, however, that the original Project would have significant and unavoidable environmental impacts to aesthetics due to the reduction of visual quality of the picnic area from removal of trees and addition of two baseball fields for which there is no feasible mitigation; and to biological resources due to the removal of 33 to 49 trees, including a large heritage California native Sycamore tree and 20 additional native trees that are subject to the City's protected tree ordinance.

PROPOSED PROJECT CHANGES

Project opponents filed a CEQA lawsuit against the City challenging the EIR for the original project. (*Griffith J. Griffith Charitable Trust and Friends of Griffith Park v. City of Los Angeles, et al.*, Los Angeles Superior Court No. BS 151089.) On February 2, 2016, the City Council approved a contingent settlement of the lawsuit, dependent on the future approval of certain project changes, City Council Motion CF15-0896 (Attachment 3).

Under the contingent settlement, the Project would be changed to construct only one new youth baseball field at the Crystal Springs Picnic Area, instead of two fields. This field would be located, as depicted in Attachment 4 to this Report, in a portion of the previously described Project site for EIR Alternative 1B. The single field would be larger in size, measuring 260 feet from home plate to the centerfield fence, which would be up to 30 feet high. Changes to the existing access loop driveway and the related reduction in parking spaces in the original project would be eliminated. With the project changes, approximately fifty-six (56) picnic tables and a children's play area would be relocated. The number of trees required to be removed and replaced would be reduced to approximately thirty-two (32) generally small trees, and the heritage Sycamore tree would not be required to be removed.

As with the original Project, the field would continue to have natural grass and a dirt playing surface, two (2) dugouts, bleachers, outfield and perimeter fencing, and scoreboards. It would also continue to include landscaping, an irrigation system, and ADA path of travel. The constructed baseball field would continue to be operated and maintained by the Department of Recreation and Parks (RAP).

The Department of Public Works, Bureau of Engineering (BOE) has evaluated whether additional environmental review under CEQA is triggered before the project changes can be approved by the Board. Based on its analysis, BOE has concluded that the proposed project changes do not require further environmental review under CEQA prior to their approval, because none of the conditions described in State CEQA Guidelines Section 15162 or 15163 that would trigger preparation of a subsequent or supplemental EIR exist here. BOE's analysis is contained in the record for this matter as the attached Addendum (Attachment 1), and the previously certified EIR. The previously certified EIR and the proposed Addendum for the modified project are available for review online at http://eng.lacity.org/techdocs/emg/griffith_park_baseball_field.htm.

BOE's analysis and the Addendum disclose the following:

1. No new significant environmental impacts have been identified due to the proposed Project changes. Impacts to cultural resources would be similar and potentially less due to the reduced Project footprint. Noise impacts would be similar, or less. Both the original Project and the changed Project would require the removal and relocation of some picnic tables and some children's play equipment. Under the contingent settlement (Attachment 3), the City would agree to implement all six of the mitigation

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measures imposed on the original Project. These mitigation measures would ensure that impacts of the changed Project would continue to be mitigated.

2. No substantial increase in the severity of previously identified environmental impacts have been identified due to the proposed Project changes. The Project changes will not result in a substantial increase in the severity of any significant effect identified in the certified EIR. The changed Project would result in the removal of slightly fewer trees than the original proposed project and would thus reduce impacts to biological resources and aesthetics. Notably, the changed Project would not impact the heritage California Sycamore tree (RAP Tree ID # 17044) in the northern portion of the Picnic Area; this tree would have been removed for construction of the original Project. Removal of fewer trees due to the Project changes would result in a reduction of impacts to biological resources, including nesting birds, in comparison to the original Project.
3. The proposed changes to the Project are not substantial. The original Project was for the construction of two youth baseball fields at Crystal Springs Picnic Area; the proposed Project changes are for the construction of one youth baseball field at Crystal Springs Picnic Area at a location previously analyzed in the certified EIR as part of Alternative 1B. The revised Project would not require alterations to the existing parking or access loop driveway. Both the original Project and the revised Project would require removal and relocation of some picnic tables and some children's play equipment.

It should be noted that if this Board does not approve the proposed modified Project, then the contingent settlement of the lawsuit is voided.

Funding for the Project as changed will continue to be from the Proposition K and Quimby Act programs. Upon approval of the Project changes by the Board of Recreation and Park Commissioners, BOE and RAP staff will proceed with the design of the project as changed and completion of the construction documents. The completed construction documents will then be presented to the Board for approval and call for bids.

FISCAL IMPACT STATEMENT

There is no immediate fiscal impact to the Department's General Fund. The assessments of the future operations and maintenance costs have yet to be determined and will be addressed in future budget requests.

This Report was prepared by Norman Mundy, Environmental Specialist II, Bureau of Engineering (BOE) Environmental Management Group. Reviewed by Maria Martin, Environmental Affairs Officer, BOE Environmental Management Group; Meghan Aldrich, Project Manager, BOE Recreational and Cultural Facilities Program; Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer, Paul Davis, Environmental Supervisor II, Planning Construction and Maintenance Branch, Department of Recreation and Parks (RAP); and Cathie Santo Domingo, Superintendent, RAP, Planning, Construction and Maintenance Branch.

Attachment 1

Addendum to the Environmental Impact Report (EIR) re Project Changes

for:

Griffith Park Crystal Springs New Baseball Fields Project
(W.O. #E170110B)

Griffith Park Crystal Springs New Baseball Fields Project

Addendum to the Environmental Impact Report

State Clearinghouse Number:2013011012

City of Los Angeles
Department of Public Works
Bureau of Engineering
Environmental Management Group
1149 South Broadway, Suite 600
Los Angeles, California 90015

Contact: Maria Martin, (213) 485-5753

April 2016

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1 Revised Project Location	
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Section 1.0 Introduction

This environmental document has been prepared under the requirements of the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 *et seq.*, including CEQA Section 21166, and the guidelines promulgated in connection therewith at 14 California Code of Regulations Section 15000 *et seq.* (the “CEQA Guidelines”). The Final Environmental Impact Report (EIR) Addendum (Addendum) discloses whether new or more severe environmental impacts would occur as a result of proposed changes to the project.

1.1 Project Background

The City of Los Angeles (City) plans to construct new youth baseball facilities in the Crystal Springs Picnic Area of Griffith Park. The original project proposed by the City (original Proposed Project) would construct two new youth baseball fields within the north Crystal Springs Picnic Area northeast of the existing Pote Baseball Field. The City prepared an EIR that evaluated the environmental impacts of the original Proposed Project and several alternatives to the original Proposed Project. The City is now proposing changes to the original Proposed Project; these changes (referred to as the Revised Project) are discussed later in this document.

1.2 Certified EIR

The Draft EIR prepared for the Griffith Park Crystal Springs New Baseball Fields Project (SCH No. 2013011012) was completed and circulated by the State Clearinghouse for a 45-day public review period from October 31, 2013 through December 17, 2013. The Final EIR, which responded to all the comments received on the Draft EIR, was prepared in January, 2014. The EIR (hereafter referred to as the Certified EIR) was certified by the City on August 15, 2014.

The Certified EIR disclosed that the implementation of the original Proposed Project would result in significant and unavoidable impacts associated with:

- **Aesthetics** - Because no feasible mitigation measures were identified that would both address resulting impacts on aesthetics and meet the project objectives, significant unavoidable impacts to Griffith Park aesthetic resources would occur as a result of the original Proposed Project.
- **Biological Resources (Trees)** - It is estimated that the original Proposed Project would require the removal of up to 49 trees. Among the trees to be removed are unique trees located in a sensitive and historic location (Griffith Park) that are uncommon specimens because of their size, maturity and visual quality. Although the project would be designed in compliance with applicable tree protection requirements, it is possible that this impact may not be mitigated to a less than significant level. Therefore, tree removal could cause unavoidable significant impacts relative to biological resources.

Other potentially significant environmental impacts were identified in the Certified EIR; however, all of these impacts were determined to be reduced to less-than-significant levels with implementation of mitigation measures identified in the Certified EIR.

Section 2.0 Purpose of this Addendum to the Certified Final EIR

To satisfy the requirements of CEQA, this document is an Addendum to the Certified EIR prepared for the Griffith Park Crystal Springs New Baseball Fields Project. The purpose of this Addendum is to inform decision makers, community stakeholders, and the general public of the environmental effects associated with the Revised Project, as compared to the original Proposed Project.

CEQA Guidelines Section 15164(a) states: “The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Section 15162(a) calls for the preparation of a subsequent EIR when any of the following have occurred:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, such as:
 - One or more significant effects was not discussed in the previous EIR;
 - Significant effects previously examined will be substantially more severe;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects.

In the case of this Addendum to the previously Certified EIR, the Addendum is being prepared because there have been changes to the original Proposed Project. The Addendum is the appropriate document for the following reasons:

- No substantial changes are proposed to the project which will require major revisions of the previously prepared and certified EIR;
- No substantial changes have occurred with respect to the circumstances under which the project is being undertaken; and
- No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, has been identified.

As detailed in this addendum, the changes to the original Proposed Project would not fulfill any of the conditions outlined in CEQA Guidelines Section 15162(a). This Addendum provides the substantial evidence required by CEQA Guidelines Section 15164 to support the finding that a subsequent EIR is not required and that an Addendum to the Certified EIR is the appropriate environmental document.

The findings in the Certified EIR would be applicable to the Revised Project and, with the implementation of mitigation measures described in the Certified EIR, the Revised Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Section 3.0 Project Description and Proposed Modifications

3.1 Project Purpose

The broad goal of the Griffith Park Crystal Springs New Baseball Fields project is to provide access to high quality, affordable recreational programs, based on the needs of the community.

The main objectives of the project are to:

- Restore baseball/softball fields to Griffith Park Crystal Springs that served the area prior to the construction of the I-5 freeway,
- Increase access to high quality, affordable recreational programs for youths in the area, especially at-risk boys and girls ranging from 6 to 12 years of age;
- Provide area residents with team-sports programming opportunities;
- Assist Recreation and Parks in meeting their planning goal to elevate the 1 baseball field per 15,449 persons ratio to 1 baseball field per 12,000 persons by 2013; and
- Meet the requirements of available funding sources (Proposition K and Quimby Act).

3.2 Proposed Project and Alternatives Discussed in Certified EIR

The project as originally proposed (original Proposed Project) called for the construction of two (2) new youth baseball fields on approximately 4.0 acres of the northern portion of the existing Crystal Springs Picnic Area. Each baseball field would have measured 190 feet from home plate to the centerfield fence which would be approximately 16 feet high. Each field would have natural grass and a dirt playing surface, two (2) dugouts, bleachers, outfield and perimeter fencing, and scoreboards. The Proposed Project also included landscaping, an irrigation system and security lighting. The northeast segment of the access loop driveway, which currently allows circulation around the Crystal Springs Picnic Area, would have been eliminated and a cul-de-sac would have been constructed at each terminus of the impacted loop driveway segment. Construction of the northern cul-de-sac would have eliminated five (5) parking spaces. Additionally, approximately seven (7) picnic tables and the children's play area would have been relocated. The original Proposed Project would have resulted in the removal and replacement of between 33 and 49 trees.

The Certified EIR also discussed two alternative sites for the project: the southern portion of the Crystal Springs Picnic Area (referred to as "Alternative 1B") and North Atwater Park ("Alternative 2'). Each of these alternatives would have constructed two baseball fields in locations other than the northern portion of the Crystal Springs Picnic Area.

3.3 Changes to the Proposed Project (Revised Project)

Subsequent to the certification of the EIR, the Bureau of Engineering revised the design of the project (Revised Project). The Revised Project would construct one (1) new youth baseball field on approximately 2.1 acres within the southern portion of the existing Crystal Springs Picnic Area. The single field would measure 260 feet from home plate to the centerfield fence which would be up to 30 feet high. As with the Proposed Project, the field would have natural grass and a dirt playing surface, two (2) dugouts, bleachers, outfield and perimeter fencing, and scoreboards. The Revised Project also includes landscaping, an irrigation system, ADA path of travel, and security lighting. There would be no changes to the access loop driveway and no reduction in the number of parking spaces. Approximately fifty six (56) picnic tables and the children's play area would have to be relocated. The Revised Project would result in the removal and replacement of approximately 32 trees. The constructed baseball field would be operated and maintained by the Department of Recreation and Parks (RAP).

Section 4.0 Impact Discussion

4.1 Introduction

This section compares the environmental impacts of the original Proposed Project to the Revised Project to determine if the Revised Project would result in new significant environmental effects or a substantial increase in the severity of significant effects identified in the Certified EIR. The analyses provided below address each of the environmental issues analyzed in the certified EIR and focus on the potential changes in environmental impacts due to the proposed project modifications.

During the preparation of the Certified EIR, the City determined that the proposed project (original Proposed Project) would have no impact or less than significant impact regarding the following issue areas:

- Agriculture and Forest Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Utilities and Service Systems

As described in Section 15128 of the CEQA Guidelines, no further environmental review was necessary for the issues that were determined not to be significant. The Revised Project involves only minor changes and would not create or increase any impacts in these issue areas.

The City determined that the construction and/or operation of the original Proposed Project did have the potential to have a significant environmental impact on the following issue areas, which were analyzed in the certified EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Noise
- Recreation
- Transportation/Traffic

Each of these impact areas is discussed below and the potential impacts of the Revised Project are compared with those of the original Proposed Project.

4.2 Aesthetics

The Certified EIR determined that the original Proposed Project would result in potentially significant environmental impacts to aesthetics due to a reduction in visual quality as a result of tree removal. Further, the City determined that the original Proposed Project would have significant and unavoidable environmental impacts to aesthetics due to the reduction in visual quality from removal of trees within the project footprint for which there is no feasible mitigation.

The Revised Project is likely to have less visual impact than the original Proposed Project since the project footprint will be smaller and the number of trees removed will be slightly smaller. However, even these reduced impacts may rise to the level of significant and unavoidable as they would with the original Proposed Project.

4.3 Air Quality

The Certified EIR determined that the original Proposed Project would result in less than significant impacts to air quality. The air quality impacts of the Revised Project would be expected to be even less, since the project footprint would be smaller than that of the Proposed Project (2.1 acres vs. 4.0 acres). The smaller project footprint requires less construction activity and consequently fewer emissions of air pollutants. The Revised Project would also not require the construction of a cul-de-sac at each terminus of the northern terminus impacted loop driveway segment, which would be required under the original Proposed Project.

4.4 Biological Resources

The Certified EIR determined that the original Proposed Project would result in potentially significant impacts to biological resources because of potential impacts to nesting birds and due to tree removal. The City adopted mitigation measures to reduce potentially significant impacts to nesting birds by scheduling construction outside of the nesting season or, if construction were to occur during nesting bird season, by conducting surveys to identify any active nests and establishing a buffer zone around these nests. Further, the City determined that the original Proposed Project would have significant and unavoidable environmental impacts to biological resources due to tree removal.

The Revised Project is likely to have less impact on nesting birds because it would result in the removal of slightly fewer trees than the original Proposed Project. (Notably, the Revised Project would not impact the heritage California Sycamore tree (RAP Tree ID # 17044) in the northern portion of the Picnic Area; this tree would have been removed during construction of the original Proposed Project.) The mitigation measures discussed above would reduce any impacts to nesting birds to a less than significant level. A reduction in the number of trees removed may lessen the overall impacts of the Revised Project to biological resources. However, even these reduced impacts may rise to the level of significant and unavoidable as they would with the original Proposed Project.

4.5 Cultural Resources

The Certified EIR determined that the original Proposed Project would result in potentially significant environmental impacts to cultural resources because of the potential for encountering archaeological and/or paleontological resources during construction. The mitigation measures adopted for the original Proposed Project to reduce potentially significant impacts to cultural resources by requiring archaeological and paleontological monitoring and, if needed, implementation of treatment plans.

The smaller footprint of the Revised Project may reduce the potential for impacts to cultural resources. In any event, the adopted mitigation measures would be effective in reducing any impacts to cultural resources to a less than significant level.

4.6 Greenhouse Gas Emissions

The Certified EIR determined that the original Proposed Project would result in less than significant impacts from emissions of greenhouse gases. The greenhouse gas emissions from the Revised Project would be expected to be even less, since the project footprint would be smaller than that of the Proposed Project (2.1 acres vs. 4.0 acres). The smaller project footprint requires less construction activity and consequently fewer emissions of greenhouse gases.

4.7 Noise

The Certified EIR determined that the original Proposed Project would result in potentially significant environmental impacts from noise during construction, which could impact receptors at adjacent recreational areas. The EIR also determined that impacts from operation of the original Proposed Project could impact users in picnic areas and the children's play area. Approved mitigation measures would reduce noise impacts from construction to a less than significant level by implementing noise-reducing construction practices and establishing a complaint/response tracking program. Impacts from operation of the original Proposed Project would be mitigated by relocating impacted picnic and play areas.

The smaller footprint of the Revised Project would be expected to reduce construction time and therefore reduce the duration of construction noise impacts. The types of construction activities are the same for the Proposed and Revised Projects. Operational noise impacts from the Revised Project would be expected to be less than for the original Proposed Project due to the fact that there would only be a single field with a corresponding reduction in players and spectators and the noise they generate. In any event, the adopted mitigation measures would be effective in reducing any impacts from construction and operational noise to a less than significant level.

4.8 Recreation

The Certified EIR determined that the original Proposed Project would result in less than significant impacts to recreation. The impacts to recreation from the Revised Project would be similar and also less than significant.

4.9 Transportation/Traffic

The Certified EIR determined that the original Proposed Project would result in less than significant impacts to transportation and traffic. The impacts to recreation from the Revised Project would be less than those from the original Proposed Project since the Revised Project does not involve either construction of cul-de-sacs on the loop access driveway or the removal of parking spaces.

Section 5.0 Conclusion

As required by CEQA Guidelines Section 15164, an addendum to a previously certified EIR shall be prepared if some changes or additions to a project are necessary and that none of the conditions warranting the preparation of a subsequent EIR are present. As demonstrated in the analysis included in Section 4.0 above, the Addendum is the appropriate document for the following reasons:

- No substantial changes are proposed to the project which will require major revisions of the previously prepared and certified EIR;
- No substantial changes have occurred with respect to the circumstances under which the project is being undertaken; and
- No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, has been identified.

Attachment No. 2

Figures from Draft EIR:

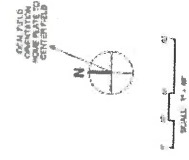
- Figure 2-3: Project Location Areal View
- Figure 2-5: Proposed Project Conceptual Layout
- Figure 2-6: Alternative 1B Conceptual Layout
- Figure 2-7: Alternative 2 Conceptual Layout

for

Griffith Park Crystal Springs New Baseball Fields Project
(W.O. #E170110B)



For Discussion Purposes – The Actual Development and Placement May Vary



GRIFFITH PARK CRYSTAL SPRINGS
BALLFIELD PROPOSED LAYOUT-A
FEBRUARY 27, 2012



Figure 2-5
Proposed Project Conceptual Layout
Department of Public Works, Bureau of Engineering
Griffith Park Crystal Springs New Baseball Fields Project



For Discussion Purposes – The Actual Development and Placement May Vary

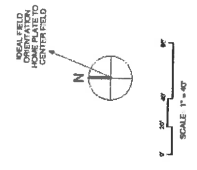


 GRIFFITH PARK CRYSTAL SPRINGS

 BALLFIELD PROPOSED LAYOUT-B

REVISED 07/2010

Figure 2-6
Alternative 1B Conceptual Layout
Department of Public Works, Bureau of Engineering
Griffith Park Crystal Springs New Baseball Fields Project



For Discussion Purposes – The Actual Development and Placement May Vary

PROPOSED GRIFFITH PARK BALLFIELDS
 North Atwater Park Location
 MARCH 16, 2012

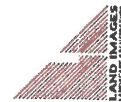


Figure 2-7
Alternative 2 Conceptual Layout
 Department of Public Works, Bureau of Engineering
 Griffith Park Crystal Springs New Baseball Fields Project

Attachment 3

City Council motion adopted February 2, 2016, CF15-0896 re Contingent Settlement

for

Griffith Park Crystal Springs New Baseball Fields Project
(W.O. #E170110B)

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Griffith J. Griffith Charitable Trust, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC151089 (this matter arises from a Proposition K project in Griffith Park -- the Crystal Springs Ball Fields Project), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE the contingent settlement of the ball fields litigation on the terms set forth herein:
 - a. The modified ballfields project will include only one baseball field, with that ballfield substantially in the location and form depicted on the conceptual site plan (Attachment A of the City Attorney confidential report dated January 28, 2016). The modified baseball field would be 260 feet from home plate to centerfield (instead of 200 feet) and would include an appropriately sized fence or net for the outfield, as determined by the Department of Recreation and Parks (RAP). The longer centerfield line makes the modified field available for use by a wider age range of players. Relocation of the field avoids removal of native trees protected by the City's Protected Tree Ordinance, including a heritage sycamore tree.
 - b. The trees removed for the modified ballfields project would be replaced by the RAP on a 2:1 basis at appropriate locations in the Crystal Springs Picnic Area, as determined by the RAP.
 - c. The 56 picnic table cluster removed for the modified baseball field would be relocated as a picnic table cluster or clusters available for first-come, first-served use at an appropriate location in the Crystal Springs Picnic Area, as determined by the RAP.
 - d. The existing old children's play area removed for the modified baseball field project would be replaced with a comparable but new children's play area at an appropriate location in the Crystal Springs Picnic Area, as determined by the RAP.
 - e. The modified baseball field project would continue to be subject to the six mitigation measures imposed on the original ballfields project, which are BIO-1, CR-1, CR-2, NOI-1 a, NOI-1 b and NOI-2.
 - f. The modified project will continue to include American Disabilities Act (ADA) upgrades, to which the Petitioners do not object, including a path of travel from the existing parking area immediately adjacent to the modified ballfield to the dugouts for the modified ballfield and a path of travel from the modified ballfield to the existing restroom; changes to the size of one or more existing bathroom stalls; and restriping of existing parking spaces in the immediately adjacent parking area with the possibility that one existing parking space may be eliminated in the process of restriping.
 - g. Petitioners expressly waive all claims against the City with respect to the ballfields lawsuit and ballfields project, including, but not limited to, waiver of all rights and benefits provided by California Civil Code Section 1542, and waiver of all claims related to the City's approval of the modified ballfields project and the environmental

clearance for the modified ballfields project under California Environmental Quality Act (CEQA).

- h. The City will pay Petitioners' attorney fees and costs in the amount of \$34,464.80.
2. DIRECT the RAP to take the matter to the Proposition K: L.A. for Kids Steering Committee for consideration and recommended findings for the Council on whether the modified project in the contingent settlement is substantially equivalent to the project originally funded.
 3. DIRECT the RAP to take the matter to its Board (the Board of Recreation and Parks Commissioners) for consideration and approval of the modified project consistent with the settlement.
 4. AUTHORIZE the City Attorney, if the required findings consistent with a modified ballfields project are recommended by the Proposition K: L.A. for Kids Steering Committee and adopted by Council, and if the modified project is approved by the Board of Recreation and Parks Commissioners, to execute a settlement agreement and all other documents necessary to implement the settlement with Petitioners in accordance with this authority.
 5. AUTHORIZE the City Attorney, if the above contingencies are met, to draw the necessary demand of \$34,464.80, payable to the Petitioners and Chatten-Brown & Carstens, LLP, from the City Attorney Liability Claims Budget, Fund 100, Dept. 59, Account 9780, so that the settlement of the fees and costs may be implemented.
 6. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Koretz – Blumenfield: "Yes") at its meeting on February 1, 2016, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District

REW
CF 15-0896
February 1, 2016

34

Mayor's Time Stamp
 OFFICE OF THE MAYOR
 RECEIVED
 2016 FEB -2 PM 3:44
 CITY OF LOS ANGELES

City Clerk's Time Stamp
 2016 FEB -2 PM 3:46
 CITY CLERK
 BY _____

FORTHWITH

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 15-0896

COUNCIL DISTRICT 4

COUNCIL APPROVAL DATE FEBRUARY 2, 2016

RE: THE CASE ENTITLED GRIFFITH J. GRIFFITH CHARITABLE TRUST, ET AL. V. CITY OF LOS ANGELES, LOS ANGELES SUPERIOR COURT CASE NO. BS151089

LAST DAY FOR MAYOR TO ACT FEB 12 2016
 (10 Day Charter requirement as per Charter Section 341)


DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED


*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL 2/3/16



 MAYOR

CITY CLERK
 2016 FEB -4 AM 7:59

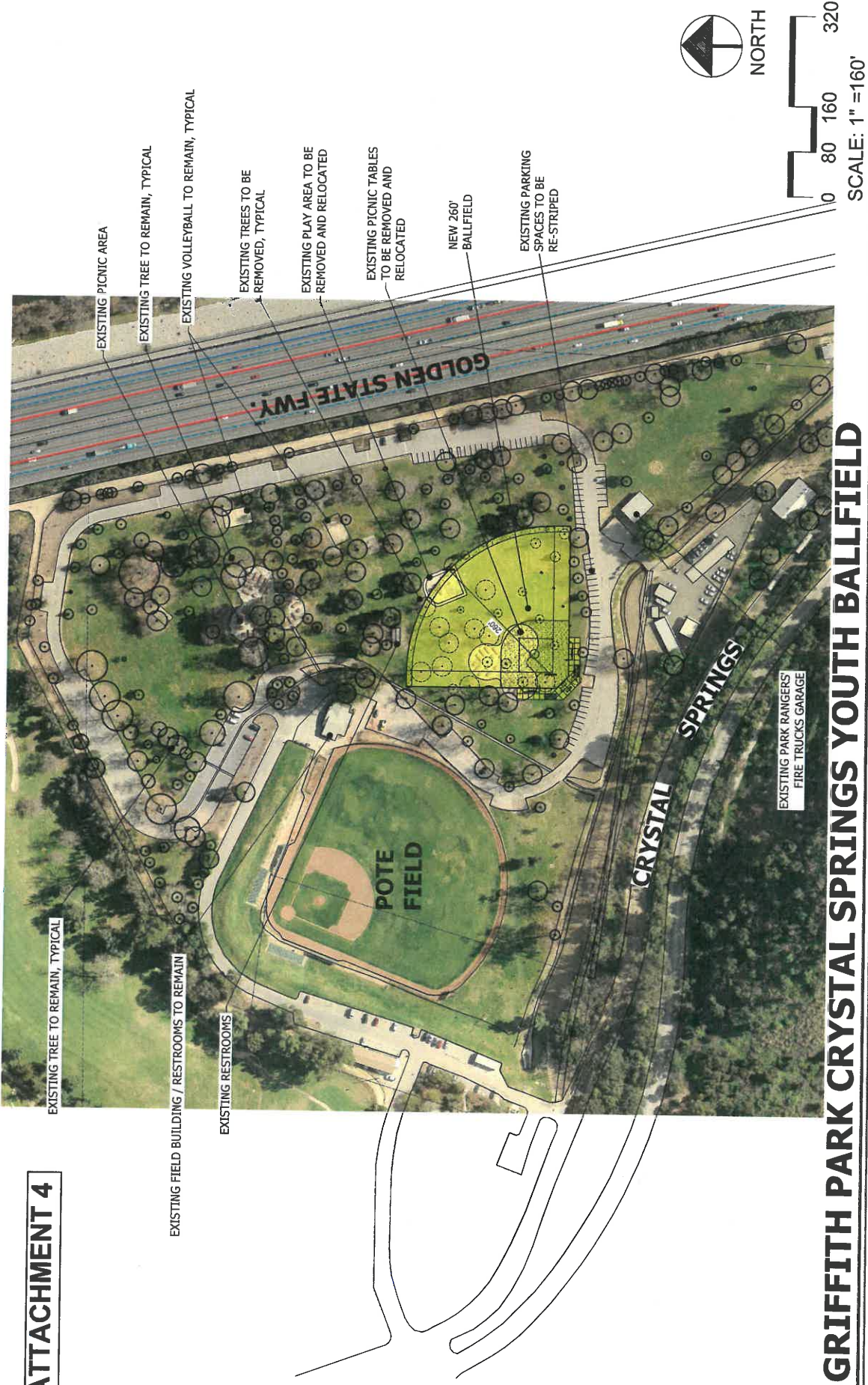
Attachment 4

Revised Project Layout

For

Griffith Park Crystal Springs New Baseball Fields Project
(W.O. #E170110B)

ATTACHMENT 4



GRIFFITH PARK CRYSTAL SPRINGS YOUTH BALLFIELD

REVISED PROJECT LAYOUT