

S P E C I A L   A G E N D A

BOARD OF RECREATION AND PARK COMMISSIONERS  
OF THE CITY OF LOS ANGELES

Monday, November 21, 2011 at 9:30 a.m.

Evergreen Recreation Center  
2844 E. 2nd Street, Los Angeles, CA 90033

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM.

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED, FOR A CUMULATIVE TOTAL OF UP TO FIFTEEN (15) MINUTES FOR EACH ITEM. ALL REQUESTS TO ADDRESS THE BOARD ON PUBLIC HEARING ITEMS MUST BE SUBMITTED PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM. COMMENTS BY THE PUBLIC ON ALL OTHER MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD WILL BE HEARD DURING THE "PUBLIC COMMENTS" PERIOD OF THE MEETING. EACH SPEAKER WILL BE GRANTED TWO MINUTES, WITH FIFTEEN (15) MINUTES TOTAL ALLOWED FOR PUBLIC PRESENTATION.

1.    INTRODUCTIONS:

Special Introduction and Opening Remarks by Councilmember Jose Huizar, or a Representative of Council District 14

Kevin Regan, Assistant General Manager, Operations Branch, will introduce the Staff of Evergreen Recreation Center

2.    GENERAL MANAGER'S REPORTS:

11-299       Amendment No. 4 to Consultant Contract No. 3029 with Withers & Sandgren, Ltd., for As-Needed Landscaping Architectural Design Services

11-300       Westwood Park - Temporary Construction Easement for Caltrans San Diego 405 Freeway Widening Project

11-301       Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) Project - Allocation of Quimby Fees

11-302       Pan Pacific - Field Improvements (PRJ20579) Project - Allocation of Quimby and Zone Change Fees

11-303       Southeast Valley Skate Park - Park Acquisition and Development (PRJ20408) Project - Allocation Zone Change Fees

11-304       Studio City Recreation Center - New Gymnasium (PRJ20404) Project - Allocation of Quimby Fees

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- 11-305 Winnetka Recreation Center - Outdoor Park Improvements (PRJ20322) Project - Allocation of Quimby Fees
- 11-306 The Greek Theatre Concession - Annual Performance Guarantee Penalty Payment
- 11-307 Griffith Riverside and Vermont Canyon Tennis Professional - Award of Concession Agreement to LA Tennis Incorporated
- 11-308 Elyria Canyon Park - Assignment of the Right to Apply for Proposition A Cities Excess Funds; City Council Grant Resolution
- 11-309 Baldwin Hills Conservancy Proposition 40 Grant Program - Authorization to Submit Grant Application for the Norman O. Houston Park Improvement Project; City Council Grant Resolution; Acceptance of Grant
- 11-310 Cabrillo Beach Pier Fishing Program - 2011/2012 Whale Tail Grants Program - Retroactive Authorization to Submit Grant Application; Grant Resolution; Acceptance of Grant
- 11-311 Various Communications

3. UNFINISHED BUSINESS:

- 11-232 Item to be Continued Camp High Sierra - Agreement between the Department of Recreation and Parks and Mammoth Mountain Ski Area, LLC, for the Development, Operation, and Maintenance of the Campground
- 11-238 Item to be Continued Sherman Village River Greenway Park - Preliminary Authorization to Proceed with the Lease of Property Owned by the County of Los Angeles for the Development of a New Public Park and a Memorandum of Agreement between the Department of Recreation and Parks, the County of Los Angeles, and IMT Capital, LLC, for the Development and Maintenance of the New Public Park
- 11-276 Item to be Continued Normandale Recreation Center Expansion - Request for Final Authorization to Acquire Property - Approval of Purchase and Sale Agreement, and Allocation of Proposition K Funds

4. COMMISSION TASK FORCES:

- Commission Task Force on Concessions (Commissioners Stanley and Williams)

November 21, 2011

- Commission Task Force on Facility Repair and Maintenance  
(Commissioners Alvarez and Werner)

5. GENERAL MANAGER'S ORAL REPORT:

Report on Department Activities and Facilities

6. FUTURE AGENDA ITEMS:

Requests by Commissioners to Schedule Specific Items on Future Agendas

7. PUBLIC COMMENTS:

Any comments which require a response or report by staff will be automatically referred to staff for a report at some subsequent meeting.

8. NEXT MEETING:

The next scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, December 14, 2011 at 9:30 a.m., at EXPO Center, Community Hall Room, 3980 S. Bill Robertson Lane (Formerly Menlo Avenue), Los Angeles, CA 90037.

9. ADJOURNMENT:

Under the California State Ralph M. Brown Act, those wishing to make audio recordings of the Commission Meetings are allowed to bring tape recorders or camcorders in the Meeting.

Sign language interpreters, assistive listening devices, or any auxiliary aides and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For additional information, please contact the Commission Office at (213)202-2640.

Finalization of Commission Actions: In accordance with City Charter, actions that are subject to Section 245 are not final until the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session and if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Commission Meetings can be heard live over the telephone through the Council Phone system. To listen to a meeting, please call one of the following numbers:

from Downtown Los Angeles	(213) 621-CITY (2489)
from West Los Angeles	(310) 471-CITY (2489)
from San Pedro	(310) 547-CITY (2489)

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from Van Nuys

(818) 904-9450

For information, please go to the City's website:  
<http://ita.lacity.org/Residents/CouncilPhone/index.htm>

Information on agenda items may be obtained by calling the Commission Office at (213) 202-2640. Copies of the agenda and reports may be downloaded from the Department's website at [www.laparks.org](http://www.laparks.org).

REPORT OF GENERAL MANAGER

NO. 11-299

DATE November 21, 2011

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 4 TO CONSULTANT CONTRACT NO. 3029 WITH WITHERS & SANDGREN, LTD., FOR AS-NEEDED LANDSCAPING ARCHITECTURAL DESIGN SERVICES

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
V. Israel \_\_\_\_\_

K. Regan \_\_\_\_\_  
\*M. Shull *MS*  
N. Williams \_\_\_\_\_

*Val Israel for*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Amendment No. 4 to Contract No. 3029 with Withers & Sandgren, Ltd., for as-needed landscaping architectural design services, substantially in the form on file in the Board Office, to extend the term of the contract by one year, for a new total of twelve (12) years and increasing the contract amount by \$100,000 from \$1,200,000 to \$1,300,000, and to incorporate rate increases through 2013, subject to approval of the Mayor, the City Council, and the City Attorney as to form;
2. Find pursuant to Charter Section 1022 and Los Angeles Administrative Code Section 10.05(a)(10) that the Department of Recreation and Parks (RAP) does not have personnel available in its employ with sufficient time and expertise to undertake these specialized professional tasks in a timely manner, that it is more feasible and economical to secure these services by contract; and the use of the use of competitive bidding would be undesirable, impractical or impossible;
3. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that competitive bidding is not practicable or advantageous as it is necessary for the RAP to be able to call on contractors to perform this work as needed on a temporary and occasional, but frequent, basis without engaging in a new competitive process for each individual project to be performed; however, from among as needed contractors

## REPORT OF GENERAL MANAGER

PG. 2            NO. 11-299

each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;

4. Direct the Board Secretary to transmit the proposed Amendment to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
5. Authorize the Board President and Secretary to execute the Amendment upon receipt of the necessary approvals.

### SUMMARY:

On September 5, 2001, RAP entered into a personal services contract (Contract No. 3029) with Withers, Sandgren & Smith, Ltd., for as-needed landscaping architectural design services. The term was for six (6) years, expiring on September 4, 2007, and the amount was for \$600,000.

Amendment No. 1, which changed the name to Withers & Sandgren, Ltd., was executed on May 5, 2004. Amendment No. 2, which was executed on November 15, 2006, extended the contract term by three (3) years, for a total of nine (9) years and increased the contract amount by \$300,000, for a new contract total amount of \$900,000.

On November 19, 2008, Amendment No. 3 was executed which extended the contract term by two (2) years, for a total of eleven (11) years and increased the contract amount by \$300,000, for a new total contract amount of \$1,200,000.

The firm has worked on several RAP projects including, but not limited to the following: Elysian Park Master Plan and Taylor Yard Project – Phase II. At this time, the consultant has been assigned work with the Rosecrans Recreation Center - Sports Fields Improvements and Stormwater Enhancements Project that will extend beyond the term of the current contract. The RAP does not have available personnel to perform these specialized professional tasks in a timely manner due to the existing demand on staff's workload, therefore, making it impossible to meet other project requirements and deadlines. This proposed Amendment also incorporates a new hourly rate schedule. The adjustment in yearly hourly rates for 2013 is an acceptable industry practice and conforms to normal cost of living adjustments. This Amendment will allow this consultant to continue working on the various projects through completion of those projects.

This Amendment is recommended in compliance with all RAP and City procedures, policies and laws applicable to the awarding of the contracts. Principals of Withers and Sandgren, Ltd., are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the Contract.

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FISCAL IMPACT STATEMENT:

The approval of this Amendment has no impact on the Department's General Fund. All compensation to Withers and Sandgren, Ltd., will be provided in the funding of each individual project.

This Report was prepared by Gino Ogtong, Management Analyst II, Planning, Construction and Maintenance Division.



This item not included in the package

11-300 Westwood Park - Temporary Construction Easement for  
Caltrans San Diego 405 Freeway Widening Project



REPORT OF GENERAL MANAGER

NO. 11-301

DATE November 21, 2011

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BARRINGTON RECREATION CENTER – OUTDOOR PARK IMPROVEMENTS (PRJ20472) PROJECT – ALLOCATION OF QUIMBY FEES

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>M. Shull</i></u>
V. Israel	_____	N. Williams	_____

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

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

RECOMMENDATIONS:

That the Board:

1. Authorize the Department’s Chief Accounting Employee to transfer \$8,678.77 in Quimby Fees from the Quimby Fees Account No. 460K-00 to the Barrington Recreation Center Account No. 460K-BE; and,
2. Approve the allocation of \$8,678.77 in Quimby Fees, from the Barrington Recreation Center Account No. 460K-BE, for the Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) project, as described in the Summary of this Report.

SUMMARY:

Barrington Recreation Center is located at 333 South Barrington Avenue in the Brentwood community of the City. This 18.64 acre property features baseball, basketball, soccer, tennis and volleyball sports fields and provides numerous programs for the use of the surrounding community. Due to the facilities, features, programs, and services it provides, Barrington Recreation Center meets the standards for a Community Park, as defined in the City’s Public Recreation Plan.

## REPORT OF GENERAL MANAGER

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On June 16, 2010, the Board approved, in Board Report No. 10-159, the allocation of \$20,000.00 in Quimby Fees for the Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) project. The scope of the approved Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) project included improvements to the outdoor park areas, including turf, landscape, and irrigation infrastructure and refurbishment of existing park fencing, lighting, and signage.

Department staff has determined that supplemental funding will be necessary for the completion of the project.

Upon approval of this report, the following Quimby Fees can be transferred to Barrington Recreation Center Account No. 460K-BE for the Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) project.

- \$8,678.77 in Quimby Fees from the Quimby Fees Account No. 460K-00

The total Quimby Fees allocation for the Barrington Recreation Center - Outdoor Park Improvements (PRJ20472) project is \$28,678.77. These Fees were collected within two miles of Barrington Recreation Center, which is the standard distance for the allocation of the Quimby Fees for community recreational facilities. It is anticipated that the funds being allocated are sufficient to complete the project.

Staff has determined that the subject project is a continuation of an existing project approved on June 16, 2010 (Board Report No. 10-159) that is exempt from CEQA [Class 1(1)]. The work funded by the current Board action will not result in any additional environmental impacts, and therefore, is covered by the existing CEQA exemption. No additional CEQA documentation is required.

### FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have no fiscal impact on the Department as the implementation of the proposed park capital improvements will not increase the level of daily maintenance required at this facility and the estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General Fund.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Division.

REPORT OF GENERAL MANAGER

NO. 11-302

DATE November 21, 2011

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PAN PACIFIC PARK – FIELD IMPROVEMENTS (PRJ20579) PROJECT –  
ALLOCATION OF QUIMBY AND ZONE CHANGE FEES

R. Adams \_\_\_\_\_

K. Regan \_\_\_\_\_

H. Fujita \_\_\_\_\_

\*M. Shull mf

V. Israel \_\_\_\_\_

N. Williams \_\_\_\_\_

Vick Israel for  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Authorize the reallocation of \$9,606.10 in Zone Change Fees, previously allocated for the Pan Pacific Park - Pool and Bathhouse Improvement (PRJ1383A) project, approved on January 9, 2008, per Board Report No. 08-11, for the Pan Pacific Park - Field Improvements (PRJ20579) project;
2. Authorize the reallocation of \$931,737.17 in Quimby Fees, previously allocated for the Pan Pacific Park - Pool and Bathhouse Improvement (PRJ1383A) project, approved on January 9, 2008, per Board Report No. 08-11, for the Pan Pacific Park - Field Improvements (PRJ20579) project;
3. Authorize the reallocation of \$608,000.00 in Quimby Fees, previously allocated for the Pan Pacific Park - Sportsfield Improvements (PRJ20249) project, approved on November 3, 2010, per Board Report No. 10-296, for the Pan Pacific Park - Field Improvements (PRJ20579) project;
4. Authorize the Department's Chief Accounting Employee to transfer \$9,606.10 in Zone Change Fees from Pan Pacific Park Account No. 440K-WV to the Pan Pacific Park Account No. 460K-WV;
5. Authorize the Department's Chief Accounting Employee to transfer \$332,883.00 in Quimby Fees from Quimby Fees Account No. 460K-00 to the Pan Pacific Park Account No. 460K-WV; and,

REPORT OF GENERAL MANAGER

PG. 2                      NO. 11-302

6. Approve the allocation of \$1,882,226.27 in Quimby and Zone Change Fees, from the Pan Pacific Park Account No. 460K-WV, for the Pan Pacific Park - Field Improvements (PRJ20579) project, as described in the Summary of this Report.

SUMMARY:

Pan Pacific Park is located at 7600 Beverly Boulevard in the Fairfax District area of the City. This 32.18 acre facility provides multipurpose fields, play areas, a swimming pool, a recreation center, and a senior center for the surrounding communities. Due to the facilities, features, programs, and services it provides, Pan Pacific Park meets the standard for a Community park, as defined in the City's Public Recreation Plan.

Department staff has determined that supplemental funding for a proposed Proposition K Project (W.O. #E170496) at Pan Pacific Park is necessary and will be of benefit to the surrounding community. The project scope includes the renovation of existing baseball diamonds, construction of a new synthetic turf multipurpose field, repair of existing park lighting, paths, and walkways, and related improvements.

On January 9, 2008, the Board approved, in Board Report No. 08-11, the allocation of \$3,000,000.00 in Quimby and Zone Change Fees for the Pan Pacific Park - Pool and Bathhouse Improvement (PRJ1383A) project. This project is complete, and unexpended funding is available for reallocation to other projects.

November 3, 2010, the Board approved, in Board Report No. 10-296, the allocation of a total of \$805,275.00 in Quimby Fees for the Pan Pacific Park - Sportsfield Improvements (PRJ20249) project. This project is complete, and unexpended funding is available for reallocation to other projects.

Upon approval of this report, the following Quimby and Zone Change Fees can be transferred to Pan Pacific Park Account No. 460K-WV for the Pan Pacific Park - Field Improvements Project:

- \$9,606.10 in Zone Change Fees from Pan Pacific Park Account No. 440K-WV
- \$332,883.00 in Quimby Fees from Quimby Fees Account No. 460K-00

The total Quimby and Zone Change Fees allocation for the Pan Pacific Park - Field Improvements project is \$1,882,226.27. These Fees were collected within two miles of Pan Pacific Park, which is the standard distance for the allocation of the Quimby Fees for community recreational facilities.

REPORT OF GENERAL MANAGER

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Staff has determined that California Environmental Quality Act (CEQA) will be addressed when the complete project scope has been determined and sufficient funds have been identified to begin the project.

FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have a negative fiscal impact on the Department as the implementation of the proposed park capital improvements will increase the level of daily maintenance required at this facility. The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General Fund.

The maintenance costs for the proposed park improvements will be approximately \$78,500, which includes the costs for one Gardener Caretaker, one Special Program Assistant II, materials and supplies. The requested level of funding would provide adequate maintenance seven days a week, year round. If the requested funding is not granted then this facility will be included in the existing Metro Region routes, which will result in reduction of core functions on the existing route. This may also impact the hours of operation of these facilities.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Division.



REPORT OF GENERAL MANAGER

NO. 11-303

DATE November 21, 2011

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SOUTHEAST VALLEY SKATE PARK – PARK ACQUISITION AND DEVELOPMENT (PRJ20408) PROJECT – ALLOCATION OF ZONE CHANGE FEES

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>MS</i></u>
V. Israel	_____	N. Williams	_____

*V. Israel*  
General Manager

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

RECOMMENDATIONS:

That the Board:

1. Authorize the reallocation of \$115,000.00, previously allocated for the Fernangeles Recreation Center - Building and Outdoor Park Improvement (PRJ20479) project, approved on August 11, 2010, per Board Report No. 10-206, for the Southeast Valley Skate Park - Park Acquisition and Development (PRJ20408) project;
2. Authorize the Department’s Chief Accounting Employee to transfer \$115,000.00 in Zone Change Fees from Fernangeles Recreation Center Account No. 440K-FE to the 12551 Sheldon Street Account No. 460K-XF; and,
3. Approve the allocation of \$115,000.00 in Zone Change Fees, from the 12511 Sheldon Street Account No. 460K-XF, for the Southeast Valley Skate Park - Park Acquisition and Development (PRJ20408) project, as described in the Summary of this Report.

SUMMARY:

Southeast Valley Skate Park is a 2.30 acre park located at 12511 Sheldon Street, in the Sun Valley community of the City. The park, which was recently acquired, is currently undeveloped and is planned to be developed with a skate park. Due to the size of the park, and the facilities, features, and programs, it will provide once complete, Southeast Valley Skate Park meets the standard for a Neighborhood Park, as defined in the City’s Public Recreation Plan.

## REPORT OF GENERAL MANAGER

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On March 3, 2010, the Board approved, in Board Report No. 10-055, the allocation of \$51,474.00 in Quimby Fees for the acquisition and development of the 2.30 acre property at 12511 Sheldon Street. On September 7, 2011, the Board, in Board Report No. 11-240, preliminarily approved the acquisition of an adjacent parcel, located at 12515 Sheldon Street, and authorized staff to work with the Department of General Services to acquire the identified parcel.

Department staff has determined that supplemental funding will be necessary to complete this project. Specifically, these Quimby funds will be used to help fund the Phase I and Phase II Environmental Assessments, the design of the park, and the initial site development.

On August 11, 2010, the Board approved, in Board Report No. 10-206, the allocation of \$115,000.00 in Zone Change Fees for the Fernangeles Recreation Center - Building and Outdoor Park Improvement (PRJ20479) project. This project is complete, and unexpended funding is available for reallocation to other projects.

Upon approval of this report, the following Zone Change Fees can be transferred to the 12511 Sheldon Street Account No 460K-XF for the Southeast Valley Skate Park - Park Acquisition and Development (PRJ20408) project:

- \$115,000.00 in Zone Change Fees from Fernangeles Recreation Center Account No. 440K-FE

The total Zone Change Fees allocation for the Southeast Valley Skate Park - Park Acquisition and Development (PRJ20408) project, including previously approved allocations, is \$166,474.00. These Fees were collected within one mile of Southeast Valley Skate Park, which is the standard distance for the allocation of the Quimby Fees for neighborhood recreational facilities. The funding currently allocated will not meet all the estimated costs for the acquisition of this project site. Multiple funding sources, in addition to Quimby Fees, will be needed in order to acquire and develop a park at this site.

Staff has determined that California Environmental Quality Act (CEQA) will be addressed when the complete project scope has been determined and sufficient funds have been identified to begin the project.

REPORT OF GENERAL MANAGER

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FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have a negative fiscal impact on the Department as the implementation of the proposed park capital improvements will increase the level of daily maintenance required at this facility. The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General Fund.

The maintenance costs for the proposed park improvements will be approximately \$25,000, which includes the costs for part-time staff, materials and supplies. The requested level of funding would provide four hours of maintenance per day, seven days a week, year round. If the requested funding is not granted then this facility will be included in the existing Valley Region routes, which will result in a reduction of core functions on the existing route.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Division.



REPORT OF GENERAL MANAGER

NO. 11-304

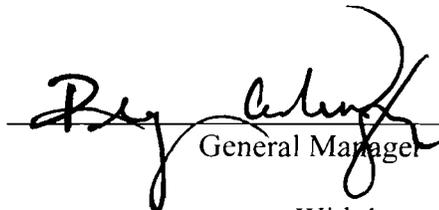
DATE November 21, 2011

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: STUDIO CITY RECREATION CENTER – NEW GYMNASIUM (PRJ20404)  
PROJECT – ALLOCATION OF QUIMBY FEES

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u>Mf</u>
V. Israel	_____	N. Williams	_____

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

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

RECOMMENDATIONS:

That the Board:

1. Authorize the Department’s Chief Accounting Employee to transfer \$258,223.00 in Quimby Fees from the Quimby Fees Account No. 460K-00 to the Studio City Recreation Center Account No. 460K-ST; and,
2. Approve the allocation of \$258,223.00 in Quimby Fees, from Studio City Recreation Center Account No. 460K-ST for the Studio City Recreation Center - New Gymnasium (PRJ20404) project, as described in the Summary of this Report.

SUMMARY:

Studio City Recreation Center is located at 12621 Rye Street in the Studio City area of the City. This 8.46 acre facility provides a children’s play area, recreation center, tennis courts, basketball courts, and a multipurpose field for the use of the surrounding community. Due to the size of the park, and the facilities, features, and services it provides, Studio City Recreation Center meets the standard for a Neighborhood Park, as defined in the City’s Public Recreation Plan.

On November 3, 2010, the Board approved, in Board Report No. 10-294, the allocation of \$653,544.00 in Quimby Fees for the Studio City Recreation Center - New Gymnasium (PRJ20404) project. The scope of the approved New Gymnasium project, which would be funded primarily with Proposition K funds, included the construction of a modern gymnasium building.

## REPORT OF GENERAL MANAGER

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Department staff has determined that supplemental funding may be necessary for the completion of the project. The Bureau of Engineering is currently developing the cost estimates for this project so it is not known at this time how much in supplemental funding may ultimately be necessary.

Upon approval of this report, the following Quimby Fees can be transferred to Studio City Recreation Center Account No. 460K-ST for the Studio City Recreation Center - New Gymnasium (PRJ20404) project:

- \$258,223.00 in Quimby Fees from the Quimby Fees Account No. 460K-00

The total Quimby Fees allocation for the Studio City Recreation Center - New Gymnasium (PRJ20404) project, including previously approved allocations, is \$911,767.00. These Quimby Fees were collected within one mile of Studio City Recreation Center, which is the standard distance for the allocation of the Quimby Fees for neighborhood recreational facilities.

The California Environmental Quality Act (CEQA) will be addressed when the complete project scope has been determined and sufficient funds have been identified to begin the project.

### FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have no fiscal impact on the Department as the implementation of the proposed park capital improvements will not increase the level of daily maintenance required at this facility and the estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General Fund.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Division.

REPORT OF GENERAL MANAGER

NO. 11-305

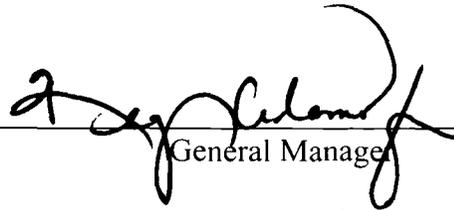
DATE November 21, 2011

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WINNETKA RECREATION CENTER - OUTDOOR PARK IMPROVEMENTS (PRJ20322) PROJECT - ALLOCATION OF QUIMBY FEES

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>MS</i></u>
V. Israel	_____	N. Williams	_____

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

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

RECOMMENDATIONS:

That the Board:

1. Authorize the Department's Chief Accounting Employee to transfer \$50,456.00 in Quimby Fees from the Quimby Fees Account No. 460K-00 to the Winnetka Recreation Center Account No. 460K-WF; and,
2. Approve the allocation of \$50,456.00 in Quimby Fees from Winnetka Recreation Center Account No. 460K-WF for the Winnetka Recreation Center - Outdoor Park Improvements (PRJ20322) project, as described in the Summary of this Report.

SUMMARY:

Winnetka Recreation Center is located at 8401 Winnetka Avenue in the Canoga Park community of the City. This 15.95 acre facility provides multipurpose fields, picnic areas, and recreation center for the use of the local community. Due to the facilities, features, programs, and services it provides, Winnetka Recreation Center meets the standard for a Community Park, as defined in the City's Public Recreation Plan.

On August 12, 2009, the Board approved, in Board Report No. 09-208, the allocation of \$76,847.71 in Quimby Fees for the Winnetka Recreation Center - Outdoor Park Improvements (PRJ20322) project. On May 5, 2010, the Board approved, in Board Report No. 10-116, the allocation of an additional \$26,332.00 in Quimby Fees for the Outdoor Park Improvements project at Winnetka Recreation Center. The scope of the approved Outdoor Park Improvements

## REPORT OF GENERAL MANAGER

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project included improvements to the turf, landscape, irrigation infrastructure, fencing, multipurpose fields, the children's play area, and related site amenities.

Department staff has determined that supplemental funding will be necessary for the completion of the project.

Upon approval of this report, the following Quimby Fees can be transferred to Winnetka Recreation Center Account No. 460K-WF for the Winnetka Recreation Center - Outdoor Park Improvements project:

- \$50,456.00 in Quimby Fees from the Quimby Fees Account No. 460K-00

The total Quimby Fees allocation for the Winnetka Recreation Center - Outdoor Park Improvements project, including previously approved allocations, is \$153,635.71. These Fees were collected within two miles of Winnetka Recreation Center, which is the standard distance for the allocation of the Quimby Fees for community recreational facilities. As it is anticipated that the funds needed for the project exceeds the available funding the identified improvements will be developed and prioritized with the community to match funding being allocated.

Staff has determined that the subject project is a continuation of an existing project approved on August 12, 2009 (Board Report No. 09-208) that is exempted from CEQA [Class 4(3) and Class 11(3)]. The work funded by the current Board action will not result in any additional environmental impacts, and therefore, is covered by the existing CEQA exemption. No additional CEQA documentation is required.

### FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have no fiscal impact on the Department's General Fund as the implementation of the proposed park capital improvements will not increase the level of daily maintenance required at this facility and the estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General Fund.

This report was prepared by Darryl Ford, Management Analyst II, Planning, Construction, and Maintenance Division.

REPORT OF GENERAL MANAGER

NO. 11-306

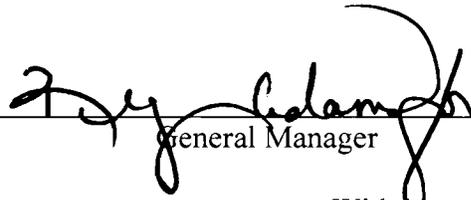
DATE November 21, 2011

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: THE GREEK THEATRE CONCESSION – ANNUAL PERFORMANCE  
GUARANTEE PENALTY PAYMENT

R. Adams	_____	K. Regan	_____
H. Fujita	_____	M. Shull	_____
V. Israel	_____	*N. Williams	<u>NDW</u>

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board accept the one-time cash payment of \$135,803.82 and In-Kind Services to the Department, as detailed in the summary of this Report, as payment in-full for the 2009 and 2010 Performance Guarantee penalty.

SUMMARY:

On May 21, 2002, Concession Agreement Number 245 was executed between the City of Los Angeles Department of Recreation and Parks and Nederlander-Greek, Inc. (NGI) for the operation and maintenance of the Greek Theatre. The Concession Agreement includes a Performance Guarantee which requires that the annual gross revenue would not be less than \$15 million for the first concert season and would increase by 3% annually. The penalty for not meeting the Performance Guarantee is 20% of the amount under the guaranteed minimum.

For the 2009 and 2010 seasons, NGI was unable to meet the Performance Guarantee. On March 16, 2011, a letter was sent from the Department to NGI informing them about the Performance Guarantee penalty of \$493,789.40. On April 12, 2011, staff met with NGI to discuss the matter. Staff also reviewed the year-end financial documents and accounting adjustments previously submitted by NGI for calendar years 2009 and 2010. The accounting adjustments revise the gross revenue reported by NGI and the Performance Guarantee penalty is recalculated to be \$452,679.40.

REPORT OF GENERAL MANAGER

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Period	Performance Guarantee	Actual Annual Gross Revenue	Performance Guarantee Shortfall	Penalty (20% of Shortfall)
2009	\$ 18,150,000	\$ 17,998,995	\$ 151,005	\$ 30,201.00
2010	\$ 18,600,000	\$ 16,487,608	\$ 2,112,392	\$ 422,478.40
Total Penalty:				\$ 452,679.40

Staff recommends that the Board accept a revised Performance Guarantee penalty of a one-time cash payment of \$135,803.82 and that consideration be given for \$576,102.65 of in-kind services that NGI has provided to the Department, the Greek Theatre, and the community over the term of the Concession Agreement.

One-Time Cash Payment

The one-time cash payment of \$135,803.82 represents the projected amount of rent that NGI would have paid had NGI met the Performance Guarantee:

2009 Performance Guarantee:	\$	18,150,000.00
2009 Gross Revenue:	\$	17,998,995.00
2009 Shortfall:	\$	151,005.00
Rent on 2009 Shortfall (6% of Shortfall):	\$	9,060.30
2010 Performance Guarantee:	\$	18,600,000.00
2010 Gross Revenue:	\$	16,487,608.00
2010 Shortfall:	\$	2,112,392.00
Rent on 2010 Shortfall (6% of Shortfall):	\$	126,743.52
TOTAL PROJECTED RENT ON SHORTFALL:	\$	135,803.82

In-Kind Services

During the term of the Concession Agreement, NGI has: 1) assumed costs for traffic operations originally provided at no cost by the Department of Transportation (DOT); 2) provided operational and maintenance staff for events which benefited the public, primarily schools, and for which the Department would have had to provide staff; 3) provided non-contractually required capital improvements; and 4) purchased a sound monitoring system to ensure compliance with noise requirements. The value of the in-kind services is as follows:

DOT Parking Costs:	\$	43,180.00
Event Subsidy (Bach, Rock and Shakespeare):	\$	170,287.00
Event Subsidy (High School Graduations):	\$	194,340.00
Event Subsidy (Cosmic Conjunction):	\$	11,408.00
Capital Improvement (Capacity Adjustment)	\$	47,408.65

REPORT OF GENERAL MANAGER

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Capital Improvement (Plaza Bar):	\$	71,015.00
Sound Monitoring System:	\$	<u>38,464.00</u>
TOTAL IN-KIND SERVICES	\$	576,102.65

The one-time cash payment and in-kind services total \$711,906.47 and surpass the performance guarantee penalty of \$452,679.40.

New Venue (The Nokia Theatre)

The recommendation to review and reconsider the performance guarantee penalty is based on a new venue opening in the surrounding area, the Nokia Theatre, which has negatively impacted NGI's ability to meet the performance guarantee.

On May 9, 2002, prior to the execution of the Concession Agreement, a letter was sent from the Department to representatives of NGI that stated that should a proposed new concert theatre near the Staples Center be completed and create a negative impact on the Greek Theatre, the Department would entertain a request for relief from the Performance Guarantee and that the request would be brought to the Board for consideration and action (Attachment A).

In 2007 the Nokia Theatre opened at the L.A. Live complex, which also houses music venues such as Staples Center, Club Nokia, and The Conga Room. The Nokia Theatre has a seating capacity of 7,100 patrons versus the Greek Theatre's capacity of 5,801 seats.

Prior to the opening of the Nokia Theatre, the Greek Theatre and the Gibson Amphitheatre competed for the primary concert market in the Los Angeles area. Attachment B shows that during the four years prior to the Nokia Theatre opening (2003 – 2006), 52% of total ticket sales were attributed to the Greek Theatre and 48% were attributed to the Gibson Amphitheatre. The four years after the opening of the Nokia Theatre (2007- 2010), 36% of total ticket sales were attributed to the Greek Theatre, 31% were attributed to the Gibson Amphitheatre, and the 33% were attributed to the Nokia Theatre.

The effect of the Nokia Theatre on both the Greek Theatre and Gibson Amphitheatre was immediate and is expected to be permanent.

Concession Performance

NGI has worked hard to ensure that the Greek Theatre is a world class operation. From 2001 to 2010, the Greek Theatre has been recognized by the Annual Pollstar Magazine Awards as the Best Small Outdoor Venue (except for 2002). Pollstar also recognized Rena Wasserman, the Greek Theatre General Manager, as the "Facility Executive of the Year" for 2009 and 2010.

REPORT OF GENERAL MANAGER

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NGI has worked cooperatively with the Department to ensure impact of concert events to the surrounding community is minimal, hosts community meetings to improve operations, and has partnered with the Department on concerts benefiting the Griffith Park Recovery efforts in 2007. It should also be noted that the overall performance by NGI has surpassed the minimum contractual requirements (Attachment C). Between the beginning of the first contract season in 2002 and the end of the concert season in 2010:

1. The cumulative Performance Guarantee target totaled \$151,200,000 and the actual gross revenue totaled \$175,172,677.
2. The cumulative Minimum Annual Rent requirement totaled \$10,800,000 and the actual rent paid to the Department totaled \$13,298,191.

The acceptance of the one-time cash payment of \$135,803.82 ensures that the Department receives the same compensation had NGI met the Performance Guarantee and the acceptance of the In-Kind Services allows consideration for the negative effect of the Nokia Theatre.

FISCAL IMPACT STATEMENT:

The additional one-time payment of \$135,803.82 will be deposited into the Department's General Fund (Fund 302 Department 88 Revenue Source 4150 Work Order RAPX0210).

Report prepared by Robert N. Morales, Senior Management Analyst II, Finance Division.

**BOARD OF RECREATION AND  
PARK COMMISSIONERS**

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**CITY OF LOS ANGELES**  
CALIFORNIA



**JAMES K. HAHN**  
MAYOR

**DEPARTMENT OF  
RECREATION AND PARKS**  
200 N. MAIN ST.  
13<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90012

(213) 473-5868  
FAX - (213) 473-8802

**ELLEN OPPENHEIM**  
GENERAL MANAGER

May 9, 2002

**COPY**

Mr. Neil Papiano  
Iverson, Yoakum, Papiano & Hatch  
624 South Grand Avenue, 27<sup>th</sup> Floor  
Los Angeles, CA 90017-3328

**Subject: Greek Theatre Agreement - Competition from new Staples Center Area Theatre**

Dear Mr. Papiano:

At our meeting of February 4, 2002, we discussed several concerns your client (Nederlander Greek, Inc.) had with the above-referenced agreement, including potential negative impacts on Greek Theatre revenue that could ensue from the construction of a proposed new theatre near the Staples Center. We agreed that if and when the proposed new facility is completed and your client can demonstrate that the Greek Theatre is significantly impacted, the Department will entertain a request for rent relief and guarantee that the request will be brought to the Board of Recreation and Park Commissioners for consideration and action.

As we discussed, the appropriate time to deal with this matter is at the point where Nederlander Greek has verifiable experience that the new Staples area venue is drawing performers and revenue away from the Greek Theatre. I believe that this letter adequately recounts our conversation regarding this issue. If you require further information or clarification, please call me at (213) 473-6833.

Very truly yours,

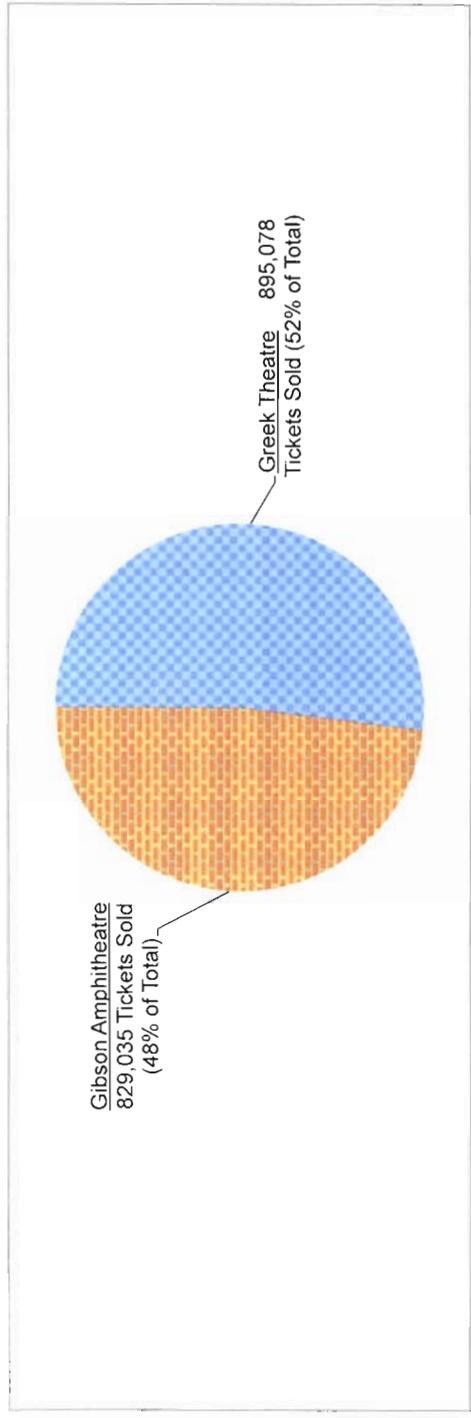
**ELLEN OPPENHEIM**  
General Manager

  
**MARJORIE MATTHEWS**  
Executive Officer

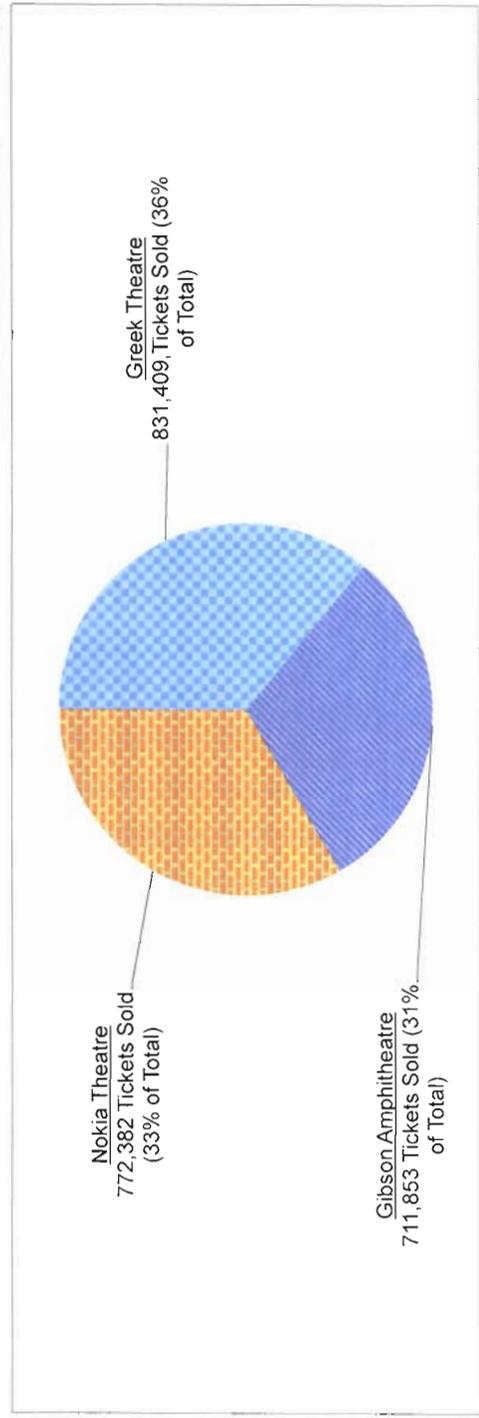
cc: Board of Recreation and Park Commissioners  
Pete Echeverria  
Mark Brown

DEPARTMENT OF RECREATION AND PARKS  
THE GREEK THEATRE CONCESSION - COMPARISON OF TOTAL TICKET SALES  
BETWEEN 2003 AND 2010

Venue	2003		2004		2005		2006		4 YEAR TOTAL	
	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold
Greek Theatre	190,286	48.96%	238,271	63.14%	248,248	48.30%	218,271	49.14%	895,076	51.92%
Gibson Amphitheatre	198,358	51.04%	139,074	36.86%	265,689	51.70%	225,913	50.86%	829,034	48.08%
TOTALS	388,644	100.00%	377,345	100.00%	513,937	100.00%	444,184	100.00%	1,724,110	100.00%



Venue	2007		2008		2009		2010		4 YEAR TOTAL	
	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold	No. of Ticket Sold	% of Total Tickets Sold
Greek Theatre	275,893	51.98%	207,869	32.59%	181,004	30.77%	166,642	29.83%	831,408	35.90%
Gibson Amphitheatre	186,776	35.19%	165,053	25.87%	172,514	29.32%	187,509	33.57%	711,852	30.74%
Nokia Theatre	68,135	12.84%	264,967	41.54%	234,811	39.91%	204,468	36.60%	772,381	33.35%
TOTALS	530,804	100.00%	637,889	100.00%	588,329	100.00%	558,619	100.00%	2,315,641	100.00%



DEPARTMENT OF RECREATION AND PARKS  
 THE GREEK THEATRE CONCESSION  
 SUMMARY OF PERFORMANCE GUARANTEE AND ANNUAL RENT PAYMENT

Year	PERFORMANCE GUARANTEE		
	Performance Guarantee Target (With 3% Annual Increase)	Actual Annual Gross Revenue	Performance Guarantee Surplus / Shortfall
2002	\$ 15,000,000	\$ 16,982,241	\$ 1,982,241
2003	\$ 15,450,000	\$ 15,575,475	\$ 125,475
2004	\$ 15,900,000	\$ 20,135,192	\$ 4,235,192
2005	\$ 16,350,000	\$ 20,573,485	\$ 4,223,485
2006	\$ 16,800,000	\$ 19,343,443	\$ 2,543,443
2007	\$ 17,250,000	\$ 25,305,942	\$ 8,055,942
2008	\$ 17,700,000	\$ 22,770,296	\$ 5,070,296
2009	\$ 18,150,000	\$ 17,998,995	\$ (151,005)
2010	\$ 18,600,000	\$ 16,487,608	\$ (2,112,392)
<b>TOTAL</b>	<b>\$ 151,200,000</b>	<b>\$ 175,172,677</b>	<b>\$ 23,972,677</b>

	ANNUAL RENT PAYMENT		
	Minimum Annual Rent	Annual Rent Payment Paid to RAP	Annual Rent Surplus / Shortfall
\$	1,200,000	\$ 1,695,038	\$ 495,038
\$	1,200,000	\$ 1,200,000	\$ -
\$	1,200,000	\$ 1,492,894	\$ 292,894
\$	1,200,000	\$ 1,508,990	\$ 308,990
\$	1,200,000	\$ 1,416,922	\$ 216,922
\$	1,200,000	\$ 1,841,044	\$ 641,044
\$	1,200,000	\$ 1,651,362	\$ 451,362
\$	1,200,000	\$ 1,291,941	\$ 91,941
\$	1,200,000	\$ 1,200,000	\$ -
<b>\$</b>	<b>10,800,000</b>	<b>\$ 13,298,191</b>	<b>\$ 2,498,191</b>



REPORT OF GENERAL MANAGER

NO. 11-307

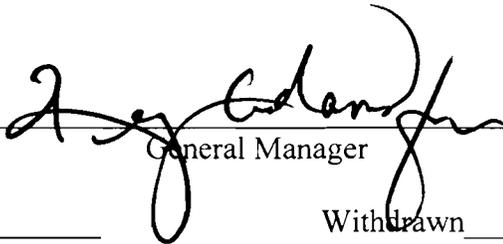
DATE November 21, 2011

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH RIVERSIDE AND VERMONT CANYON TENNIS PROFESSIONAL – AWARD OF CONCESSION AGREEMENT TO LA TENNIS INCORPORATED

R. Adams _____	K. Regan _____
H. Fujita _____	M. Shull _____
V. Israel _____	*N. Williams <u>NW</u>

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Concession Agreement, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and LA Tennis Incorporated, for the operation and maintenance of the Griffith Riverside and Vermont Canyon Tennis Professional Concession for a term of five (5) years with two (2) five-year renewal options exercisable at the sole discretion of the General Manager, subject to the approval of the Mayor and City Council, and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ with sufficient time and expertise to undertake these specialized tasks and that it is more feasible or economical to secure these services by contract;
3. Find, in accordance with Charter Section 371(e)(10) and Los Angeles Administrative Code Section 10.15(a)(10), that the use of competitive bidding would be undesirable, impractical or otherwise excused by the common law and the Charter because, unlike the purchase of a specified product, there is no single criterion, such as price comparison, that will determine which proposer can best provide the services required by the Department for the improvement, operation and maintenance of the Department's concession. In order to select the best proposer for this concession, the Board finds it is necessary to utilize a standard request for proposals process and to evaluate proposals received based upon the criteria included in the Request for Proposals (RFP). Also, find

## REPORT OF GENERAL MANAGER

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that the narrower and more specialized competitive sealed proposal process authorized but not required by Charter Section 371, subsection (b), would not meet the Department's needs and therefore opts to utilize the standard request for proposals process;

4. Direct the Board Secretary to transmit the proposed Concession Agreement to the Mayor in accordance with Executive Directive No. 3 and, concurrently, to the City Attorney for review and approval as to form; and,
5. Authorize the Board President and Secretary to execute the Concession Agreement upon receipt of the necessary approvals.

### SUMMARY:

The Griffith Riverside and Vermont Canyon Tennis Professional Concession (Concession) has been operated by LA Tennis Incorporated through Concession Agreement No. 259 (Agreement) since February 6, 2009. The Agreement will expire on February 5, 2012. The Concession offers tennis programs, including private lessons, adult clinics, and junior programs, and operates tennis pro shops. In Fiscal Year 2010-11, the Concession generated \$419,425.66 in gross receipts and paid \$57,462.63 in rent to the Department.

The Griffith Riverside Tennis Complex is located at 3401 Riverside Drive, Los Angeles, CA 90027, at the Griffith Park Recreation Center, and consists of twelve lighted tennis courts. The Concession is assigned four tennis courts (courts 2, 4, 9 and 10) and a tennis professional shop which provides tennis related merchandise and services, and prepackaged snack foods and beverages.

The Vermont Canyon Tennis Complex is located 2715 North Vermont Avenue, Los Angeles, CA 90027, in the foothills of Griffith Park and consists of twelve unlighted tennis courts. The Concession is assigned two tennis courts (courts 3 and 4) and a tennis professional shop which provides tennis related merchandise and services, and prepackaged snack foods and beverages.

On February 2, 2011, the Board approved the release of the Request for Proposals (RFP) in order to enter into a multi-year concession agreement (Board Report No. 11-033).

The RFP was released on February 23, 2011 and advertised in the L.A. Daily Journal, made available on the Department's website and posted on the Los Angeles Business Assistance Virtual Network (BAVN). In addition, a letter inviting bids was mailed to over a hundred (100) organizations and individuals from a mailing list maintained by the Concessions Unit.

On April 13, 2011, a Pre-Proposal Conference was held at the Department's Central Service Yard and attended by twelve companies. A walk-through of the Concession premises was conducted on April 15, 2011.

## REPORT OF GENERAL MANAGER

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One addendum to the RFP was released in order to include the First Source Hiring Ordinance (FSHO) as a required item in the RFP. On July 5, 2011, one proposal was submitted in response to the RFP: LA Tennis, Inc., the incumbent operator.

As stipulated in the RFP, evaluation of the bid proposals was to occur in two levels. Level I would be a check and review for required compliance and submittal documents and Level II would be a comprehensive evaluation of the proposal. The proposer must successfully pass the first level to proceed to the next level.

### Level I Evaluation

Staff performed a Level I review of the following required documents:

#### Compliance Documents:

- 1) Proposer's Signature Declaration and Affidavit of Non-Collusion
- 2) Disposition of Proposals
- 3) Affirmative Action Plan
- 4) Contractor Responsibility Ordinance Statement
- 5) Equal Benefits Ordinance Statement
- 6) Living Wage Ordinance/Service Contractor Worker Retention Ordinance
- 7) Good Faith Effort Subcontractor Outreach
- 8) Bidder Certification - CEC Form 50

#### Submittal Documents:

- 1) Cover Letter
- 2) Proposal Deposit
- 3) Ability to Finance
- 4) Background and Experience
- 5) Business Plan
- 6) Proposed Revenue Sharing Payment
- 7) On-Going Refurbishment, Improvements, and Maintenance
- 8) Concession Improvements

LA Tennis, Inc., was found to be responsive in all eight compliance documents and all eight submittal documents (Attachments A and B).

### Level II Evaluation

An evaluation panel was not assembled for the Level II Evaluation as there was only one proposal submitted in response to the RFP. Staff reviewed the submitted proposal and negotiated terms and conditions based on the RFP and the proposal submitted by LA Tennis, Inc. (Attachment C). The negotiated items included:

- LA Tennis, Inc., proposed to pay 12% of gross revenue for lesson services for the first year of operation and increase incrementally to 14% during the first five (5) year term of

## REPORT OF GENERAL MANAGER

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the Concession Agreement. LA Tennis, Inc., currently pays 14% of gross revenue for lesson services. The Department requested that the percentage not be decreased from the current amount of 14% of gross revenue from lesson services.

In Fiscal Year 2010-11, gross revenue for lesson services was \$405,459.41 and rent paid to the Department was \$56,764.32.

- LA Tennis, Inc., proposed to pay 14% of gross revenue for pro shop sales (goods and services) for the term of the Concession Agreement. LA Tennis, Inc., currently pays 5% of gross revenue for pro shop sales. As part of the negotiations to increase the proposed percentage for the lesson services from 12% to 14%, the Department agreed to reduce the proposed percentage for the pro shop sales from 14% to 8%.

In Fiscal Year 2010-11, gross revenue for pro shop sales was \$13,966.25 and rent paid to the Department was \$698.31.

- The required improvements stated in the RFP and the optional improvements proposed by LA Tennis, Inc., were accepted and a timeline established. Two optional improvements were not accepted; 1) Interior Lighting of the Pro Shop as the submitted proposal was not clear on the proposed item, and 2) A café as the RFP was for tennis instruction and operation of the tennis pro shop.

### Concession Agreement

The term of the proposed Concession Agreement will be five (5) years, with two (2) five-year renewal options exercisable at the sole discretion of the General Manager. LA Tennis, Inc. will pay the Department 14% of the gross receipts from lessons; 8% of the gross receipts of sales from the Tennis Pro Shop (goods and services); and, one-hundred dollars (\$100) per month for utilities.

LA Tennis, Inc. will: 1) paint the interior and exterior and re-floor the interior of the pro shop; 2) replace any damaged and/or worn doors at the Griffith Riverside location; 3) provide tables, chairs and plants on the outdoor patio area of the exterior of the Griffith Riverside Tennis Pro Shop and, 4) paint two assigned courts at the Griffith Riverside location for Quickstart court modifications.

LA Tennis, Inc., will also provide a Performance Deposit in the amount of Four-Thousand Dollars (\$4,000) to be maintained for the duration of the Concession Agreement.

### Charter Section 1022

Los Angeles City Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical or feasible to contract out the service.

## REPORT OF GENERAL MANAGER

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On December 16, 2010, the Personnel Department completed a Charter Section 1022 review and determined that the Department had City classifications which met some of the minimum qualifications to provide tennis concession management (Attachment D). However, the ability to provide tennis lessons and manage a tennis program on a day-to-day basis requires expertise that City classifications are unable to provide.

Also, the tennis instructors are required to hold certifications from the United States Professional Tennis Association. Compensation at the rate of the City classifications would make it extremely difficult to find and retain qualified instructors; it is therefore more feasible to contract out the service to ensure a sufficient level of instruction to meet the needs of the public.

### Contract Cost Analysis

Based on a cost analysis performed for this Concession (Exhibit E), staff determined that it would cost the Department \$491,467.67 in labor (direct and in-direct) and expense to self-operate during the first year. With projected gross revenue of \$419,425.66, the Department would operate at a loss of \$72,042.01.

LA Tennis, Inc. would pay the Department \$57,881.62 in rent during the first year of operation. With consideration given to the cost of monitoring the contract in the amount of \$12,922.91 (direct and in-direct costs), the Department would realize a net gain of \$44,958.71 by contracting out the service. It is therefore more economical to contract out the service.

The concession agreement would enhance the recreational experience at the Griffith-Riverside tennis courts and Vermont Canyon tennis courts by providing professional level tennis instruction to patrons of the park, will provide improvements to the facility, provide continued service to the public, and ensure adequate and appropriate rent is paid to the Department. The agreement is revenue generating and the Department will not incur costs for the operation of a tennis professional concession at the location.

The incumbent operator, LA Tennis, Inc., has successfully demonstrated their ability to operate a professional tennis concession and is recommended for the award of the concession agreement.

### FISCAL IMPACT STATEMENT:

During the five-year term of the concession agreement, it is estimated that a minimum of \$289,408.10 will be paid in rent to the Department. Of that amount, \$260,467.29 will be deposited in the Department's General Fund and \$28,940.81 will be deposited into the Concession Improvement Account (Fund 302, Department 89, Account 070K).

Report prepared by Mark Stipanovich, Management Analyst II, Concessions Unit, Finance Division.



**DEPARTMENT OF RECREATION AND PARKS  
LA TENNIS, INC.  
GRIFFITH RIVERSIDE AND VERMONT CANYON TENNIS PROFESSIONAL RFP (ARS T11-03)  
LEVEL I EVALUATION**

<b>I. Compliance Documents</b>		<b>Submitted</b>	<b>In Compliance</b>	<b>Comments</b>
1.	Signature Declaration and Affidavit of Non-Collusion	Yes	Yes	
2.	Disposition of Proposals	Yes	Yes	
3.	Affirmative Action Plan	Yes	Yes	
4.	Contractor Responsibility Questionnaire	Yes	Yes	
5.	Equal Benefits Ordinance Statement	Yes	Yes	
6.	Living Wage/Service Contract Worker Retention Ordinance Forms	N/A	N/A	Submittal of documents is only required if an exemption is requested. Non-submittal indicates acceptance of requirements.
7.	Good Faith Effort Subcontractor Outreach	Yes	Yes	
8.	CEC Form 50	Yes	Yes	

<b>II. Submittal Documents</b>		<b>Submitted</b>	<b>In Compliance</b>	<b>Comments</b>
1.	Cover Letter	Yes	Yes	
2.	Proposal Deposit	Yes	Yes	
3.	Ability to Finance	Yes	Yes	
4.	Background Experience	Yes	Yes	
5.	Business Plan	Yes	Yes	
6.	Proposed Revenue Sharing Percentage	Yes	Yes	
7.	On-Going Refurbishment, Improvements, and Maintenance	Yes	Yes	
8.	Concession Improvements	Yes	Yes	

**DEPARTMENT OF RECREATION AND PARKS  
LA TENNIS, INC.  
GRIFFITH RIVERSIDE AND VERMONT CANYON TENNIS PROFESSIONAL RFP (ARS T11-03)**

**GOOD FAITH EFFORT SUBCONTRACTOR OUTREACH  
SCORING SUMMARY**

Indicator		Possible Points	Awarded Points	Comment
1.	Level of Anticipated MBE/WBE/OBE Participation	0	0	
2.	Attended Pre-Bid Meeting	10	10	
3.	Sufficient Work Identified for Subconsultant	10	10	
4.	Advertisement	9	9	
5.	Written Notices to Subconsultant	15	15	
6.	Follow-Up on Initial Solicitation	10	10	
7.	Plans, Specifications, and Requirements	5	5	
8.	Contacted Recruitment / Placement Organizations	10	10	
9.	Negotiated in Good Faith	26	26	
10.	Bond, Lines of Credit, and Insurance	5	5	
<b>TOTAL SCORE:</b>		<b>100</b>	<b>100</b>	<b><i>Less than 75 points is failing</i></b>

BOARD OF RECREATION AND  
PARK COMMISSIONERS

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JOHNATHAN WILLIAMS  
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CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
RECREATION AND PARKS

221 N. FIGUEROA STREET  
15TH FLOOR, SUITE 1520  
LOS ANGELES, CA 90012

(213) 202-3220

FAX (213) 202-4311

JON KIRK MURKIN  
GENERAL MANAGER

September 15, 2011

Mr. Brent Pettersson  
Mr. Ty Metcalfe  
LA Tennis, Inc.  
3403 Riverside Drive  
Los Angeles, CA 90027

**GRIFFITH-RIVERSIDE AND VERMONT CANYON TENNIS PROFESSIONAL  
CONCESSION AGREEMENT PROPOSAL**

Dear Mr. Pettersson and Mr. Metcalfe:

Based on the meeting between the Department of Recreation and Parks (Department) and LA Tennis, Inc., held on September 12, 2011 regarding the Department proposal dated August 5, 2011 (Proposal) for the Griffith-Riverside and Vermont Canyon Tennis Professional Concession Request for Proposals, the following revisions are proposed:

- 1) Proposal of August 5, 2011  
Section 4 ("Term of Agreement") – the proposed Concession Agreement shall be for a term of five (5) years, effective on the date of execution, with one (1) five (5) year option to renew, at the sole discretion of the General Manager.

Revision to Proposal

Section 4 ("Term of Agreement") – the proposed Concession Agreement shall be for a term of five (5) years, effective on the date of execution, with two (2) five (5) year options to renew, at the sole discretion of the General Manager.

- 2) Proposal of August 5, 2011  
Section 6.A ("Revenue Sharing Fee and Payment") – LA Tennis, Inc., shall pay fourteen percent (14%) of the gross receipts produced by all tennis lessons each month and twelve percent (12%) of the gross receipt produced by all professional shop sales (goods and services), and rentals for each month.

Revision to Proposal

Section 6.A ("Revenue Sharing Fee and Payment") – LA Tennis, Inc., shall pay fourteen percent (14%) of the gross receipts produced by all tennis lessons each month and eight percent (8%) of the gross receipt produced by all professional shop sales (goods and services), and rentals for each month;



3) Proposal of August 5, 2011

Section 11.A ("Concession Improvements") – LA Tennis, Inc., shall be required to complete the following concession improvements, to the satisfaction of the General Manager, within six (6) months of execution of the proposed Concession Agreement or pay the cost of the improvement:

- A.1 Paint the Interior and Exterior of the Tennis Professional Shop at the Griffith-Riverside location (Cost of Improvement - \$2,500).
- A.2 Re-floor (carpeting or tile) the Interior of the Tennis Professional Shop at the Griffith-Riverside location (Cost of Improvement - \$1,000).
- A.3 Replace any damaged and/or worn doors at the Griffith-Riverside location (Cost of Improvement - \$500).
- A.4 Provide tables, chairs and plants on the outdoor patio area to the exterior of the Griffith-Riverside Tennis Pro Shop (Cost of Improvements - \$2,500).
- A.5 Paint the four (4) assigned courts at the Griffith-Riverside location (Cost of Improvements - \$2,000).

Revision to Proposal

Section 11.A ("Concession Improvements") – LA Tennis, Inc., shall be required to complete the following concession improvements, to the satisfaction of the General Manager or pay the cost of the improvement:

- A.1 Paint the Interior and Exterior of the Tennis Professional Shop at the Griffith-Riverside location within twenty-four (24) months of execution of the proposed Concession Agreement (Cost of Improvement - \$2,500).
- A.2 Re-floor (carpeting or tile) the Interior of the Tennis Professional Shop at the Griffith-Riverside location within twenty-four (24) months of execution of the proposed Concession Agreement (Cost of Improvement - \$1,000).
- A.3 (No Revision) Replace any damaged and/or worn doors at the Griffith-Riverside location (Cost of Improvement - \$500).
- A.4 (No Revision) Provide tables, chairs and plants on the outdoor patio area to the exterior of the Griffith-Riverside Tennis Pro Shop (Cost of Improvements - \$2,500).

LA Tennis Inc.  
September 15, 2011  
Page 3

- A.5 Paint two (2) assigned courts at the Griffith-Riverside location for Quickstart court modifications, as stated in the proposal submitted by LA Tennis, Inc., within six (6) months of execution of the proposed Concession Agreement (Cost of Improvements - \$2,000).

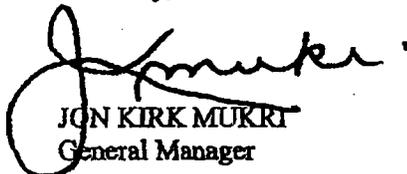
There is no revision to the August 5, 2011 proposal regarding the Tennis Pro Shop Interior Lighting replacement, as stated in Section 6.4.1 of the submitted proposal, and the Café, as stated in 6.4.2 of the submitted proposal, and both are not accepted and will not be incorporated into the proposed Concession Agreement. A copy of the proposed Concession Agreement with the revisions from the August 5, 2011 letter from the Department is attached for your review.

Please provide your written unconditional acceptance of this proposal on company letterhead, to be signed by both the President and Vice-President of LA Tennis, Inc., by 5:00 pm on September 16, 2011 and should be sent directly to:

The Department of Recreation and Parks  
Attn: Robert Morales (MS 625-6)  
221 North Figueroa Street, Suite 200  
Los Angeles CA 90012

If you have any questions or require additional information, please contact Robert Morales at (213) 202-4384.

Sincerely,



JON KIRK MUKRI  
General Manager

JKM:RNM

Attachment

cc: Regina Adams, Executive Officer  
Kevin Regan, Assistant General Manager  
Arletta Brimsey, Deputy City Attorney  
Noel Williams, Chief Management Analyst  
Robert N. Morales, Senior Management Analyst  
Carol Jacobsen, Senior Management Analyst I  
Mark Stipanovich, Management Analyst II



LA TENNIS INC.  
3403 RIVERSIDE DRIVE  
LOS ANGELES CA 90027  
323-663-6060

BRENT PETERSSON  
brent@latennis.com

TY METCALFE  
ty@latennis.com

Brent Pettersson  
President  
Ty Metcalfe  
Vice President

LA Tennis Inc.  
3403 Riverside Drive  
Los Angeles Ca 90027

Date 9/15/11

To: Los Angeles Recreation and Parks Concessions division;

La Tennis Inc. is providing the department of Recreation and Parks ( department) with a letter of unconditional acceptance of this proposal put forth by the city of Los Angeles Recreation and Parks for the tennis concession for Griffith Park and Vermont Canyon complex locations on September 15, 2011.

Sincerely yours,

Brent Pettersson

A handwritten signature of Brent Pettersson in black ink, written over a horizontal line.

Ty Metcalfe

A handwritten signature of Ty Metcalfe in black ink, written over a horizontal line.

## PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Department of Recreation and Parks

2. Contacts:

Department:	Robert Morales & Mark Stipanovich	Phone No.	(818) 243-6488	Fax No.	818-243-6451
CAO:	Veronica Salumbides	Phone No.	213-473-7561	Fax No.	213-473-7514

3. Work to be performed:

The Department of Recreation and Parks is seeking a Concessionaire to operate the Professional Tennis Concession at the Griffith Riverside and Vermont Canyon Tennis Complexes. The Concessionaire will offer tennis instruction to patrons at reasonable rates and operate the pro tennis shop including the maintenance and upkeep of the facility, providing staff to manage the facility, stocking it with merchandise, and managing the flow of cash and inventory.

4. Is this a contract renewal? Yes  No

5. Proposed length of contract: 5 years

Proposed Start Date: March 2012

6. Proposed cost of contract: No cost; \$150,000 in revenues expected. (5 year revenue sharing payments projection is based on \$1.2 million in gross revenue).

7. Name of proposed contractor: Unknown

8. Unique or special qualifications required to perform the work:

The operator must have knowledge and proficiency in tennis instruction, concession management, and marketing. Tennis instructors must be certified by the United States Professional Tennis Association.

9. Are there City employees that can perform some of the work being proposed for contracting?

Yes  No

<b>Classification</b>	<b>Department(s)</b>	<b>List Expires</b>
Concessions Manager (9247)	Airports	Exempt class
Park Services Attendant	Rec & Parks and Zoo	Reserve 6/30/2015
Public Relations Specialist	Airports, Animal Services, Cultural Affairs, Convention Center, DWP, Disability, Harbor, Library, Police, PW Sanitation, Zoo	3/23/2011
Senior Clerk Typist	Various	Reserve List
Custodian	Airports, GSD, Harbor, PD, Sanitation, Rec & Parks, Zoo	1/22/2011
Maintenance Laborer	Public Works, Airports, other	2/25/2011
Maintenance and Construction Helper	Public Works, Airports, other	7/20/12

If yes,

- a. Which class(es) and Department(s): Please see above.
- b. Is there sufficient Department staff available to perform the work? Yes  No
- c. Is there a current eligible list for the class(es)? Yes  No  Please see above.
- d. Estimated time to fill position(s) through CSC process? Unknown due to hiring freeze.
- e. Can the requesting department continue to employ staff hired for the project after project completion? Yes  No  N/A  (concession is continuous)
- f. Are there City employees currently performing some of the work? Yes  No

10. Findings

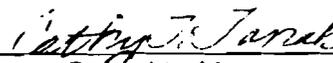
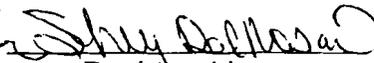
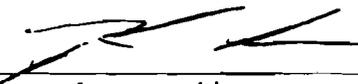
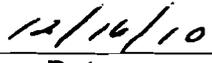
- City employees DO NOT have the expertise to perform the work
- City employees DO have the expertise to perform some of the work

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

**SUMMARY:**

The Department of Recreation and Parks is seeking a contractor for tennis instruction and running a pro tennis store to service both the Griffith Riverside and Vermont Canyon Tennis Complexes, which are within Griffith Park. The instructor must be certified by United States Professional Tennis Association. There are several City classifications that may perform some of the duties outlined in the contract. However, there is not a City Classification that includes tennis instruction or managing a pro-tennis shop as a core function.

			
Submitted by	Reviewed by	Approved by	Date
Cathy T. Tanaka	Shelly DeRosario	Raul Lemus	
Sr. Personnel Analyst I	Sr. Personnel Analyst II	Chief Personnel Analyst	

DEPARTMENT OF RECREATION AND PARKS  
GRIFFITH RIVERSIDE AND VERMONT CANYON TENNIS PROFESSIONAL CONCESSION

CONTRACT COST ANALYSIS

Cost to the Department to Self Operate						
Labor Costs (Full Time and Part Time)		Indirect Costs - CAP 32			TOTAL ANNUAL COST	
Position Title	Hourly Rate	Annual Salary	Fringe Benefits (52.35%)	Central Services (28.32%)	Dept. Admin & Support (12.21%)	TOTAL ANNUAL COST
Park Service Attendant (Pro Shop)	\$ 17.06	\$ 35,621.28	\$ 18,647.74	\$ 10,087.95	\$ 4,348.36	\$ 68,706.32
Senior Park Service Attendant	\$ 21.59	\$ 45,079.92	\$ 23,599.34	\$ 12,766.63	\$ 5,504.26	\$ 86,950.15
					Total Full Time Cost:	\$ 155,656.47
Position Title	Hourly Rate	Hours Per Month	Monthly Cost	Annual Cost	Dept. Admin & Support (53.80%)	TOTAL ANNUAL COST
Recreation Instructor (Lessons)	\$ 14.50	800	\$ 11,600.00	\$ 139,200.00	\$ 74,611.20	\$ 213,811.20
					Total Part Time Cost:	\$ 213,811.20
TOTAL LABOR COSTS: \$ 369,467.67						
Advertising / Marketing / Promotion Operating Supplies (Maintenance) Cost of Goods to be Sold (Pro Shop Merchandise) Start-Up Expenses (tennis balls, baskets, machine)						
TOTAL LABOR COSTS: \$ 122,000.00						
Total Cost to Self Operate Concession (1 Year): \$ 491,467.67						
Projected Gross Revenue (1 Year / Based on FY 2010-11 Actual) - Note 1: \$ 419,425.66						
Cost to Self Operate: \$ (72,042.01)						
Cost to Contract Out Operations						
Position Title	Pro-Rated Hourly Rate (\$40.11 / 12.5)	Annual Salary	Fringe Benefits (52.35%)	Central Services (28.32%)	Dept. Admin & Support (12.21%)	TOTAL ANNUAL COST
Management Analyst II	\$ 3.21	\$ 6,699.97	\$ 3,507.44	\$ 1,897.43	\$ 818.07	\$ 12,922.91
						\$ 12,922.91
Projected Rent to Department based on Project Gross Revenue (1 Year) - Note 2: \$ 57,881.62						
Cost to Monitor Contract (1 Year): \$ (12,922.91)						
					Cost to Contract Out Operations:	\$ 44,958.71

Basis of Gross Revenue and Rent		
Revenue based on FY 2010-11 Actual:	Gross Revenue (Note 1)	Rent (Note 2)
Tennis Lessons / Rent at 14%:	\$ 405,459.41	\$ 56,764.32
Tennis Pro Shop / Rent at 8%:	\$ 13,966.25	\$ 1,117.30
<b>TOTAL</b>	<b>\$ 419,425.66</b>	<b>\$ 57,881.62</b>



REPORT OF GENERAL MANAGER

NO. 11-308

DATE November 21, 2011

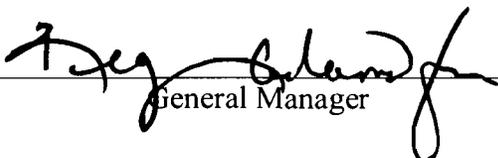
C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ELYRIA CANYON PARK – ASSIGNMENT OF THE RIGHT TO APPLY FOR PROPOSITION A CITIES EXCESS FUNDS; CITY COUNCIL GRANT RESOLUTION

R. Adams \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
\*V. Israel \_\_\_\_\_

K. Regan \_\_\_\_\_  
M. Shull \_\_\_\_\_  
N. Williams \_\_\_\_\_

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Recommend that the City Council adopt the attached Resolution (Attachment No. 1), which assigns to the Mountains Recreation and Conservation Authority (MRCA) the right to apply for Proposition A Cities Excess Funds in the amount of \$145,000, which are available from the Los Angeles County Regional Park and Open Space District for the First Supervisorial District of the County of Los Angeles, on condition that the funds are used for completion of the Elyria Canyon Acquisition Project, located within the City of Los Angeles; and,
2. Direct staff to transmit a copy of the Resolution to the City Clerk for committee and City Council approval, in accordance with Proposition A guidelines.

SUMMARY:

The Mountains Recreation and Conservation Authority (MRCA) is proposing to acquire seven parcels totaling approximately 1.44 acres of land adjacent to the Elyria Canyon Park located at 1550 Bridgeport Drive, Los Angeles, CA 90065, located in Council District 14. The parcels involved include: Assessor's Parcel Numbers 5464-028-027, 028, 029, 042 and 5464-030-037, 038, 039. Acquisition of these parcels will expand the Elyria Canyon Park and provide direct access through the walnut woodlands, which extend into the park. Proposition A Cities Excess Funds will be used for this acquisition project and will be allocated to the MRCA by the County

REPORT OF GENERAL MANAGER

PG. 2

NO. 11-308

of Los Angeles (County). The MRCA is requesting the City's assistance in securing a Proposition A Cities Excess Funds grant for this project by assigning the right to apply for the funds, pursuant to the Proposition A guidelines. The acquisition is estimated to cost approximately \$145,000. There is \$145,000 in Proposition A Cities Excess Funds available through the First Supervisorial District of the County.

City Council action adopting the attached resolution will assign the right to apply for these grant funds to the MRCA. Once the City's resolution is approved and a copy is submitted to the County, the County's Department of Parks and Recreation will recommend that its Board of Supervisors allocate Proposition A Cities Excess Funds to the City for a grant to the MRCA for the Elyria Canyon Acquisition Project. Once the County awards the grant to the MRCA, the MRCA will administer the funds and assume responsibility for completion of the project.

FISCAL IMPACT:

There is no fiscal impact to the Department's General Fund as funding for completion of the project will be the responsibility of the MRCA.

Report prepared by Charlie Maranan, Management Analyst, Grants Administration.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY LOS ANGELES  
ASSIGNING THE RIGHT TO APPLY FOR GRANT FUNDS FROM THE LOS  
ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FIRST  
SUPERVISORIAL DISTRICT CITIES EXCESS FUNDS TO THE MOUNTAINS  
RECREATION AND CONSERVATION AUTHORITY FOR THE ELYRIA CANYON  
ACQUISITION PROJECT ADJACENT TO THE ELYRIA CANYON PARK**

WHEREAS, the people of the County of Los Angeles on November 3, 1992, and on November 5, 1996, the enacted Los Angeles County Proposition A, Safe Neighborhood Parks Propositions (collectively the Propositions), which among other uses, provide funds to public agencies and nonprofit organizations in the County to be used for the acquisition, development and/or rehabilitation of facilities and open space for public recreation;

WHEREAS, the Propositions also created the Los Angeles County Regional Park and Open Space District (the District) to administer said funds;

WHEREAS, the Mountains Recreation and Conservation Authority (MRCA) is requesting that the City of Los Angeles assign the right to apply for \$145,000.00 in First Supervisorial District Cities Excess Funds to the MRCA for the Elyria Canyon Park Acquisition Project; and

WHEREAS, the project is for the acquisition of properties involving Assessor's Parcel Numbers 5464-028-027, 028, 029, 042 and 5464-030-037, 038, 039.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Assigns to the Mountains Recreation and Conservation Authority the right to apply for \$145,000 in Cities Excess Funds available to the First Supervisorial District for use in completing the Elyria Canyon Park Acquisition Project.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_



REPORT OF GENERAL MANAGER

NO. 11-309

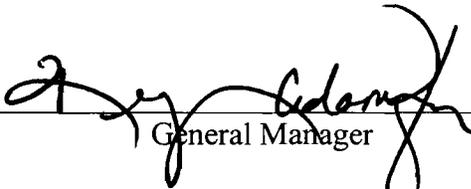
DATE November 21, 2011

C.D. 8

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BALDWIN HILLS CONSERVANCY PROPOSITION 40 GRANT PROGRAM – AUTHORIZATION TO SUBMIT GRANT APPLICATION FOR THE NORMAN O. HOUSTON PARK IMPROVEMENT PROJECT; CITY COUNCIL GRANT RESOLUTION; ACCEPTANCE OF GRANT

R. Adams _____	K. Regan _____
H. Fujita _____	M. Shull _____
*V. Israel _____	N. Williams _____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the submission of a grant application to the Baldwin Hills Conservancy (BHC) Proposition 40 Grant Program for the Norman O. Houston Park Improvement Project in the amount of approximately \$2,100,000, subject to Mayor and City Council consideration;
2. Recommend that the City Council adopt the attached Resolution (Attachment No. 1), which authorizes the City of Los Angeles to apply for BHC grant funds and designates the General Manager of the Department of Recreation and Parks (Department), or designee, as the agent to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project;
3. Direct staff to transmit a copy of the Resolution to the City Clerk for committee and City Council approval, in accordance with BHC Proposition 40 Grant Guidelines;
4. Direct staff to transmit a copy of the grant application upon completion to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst (CLA), and to the City Clerk for committee and City Council consideration, pursuant to Los Angeles Administrative Code Section 14.6 et seq. as may be amended;

## REPORT OF GENERAL MANAGER

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5. Authorize the Department's General Manager to accept and receive the BHC Proposition 40 Grant, if awarded, in the amount of approximately \$2,100,000 from the BHC for the Norman O. Houston Park Improvement Project, subject to the approval of the Mayor and City Council; and,
6. Authorize the Department's Chief Accounting Employee to establish the necessary account within "Recreation and Parks Grant" Fund 205 to accept the BHC Proposition 40 Grant, if awarded, in the amount of approximately \$2,100,000 for the Norman O. Houston Park Improvement Project.

### SUMMARY:

The Department of Recreation and Parks (Department) has been invited to apply for Baldwin Hills Conservancy (BHC) Proposition 40 Grant Program funds for the Norman O. Houston Park Improvement Project. The BHC, a State-appointed board, was allocated \$40,000,000 in Proposition 40 funds to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration and protection of wildlife habitat within the territory for the public's enjoyment and educational experience in the Baldwin Hills area of Los Angeles. The grant program supports projects for the acquisition, development, rehabilitation, restoration, and protection of land and creation of educational resources in the Baldwin Hills area.

The Norman O. Houston Park Improvement Project, which is currently on hold due to a shortage of funding, has been identified as a viable project within the Baldwin Hills area that the BHC has indicated support for. On July 9, 2008, in Board Report 08-199, the Department of Recreation and Parks Board of Commissioners approved the allocation of \$711,436.38 in Quimby fees for the Norman O. Houston Park Improvement Project (PRJ#1390A). The project scope may include, but is not limited to, the installation of restrooms, re-circulating splash pad, overhead shade structure for picnic area, barbeques, parking lot extension with ADA access, hillside planting and irrigation, replacement of existing concrete swale with a new vegetative bio-swale, and refurbishment of existing jogging path. The project is estimated to cost approximately \$2,800,000 and complete in January 2014.

Project management will be overseen by the Department's Planning, Construction and Maintenance Division. All improvements will be completed using City forces, City contract vendors, and hiring hall workers.

REPORT OF GENERAL MANAGER

PG. 3      NO. 11-309

FISCAL IMPACT STATEMENT:

Submitting this grant application will have no fiscal impact to the City's General Fund. However, if the grant is awarded, the Proposition 40 funds will be used together with the previously allocated \$711,436.38 in Quimby funds to cover the costs of the Norman O. Houston Park Improvement Project.

This report was prepared by Mark Rose, Recreation Facility Director, Grants Administration.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES  
APPROVING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS FROM  
THE BALDWIN HILLS CONSERVANCY FOR PROPOSTION 40 FUNDING  
FOR THE NORMAN O. HOUSTON PARK IMPROVEMENT PROJECT**

**WHEREAS**, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) in March 2002, which among other uses, provides funds to public agencies and nonprofit organizations for the acquisition, development, rehabilitation, restoration, interpretation and protection of land and creation of educational resources consistent with the statute creating the Baldwin Hills Conservancy, and

**WHEREAS**, the Baldwin Hills Conservancy has set forth the necessary procedures governing submission of applications for grant funds under Proposition 40, and

**WHEREAS**, the Conservancy's grant filing application procedures impose as a prerequisite to the submission of a Proposition 40 grant application that the City Council of the City of Los Angeles certify by Resolution, its approval of the submission of the grant application, and

**WHEREAS**, said application contains terms that the City of Los Angeles must comply with; and

**WHEREAS**, if the grant is awarded, the City of Los Angeles will enter in an Agreement with the Conservancy to use the awarded funds for the Norman O. Houston Park improvement project, the scope of which may include, but is not limited to, the installation of restrooms, major utility connections, an overhead shade structure for picnic area, parking lot extension, replacement of existing concrete swale with bio-swale, plant low flowering native shrubs, ADA access from the parking lot, ADA trail extension to intersection and ADA trail extension to the sidewalk.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LOS ANGELES, HEREBY:**

1. Approves the submission of an application with the Baldwin Hills Conservancy for Proposition 40 Grant Funds for the above project; and
2. Certifies that the City of Los Angeles understands the assurances and certification in the application form; and
3. Certifies that the City of Los Angeles has, or will have, sufficient funds to operate and maintain the project in perpetuity; or has the right to assign maintenance to another agency; and
4. Appoints the General Manager, Executive Officer, or Assistant General Manger of the Department of Recreation and Parks, to conduct all negotiations, and to execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and so forth, which may be necessary for the completion of the aforementioned project.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_

REPORT OF GENERAL MANAGER

NO. 11-310

DATE November 21, 2011

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO BEACH PIER FISHING PROGRAM – 2011/2012 WHALE TAIL GRANTS PROGRAM – RETROACTIVE AUTHORIZATION TO SUBMIT GRANT APPLICATION; GRANT RESOLUTION; ACCEPTANCE OF GRANT

R. Adams _____	K. Regan _____
H. Fujita _____	M. Shull _____
*V. Israel  _____	N. Williams _____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Retroactively approve the submission of a 2011/2012 Whale Tail Grants Program application to the California Coastal Commission to fund the Cabrillo Beach Pier Fishing Program in the amount of approximately \$15,000, subject to the approval of the Mayor and City Council;
2. Recommend that the City Council adopt the attached Resolution (Attachment No. 1), which authorizes the City of Los Angeles to apply for the 2011/2012 Whale Tail Grants Program funds and designates the General Manager of the Department of Recreation and Parks, or designee, as the agent to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project;
3. Direct staff to transmit a copy of the grant application to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst (CLA), and to the City Clerk for City Council consideration, pursuant to the Administrative Code Section 14.6 et seq. as may be amended;
4. Direct staff to transmit a copy of the Resolution to the City Clerk for City Council approval, in accordance with the 2011/2012 Whale Tail Grants Program guidelines;

REPORT OF GENERAL MANAGER

PG. 2      NO. 11-310

5. Authorize the Department's General Manager to accept and receive the 2011/2012 Whale Tail Grants, if awarded, in the amount of approximately \$15,000 from the State Coastal Commission for the Cabrillo Beach Pier Fishing Program, subject to the approval of the Mayor and City Council; and,
6. Authorize the Department's Chief Accounting Employee to establish the necessary account within "Recreation and Parks Grant" Fund 205 to accept the 2011/2012 Whale Tail Grants Program funds, if awarded, in the amount of approximately \$15,000 for the Cabrillo Beach Pier Fishing Program.

SUMMARY:

In September 2011, the California Coastal Commission released the 2011/2012 Whale Tail Grants Program application. This grant program distributes funds generated from sales of the California Coastal Commission's WHALE TAIL<sup>®</sup> License Plate to support programs that teach California's children and the general public to value and take action to improve the health of the state's marine and coastal environments. This year, \$176,000 is available for funding. The 2011/2012 Whale Tail Grants Program application was submitted by the application deadline of November 1, 2011. The Department is requesting retroactive authority to apply for the 2011/2012 Whale Tail Grants Program in the amount of approximately \$15,000 to fund the Cabrillo Beach Pier Fishing Program.

The Department is requesting the grant to fund the Cabrillo Beach Pier Fishing Program, an eight session summer program, which will serve 500 youth attending summer day camps at 16 urban impact designated recreation centers for the next two years. The program provides for local coastal conservation awareness led by the Department's Park Rangers and provides transportation to the Cabrillo Beach Pier for an educational hands-on fishing field trip.

FISCAL IMPACT STATEMENT:

The acceptance of this grant does not require a match and provides needed funding for quality summer camp recreation programs. There is no fiscal impact to the Department's General Fund.

Prepared by Mark Rose, Facility Director, Grants Administration.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES  
APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE  
2011/2012 WHALE TAIL GRANTS PROGRAM**

**WHEREAS**, in 1998, the Coastal Commission started the WHALE TAIL<sup>®</sup> Competitive Grants Program, along with a second competitive grants program – the Adopt-A-Beach Grants Program; and

**WHEREAS**, the Whale Tail Grants Program distributes funds from sales of the California Coastal Commission's WHALE TAIL<sup>®</sup> License Plate, an official "specialty" license plate issued by the Department of Motor Vehicles for cars registered in California; and

**WHEREAS**, proceeds from the sales of the plates benefit the California Coastal Commission's wide variety of coastal and marine education projects throughout the state; and

**WHEREAS**, the California Coastal Commission is a state regulatory and planning agency that operates under the 1976 Coastal Act to manage the conservation and development of coastal resources in California; and

**WHEREAS**, the California Coastal Commission's Public Education Program works to increase the public's knowledge of coastal and marine resources and to engage the public in coastal protection and restoration activities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Angeles hereby:

1. Authorizes the submission of a 2011/2012 Whale Tail Grants Program application for the Cabrillo Beach Pier Fishing Program; and
2. Authorizes the Department of Recreation and Parks to enter into a contract with the California Coastal Commission if the grant is awarded; and
3. Delegates the authority to the General Manager, Executive Officer, or Assistant General Manager, of the City of Los Angeles Department of Recreation and Parks, to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payments requests and so on, which may be necessary for the completion of the project.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Angeles at its meeting of \_\_\_\_\_.

June Lagmay, City Clerk

By: \_\_\_\_\_



REPORT OF GENERAL MANAGER

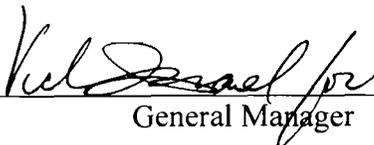
NO. 11-311

DATE November 21, 2011

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VARIOUS COMMUNICATIONS

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

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The following communications have been received by the Board and recommended action thereon is presented.

From:

1) Mayor, relative to the Local Preference Ordinance.

2) City Clerk, relative to a proposed Amendment to a contract with EPTDESIGN, Inc. for as-needed landscape architectural design services.

3) City Clerk, relative to film productions at Department facilities.

4) City Clerk, relative to a proposed Volunteer in the Park program.

5) City Clerk, relative to a quality of life issues for the neighborhoods surrounding Runyon Canyon Park.

6) Chief Legislative Analyst, forwarding the Legislative Report for the week ending October 14, 2011.

Recommendation:

Refer to General Manager.

Refer to staff for further processing.

Note and file.

Refer to General Manager.

Refer to General Manager.

Note and file.

REPORT OF GENERAL MANAGER

PG. 2

NO. 11-311

- 7) Simon, relative to the regulations governing recreation programs. Refer to General Manager.
- 8) Gary Nicholson, Trustee, DBPL Trust, relative to the alleged impact of Stoner Skate Park. Refer to General Manager.
- 9) Sheryl Clark, relative to Golf Cards for disabled persons. Refer to General Manager.
- 10) Palos Verdes Peninsula Land Conservancy, relative to plans of the Department of Water and Power affecting White Point Park Nature Preserve. Refer to General Manager.
- 11) Linda Lucks, President, Venice Neighborhood Council, relative to possible modifications to Oakwood Park. Refer to General Manager.
- 12) Bill Howard, relative to a proposal for "corporate branding" for Muscle Beach Venice. Refer to General Manager.

This report was prepared by Paul Liles, Clerk Typist, Commission Office.

MATTERS PENDING

Matters Pending will be carried for a maximum of six months, after which time they will be deemed withdrawn and rescheduled whenever a new staff report is received.

GENERAL MANAGER'S REPORTS:

ORIGINALLY	PLACED	
PLACED ON	ON MATTERS	DEEMED
<u>BOARD AGENDA</u>	<u>PENDING</u>	<u>WITHDRAWN</u>

<u>02/18/11</u>	<u>06/01/11</u>	<u>12/01/11</u>
11-029	Baldwin Hills Recreation Center - Conceptual Approval for Naming of the Outdoor Basketball Courts and the Installation of Appropriate Signage	

BIDS TO BE RECEIVED:

None

PROPOSALS TO BE RECEIVED:

11/22/11	Operation and Maintenance of the Fern Dell Refreshment Stand Concession (Food and Beverage Service) at the Fern Dell Refreshment Stand RFP
TBD	Film Production Instruction (CLASS Parks)
ON HOLD	Hansen Dam Golf Course Professional Concession
ON HOLD	Hansen Dam Golf Course Restaurant Concession
ON HOLD	Woodley Lakes Golf Course Restaurant Concession
ON HOLD	Woodley Lakes Golf Course Professional Concession