



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

March 15, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVE ADDITIONAL IMPROVEMENTS TO THE MUSEUM OF NATURAL
HISTORY AND APPROVE AMENDMENT NO. 2 TO LEASE AND LEASE-BACK
AGREEMENT WITH THE LOS ANGELES COUNTY MUSEUM OF
NATURAL HISTORY FOUNDATION
(SECOND DISTRICT) (3 VOTES)**

SUBJECT

Approval of Amendment No. 2 to the Lease and Lease-Back Agreement between the County and the Los Angeles County Museum of Natural History Foundation will allow for the construction of a modification to the north area grounds, enhanced access to and ancillary structures within the site of the Museum of Natural History located in Exposition Park, including a new signature entry design incorporating the proposed Otis Booth Pavilion.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the additional improvements are categorically exempt from the California Environmental Quality Act pursuant to Article 19, Sections 15301, 15303, 15304, 15311, and 15323 of the State California Environmental Quality Act Guidelines, and Classes 1, 3, 4, 11, and 23 of the revised Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987.
2. Approve the construction by the Los Angeles County Museum Natural History Foundation of additional improvements, including a modified outdoor garden and park area, enhance accessibility and new Otis Booth Pavilion entry and related work at the Museum of Natural History.

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3. Approve Amendment No. 2 to the Lease and Lease-Back Agreement between the County and the Los Angeles County Museum of Natural History Foundation to expand the definition of the Optional Construction to include these additional improvements.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will allow the Los Angeles County Museum of Natural History Foundation (Foundation) to proceed with the modification of a portion of the grounds at the Museum of Natural History (Museum), without change of use of the institution or expansion to the footprint of the Museum buildings, but improved access, additional landscaped "learning gardens", and the replacement of a set of concrete entry steps and terraces with a new glass enclosure serving as a signature multi-story north entry vestibule ancillary to the Museum building (Otis Booth Pavilion).

Background

Pursuant to a 2006 Lease and Lease-Back Agreement (Agreement) with the County, the Foundation is managing and funding the construction of other improvements at the Museum, including the seismic upgrade and gallery improvements to the original 1913 Building and the life safety and seismic upgrade to the Museum's 1920s Buildings. In 2008, the Agreement was amended to extend the Foundation's authority to manage and fund Museum construction, including the reconfiguration of the parking lots into a new Car Park, in part to free up approximately 3.5 acres of the Museum's site for future visitor serving improvements and landscaping within the leasehold grounds to provide a reconfigured north entry and access from Exposition Boulevard. This action would amend the Agreement to further extend the Foundation's authority to manage and fund the construction of additional improvements that will modify the grounds to continue the operations of the Museum.

Additional Improvements

The additional improvements, referred to as the Museum's "North Campus", are designed to complement Exposition Park and existing Museum facilities and will be constructed in phases to lessen the inconvenience to Museum patrons. The improvements will be opened to the public in phases beginning in the fall of 2011, with completion anticipated by early 2013.

The Otis Booth Pavilion

Made possible by the generosity of a gift from the Booth Family Foundation, this proposed 3,400 square-foot multi-story lighted glass vestibule with a dramatically suspended whale skeleton will provide a reconfigured north entrance to the Museum. The pavilion will provide a transition space between the existing 1970's-era portion of the Museum and the redesigned entry plaza and grounds. The transition space will replace 3,200 square feet of concrete steps and terraces in approximately the same location that served the same Museum entry function.

It is envisioned that this new pavilion will serve as a beacon for visitors with visibility from Exposition Boulevard and the new light rail line. The pavilion will also connect to an elevated pedestrian walkway that integrates the new entry plaza area and the previously approved Car Park with the Museum.

An important whale skeleton, a 63 foot fin whale from the Museum's collections, will be suspended in a diving position from the top of the pavilion, providing an iconic invitation to the Museum and its collections. The proposed 3,400 square-foot pavilion will be clad in glass, and extend upwards approximately 3.5 floors of the existing Museum. A seismic joint will be utilized as a transition for connection to the Museum.

Improved visitor access

Pedestrian way-finding from the previously approved consolidated Car Park and entrances to the North Campus from Exposition Boulevard are anticipated to be completed. The new pedestrian access will include an elevated pedestrian walkway, which will bridge to the new reconfigured north entrance to provide Americans with Disability Act (ADA) access into the Museum main level from the entry plaza and the Car Park. In addition, new ADA-compliant access will also be provided to the east side of the Museum's 1913 Building.

Visitor Entry Plaza with Ticketing Kiosk

A new landscaped entry plaza area of approximately one-half acre will be established along Exposition Boulevard. The entry plaza area will be free to the public and include benches, umbrella tables, and shade trees. Included in the entry plaza area will be an approximately 600 square feet new ticketing kiosk and ancillary entry point to facilitate ticket collections for those who move from the free entry plaza area to the Museum premises requiring an entry ticket.

Grassy Amphitheater

A portion of the exterior grounds will be modified to create a landscaped multi-purpose combination amphitheater/ramp/steps space. This landscaped and contoured area of pathways, steps, and grassy seating will allow for outdoor programming or for moving among the upper and lower levels of the landscaped north campus. Additionally, the lower level of this space will continue to serve as outdoor café seating.

Green Fencing and Urban Edge Garden

The concrete walls that previously surrounded the prior asphalt parking lots on the Museum's north side will be replaced with "green walls" interspersed with a new perimeter fence. This new unique perimeter will enclose the entry plaza area and the learning gardens on the north campus east side. The green fences will be landscaped with planting designed to attract birds, and pollinating insects to integrate with the gardens they enclose. Minor site modifications will allow for the creation of an "urban edge garden" grass and tree area that will provide an attractive transition from Exposition Boulevard, as well as a landscaped walkway from the below-ground level of the Car Park to the Visitor Entry Plaza. This "urban edge garden" will also serve as a catchment area for rainwater that will be recycled for use on site.

Learning Gardens

The final component of the North Campus project will be a series of new "learning gardens". Minor exterior site modification and significant new landscaping will result in the creation of ten connected, but distinct landscaped learning zones. Altogether, the gardens will encompass approximately 3.5 acres of new green-space, linked internally and to the rest of the Museum site by pathways and signage. Educational signage and interactive activities, including a small pond with appropriate animals will be integrated to enhance the educational purpose of the gardens. Much of the planting, like that of the "Green Fencing" has been selected to attract urban wildlife that can be the basis for scientific and educational programs. The grounds will be contoured such that the gardens nearest to the north façade of the Museum building will be at grade with the lower level of the building, allowing for visitor entry at that level of the Museum where a "learning lab" gallery also is being developed pursuant to previously-approved plans. This lower level entry between the learning gardens and the learning lab will be at the base of the Otis Booth Pavilion and will reinforce the "inside-outside" nature of the Museum's enhanced educational and scientific programs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions are consistent with County Strategic Plan Goals of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The Foundation will deliver to the County more attractive and better programmed grounds and better Museum access.

FISCAL IMPACT/FINANCING

The proposed project, including the Otis Booth Pavilion, is estimated to cost \$31,000,000, and is entirely funded by the Foundation. The Foundation recently received a pledge of \$13,000,000 from the Booth Family Foundation to fund the Otis Booth Pavilion and the remaining costs are funded through other gifts to the Foundation and the proceeds of a bond issuance by the Foundation in 2007 and refinanced in 2008.

The Foundation will be responsible for any cost overruns related to the proposed project. In no event, will the County be required to provide additional funding for the project.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As with the 1913 Building and 1920s Buildings and Car Park projects, the Agreement requires that the Foundation provide all required funding. Upon completion of the project, the improvements will become County property, but the operation of the Museum, including the north campus, will continue to be governed by the long-term funding and operating agreement between the County and Foundation that was executed in 1994 and extended in 2006.

The attached Agreement amendment has been approved by County Counsel.

ENVIRONMENTAL DOCUMENTATION

Approval of this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301, 15303, 15304, 15311 and 15323 and the County's Environmental Guidelines, Classes 1,3,4,11 and 23.

The operation and leasing of existing facilities involving negligible or no expansion of use are exempt under Class 1. These exempt activities include the addition of small structures under 10,000 square feet in areas where all services are provided and there are no sensitive environments, as is the case here in the redesign of the existing Museum grounds and North Campus entry to include the Pavilion and ticketing kiosk and appurtenant pedestrian pathways.

Classes 3, 4 and 11 exempt new construction of small structures, minor alternations to land and changes in landscaping, including hardscape and softscape, and minor grading and accessory signing, seating, shade umbrellas, patio furniture, including moveable, temporary or seasonal items, and similar visitor serving access improvements and amenities.

These visitor serving improvements within the Museum's premises are also exempt under Class 23, which exempts normal operations of public facilities for the museum and park purposes for which it was designed and has been used.

The record also indicates no basis to find exceptions to the applicability of these categorical exemptions. There is no cumulative adverse impact of successive projects of the same type in the same place; there is no reasonable possibility that the project will have an adverse impact due to unusual circumstances, as there are none. Also, there is no project impact on any scenic highway, and the project is not on any listed hazardous waste site. Further, the record indicates that the project will not have any substantial adverse change in the significance of historical resources. The affected North entrance which will be the site of the reconstructed Otis Booth Pavilion entrance was built in the 1970s structurally separate from the 1913 and 1920s Museum buildings and was specifically determined to be a "non-contributing " element to the historic structures in the Historic Structure Report, Natural History Museum of Los Angeles County (Levin & Associates, Myra Frank & Associates, Nabih Youssef & Associates, 2001).

Implementation of this Project does not compel implementation of any possible future projects. While planning is proceeding on possible future visitor enhancing features, the scope and definition of those projects has not yet been determined, adequate funding has not yet been secured, and, if proposed in the future, will comply with all applicable CEQA requirements.

IMPACT ON CURRENT SERVICES (OR PROJECTS

Access to the Museum has been from the south entrance during construction of the Car Park, and this would continue for the initial phases of the proposed Project, and related work. As elements of the Project are completed, they will be opened to the public in phases, consistent with the efficient and safe completion of later phases, starting with the opening of the Car Park, followed by the reopening of the north entrance of the Museum.

The Honorable Board of Supervisors
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CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division. Also, please return two originals of executed Amendment No. 2 to the Lease and Lease-Back Agreement and a certified copy of the Minute Order to each of the County Museum of Natural History Department and the Los Angeles County Museum of Natural History Foundation.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR
DJT:DKM:zu

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Los Angeles County Museum of Natural History
Los Angeles County Museum of Natural History Foundation

U:Boardletters/CapProjs/Museum of Nat History Addtl Improv 031511

Amendment Number 2 to the Lease and Lease-back Agreement
For the Provision of Improvements to the Museum of Natural History

This Amendment Number 2 ("Amendment 2") is entered into this ____ day of March, 2011 to the Lease and Lease-back Agreement for the Provision of Improvements to the Museum of Natural History ("Agreement") dated the 26th day of September 2006 as previously amended by Amendment 1 dated December 16, 2008.

BY AND BETWEEN

COUNTY OF LOS ANGELES,
a body corporate and politic, hereinafter
referred to as
"County",

AND

LOS ANGELES COUNTY MUSEUM
OF NATURAL HISTORY
FOUNDATION, a
California non-profit public benefit
corporation,
hereinafter referred to as the
"Foundation",

WITNESSETH:

WHEREAS, the County and the Foundation entered into the Agreement to facilitate the funding and development of certain improvements to the Museum Facilities (as defined in the Agreement and Amendment 1), including the Optional Construction (as defined in the Agreement and Amendment 1); and

WHEREAS, the County and Foundation now wish to expand the definition of the Optional Construction to include additional improvements at the north grounds, enhanced access to and ancillary structures at the site of the Museum of Natural History.

NOW THEREFORE, the Agreement is hereby amended as follows:

1. Definition of "Optional Construction"

The definition of "Optional Construction" was amended in 2008 to include specific work in section 3 (a) and (b) of Amendment Number 1. The definition of "Optional Construction" is hereby further amended to update the previously undetermined list of improvements referenced in 3 (b) with elements for improvement of the open space area on the premises to include the following work to reconstruct and improve the north entrance and north campus site within the Museum Facilities with visitor entry, serving

and programming amenities consistent with museum and park purposes. Therefore the definition is hereby further amended to include the following work

3 (c): The Otis Booth Pavilion

This proposed 3,400 square foot multi-story lighted glass vestibule with a suspended whale skeleton will provide a new north entrance to the Museum. The transition space will replace 3,200 square feet of concrete steps and terraces in approximately the same location that served the same Museum entry function.

The pavilion will also connect to an elevated pedestrian walkway that integrates the new entry plaza area and the previously approved Car Park with the Museum.

The proposed 3,400 square foot pavilion will be clad in glass, and a seismic joint will be utilized as a transition for connection to the Museum.

3 (d): Improved visitor access

Pedestrian way-finding from the previously approved consolidated Car Park and entrances to the North Campus from Exposition Boulevard will include an elevated pedestrian walkway which will bridge to the pavilion entry to provide ADA access into the north Museum main level from the entry plaza and the Car Park. In addition, New ADA-compliant access also will be provided to the east side of the Museum's 1913 Building.

3 (e): Visitor Entry Plaza with Ticketing Kiosk

A new landscaped entry plaza area of approximately one half acre will be established along Exposition Boulevard. The entry plaza area will be free to the public and include benches, umbrella tables, and shade trees. Included in the entry plaza area will be an approximately 600 square feet new ticketing kiosk and ancillary entry point to facilitate ticket collections.

3 (f): Grassy Amphitheater

A portion of the exterior grounds will be modified to create a landscaped multipurpose combination amphitheater/ramp/steps space. This landscaped and contoured area of pathways, steps and grassy seating will allow for outdoor programming or for moving among the upper and lower levels of the landscaped north campus. Additionally, the lower level of this space will continue to serve as outdoor café seating.

3 (g): Green Fencing and Urban Edge Garden

The concrete walls that previously surrounded the prior asphalt parking lots on the Museum's north side will be replaced with "green walls" interspersed with a new perimeter fence, enclosing the entry plaza area and the learning gardens on the north

campus east side. The green fences will be landscaped and site modifications will allow for the creation of an “urban edge garden” grass and tree area.

3 (h) Learning Gardens

Minor exterior site modification and significant new landscaping will result in the creation of ten connected but distinct landscaped learning zones. Altogether the gardens will encompass approximately 3.5 acres of new green-space, linked internally and to the rest of the Museum site by pathways and signage. Educational signage and interactive activities, including a small pond with appropriate animals will be integrated.

2. County Approval

Prior to and as a condition of the adoption of any plan for construction of any other possible future facilities, including future facilities not enumerated which are proposed as part of the north part of the Museum grounds, the Foundation will obtain the separate review and approval of the County.

3. Agreement Otherwise Not Modified

Except as amended by this Amendment 2, the Agreement, as previously amended by Amendment 1, remains unmodified, in full force and effect.

IN WITNESS WHEREOF, the Foundation has executed this Amendment 2 to the Lease and Lease-back Agreement for the Provision of Improvements to the Museum of Natural History, or caused it to be duly executed, and the County of Los Angeles, by order of its Board of Supervisors, has caused this Agreement to be executed on its behalf by the Mayor of said Board on the date and year first above written.

ATTEST:

Sachi A. Hamai,
Executive Officer-Clerk
of the Board of Supervisors

By: _____
Deputy

COUNTY
County of Los Angeles

By: _____
Mayor, Board of Supervisors

APPROVED AS TO FORM:
Andrea Sheridan Ordin
County Counsel

By: *Heaven S. Parker*
Deputy

FOUNDATION
Los Angeles County Museum of
of Natural History Foundation

By: *Jane G. Pisano*
Dr. Jane G. Pisano,
President

By: *Paul Haaga*
Paul Haaga
President, Board of Trustees