



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 22 - 0 2 7 3
AUG 19 2022

REPORT RE:

**DRAFT ORDINANCE APPROVING THE OPENING, ESTABLISHMENT, AND
MAINTENANCE OF A PUBLIC BIKEWAY AND PEDESTRIAN PATH IN AND
THROUGH PARK LAND LOCATED IN RESEDA PARK, UNDER THE
CONTROL AND JURISDICTION OF THE BOARD OF
RECREATION AND PARK COMMISSIONERS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 22-0247-S1

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would consent to the opening, establishment, and maintenance of a public bikeway and pedestrian path in and through park land located in Reseda Park, under the control and jurisdiction of the Board of Recreation and Park Commissioners, as approved by the Board pursuant to Resolution No. 10610 adopted on June 16, 2022. The City Charter allows for the transfer of dedicated park property for use as a public way if, in part, the action is approved by the City Council by ordinance.

California Environmental Quality Act (CEQA) Determination

The Department of Recreation and Parks (RAP) found that the actions approving the Grant of Right are part of a larger project, which was previously evaluated and approved in compliance with CEQA. A Final Mitigated Negative Declaration (Final

MND) and Mitigation Monitoring and Reporting Plan (State Clearinghouse No. 2021100118) were adopted by Los Angeles City Council on May 4, 2022 (Council File No. 22-0247). A Notice of Determination (NOD) was filed with the Los Angeles County Clerk on May 4, 2022. According to Section 21166 of the California Public Resources Code and Article 19, Section 15162, of CEQA Guidelines, no subsequent environmental document should be prepared, unless the lead agency finds, on the basis of substantial evidence and in the light of the whole record, that:

- substantial changes to the project have occurred;
- local circumstances under which the project has been undertaken have changed substantially; and
- new information of substantial importance about the project, the environment and the mitigation measures has emerged.

RAP staff found that no substantial changes to the original project or to the local environment have occurred and that no new information has emerged showing that the impacts of the projects have changed and/or the mitigation measures are inapplicable. Therefore, RAP staff recommends that the Council take no further CEQA action.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Recreation of Parks with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Steven Hong at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal