

APPROVED
OCT 23 2019

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

BOARD REPORT

NO. 19-204

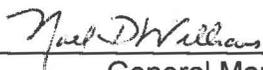
DATE October 23, 2019

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ANDRES PICO ADOBE HISTORICAL MUSEUM – SUPPLEMENTAL AGREEMENT WITH THE SAN FERNANDO VALLEY HISTORICAL SOCIETY TO EXTEND THE TERM OF AGREEMENT NO. 3549

AP Diaz _____ S. Piña-Cortez _____
H. Fujita _____ C. Santo Domingo _____
V. Israel _____ *N. Williams Nb



General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Rescind Recommendations No. 2, 3 and 4 of Report No. 19-193, through which the Board of Recreation and Park Commissioners (Board) approved a Supplemental Agreement to Agreement No. 3549 with San Fernando Valley Historical Society to extend the term of Agreement No. 3549 from three (3) years to ten (10) years;
2. Approve the proposed Supplemental Agreement to Agreement No. 3549 (Supplemental Agreement) attached hereto as Attachment 1, to extend the term of Agreement No. 3549 from three (3) years to ten (10) years;
3. Direct the Board Secretary to transmit the Supplemental Agreement concurrently to the Mayor in accordance with Executive Directive No. 3 (Villaraigosa Series) and City Council for approval and to the City Attorney for review and approval as to form; and,
4. Authorize the Board President and Secretary to execute the Supplemental Agreement upon receipt of the necessary approvals and authorize the Department of Recreation and Parks' (RAP) General Manager or designee, if needed, to make any technical corrections to the Supplemental Agreement to carry out the intent of this Report prior to executing the Supplemental Agreement.

SUMMARY

On October 2, 2019, the Board approved a Supplemental Agreement to extend the term of Agreement No. 3549 with the San Fernando Valley Historical Society, from three (3) years to ten (10) years (Report No. 19-193), for the continued operation of Andres Pico Historical Museum. However, Attachment 2 of Report No. 19-193 had an incorrect version of the Supplemental Agreement attached in error, which now requires the Board to rescind its approval thereof and approve the correct version of the Supplemental Agreement, attached hereto as Attachment 1,

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which consists of the same scope and intent as the prior version.

Should minor technical changes in the Supplemental Agreement be further required, authorization is requested from the Board to make any adjustments in the Supplemental Agreement prior to its execution in keeping with the Board's intent to extend the Term of Agreement No. 3549.

FISCAL IMPACT

There will be no impact to RAP's General Fund as a result of the Board's approval of the proposed Supplemental Agreement.

STRATEGIC PLAN INITIATIVES AND GOALS

Goal No. 6: Build Financial Strength & Innovative Partnerships

Outcome No. 3: In collaboration and coordination with nonprofit organizations for the expansion and development of recreational programming and public services.

This Report was prepared by Joel Alvarez, Sr. Management Analyst II, and Raymond Chang, Management Analyst, from the Partnership Section.

LIST OF ATTACHMENTS

- 1) Supplemental Agreement to Agreement No. 3549
- 2) Report No. 19-193

SUPPLEMENTAL AGREEMENT
TO AGREEMENT NO. 3549
BETWEEN
THE CITY OF LOS ANGELES
AND
SAN FERNANDO VALLEY HISTORICAL SOCIETY
FOR THE CONTINUED
OPERATION AND MAINTENANCE OF
ANDRES PICO ADOBE HISTORICAL MUSEUM

This Supplemental Agreement to Agreement No. 3549 (Supplemental Agreement) is made this _____ day of _____, 20____, by and between the City of Los Angeles, acting by and through its Board of Recreation and Park Commissioners (CITY) and San Fernando Valley Historical Society, a California 501(c)(3) non-profit organization (SFVHS). CITY and SFVHS may be referred to individually herein as "Party", or collectively as "Parties."

RECITALS

Whereas, on April 6, 2016, the Board of Recreation and Park Commissioners approved Agreement No. 3549 between the CITY and SFVHS for SFVHS to continue to operate and maintain the Andres Pico Adobe as a public museum for the benefit and enjoyment of Los Angeles residents and visitors, as SFVHS has since 1981 (Report No. 16-080); and,

Whereas, Agreement No. 3549 (Initial Agreement) was executed on June 1, 2016, for a three (3) year term, which expired on May 31, 2019; and

Whereas, SFVHS has performed satisfactorily in providing historical, recreational, research and educational opportunities at the Andres Pico Adobe, while maintaining the building for the past three (3) years under said Initial Agreement; and

Whereas, SFVHS has notified CITY that it wishes to continue its collaboration for an additional seven (7) year term to expire on May 31, 2026, under substantially the same terms and conditions of the Initial Agreement, commencing upon the expiration date of the Initial Agreement; and

Whereas, CITY accepts SFVHS's offer to continue this collaboration for the maintenance and operation of the Andres Pico Adobe.

Whereas, the term of the Initial Agreement expired on May 31, 2019 and RAP and SVHFS have mutually agreed to extend the term of the Initial Agreement for an additional seven (7) years, with the amended term now extending through and including May 31, 2026; and

Now therefore, the Parties hereby agree to enter into this Supplemental Agreement as follows:

1. The terms and conditions of the Initial Agreement for the operation and maintenance of Andres Pico Adobe shall be the terms and conditions of this Supplemental Agreement, except as specifically modified below.
2. The recitals set forth above are incorporated in full and made a part of this Supplemental Agreement, and all references to the term "Agreement" made in the Initial Agreement, as incorporated and/or amended herein, shall mean this Supplemental Agreement.
3. Section 2 – Term and Termination The first sentence in Section 2 of the Initial Agreement is hereby amended in its entirety and shall now read as follows in quotation marks:

"The performance period authorized under this Agreement (for ease of reference, shall be referred to herein as "TERM") shall be **ten (10)** years, to begin from June 1, 2016 and end on May 31, 2026."
4. Section 23 – Notices Section 23 of the Initial Agreement is hereby amended in its entirety and shall now read as follows in quotation marks:

"Any notice, request for consent, or statement ("Notice"), that the CITY or SFVHS is required or permitted to give or cause to be given to the other, shall be in writing and shall be delivered or addressed as set forth below. Either the CITY or SFVHS may designate a different address for any Notice by written statement to the other in accordance with the provisions of this section. A Notice shall be delivered personally, or emailed, or by deposit with the United States Postal Service with postage prepaid.

Supplemental Agreement to Agreement No. 3549
San Fernando Valley Historical Society
Andres Pico Adobe

Notices to the CITY shall be addressed as follows:

City of Los Angeles Department of Recreation and Parks
Attention: Partnership Section
221 North Figueroa Street, Suite 180
Los Angeles, CA 90012

Tel.: (213) 202-5600; Fax: (213) 202-2614
Email: rap.partnerships@lacity.org

Notices to SFVHS shall be addressed as follows:

Mr. Ron Van Deest, President
San Fernando Valley Historical Society
P.O. Box 7043
Mission Hills, CA 91346-7043

Tel.: (818) 360-8959;
Email: sfvhistory@gmail.com; rnsvandeest@msn.com

5. Should any provision of the Initial Agreement as incorporated herein conflict with this Supplemental Agreement, the terms and conditions of this Supplemental Agreement shall prevail.

[SIGNATURE PAGE FOLLOWS]

Supplemental Agreement to Agreement No. 3549
San Fernando Valley Historical Society
Andres Pico Adobe

IN WITNESS WHEREOF, the Parties have executed this Supplemental Agreement as of the day and year first written above.

CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

SAN FERNANDO VALLEY HISTORICAL SOCIETY, a California 501(c)(3) non-profit organization

By: _____
President

By: _____

By: _____
Secretary

Title: _____

Date: _____

By: _____

Title: _____

APPROVED AS TO FORM:

Date: _____

MICHAEL N. FEUER, City Attorney

By: _____
Deputy City Attorney

Date: _____

APPROVED
OCT 02 2019

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

BOARD REPORT

NO. 19-193

DATE October 2, 2019

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ANDRES PICO ADOBE HISTORICAL MUSEUM – SUPPLEMENTAL AGREEMENT WITH THE SAN FERNANDO VALLEY HISTORICAL SOCIETY TO EXTEND THE TERM OF AGREEMENT NO. 3549

AP Diaz	_____	S. Piña-Cortez	_____
H. Fujita	_____	C. Santo Domingo	_____
V. Israel	_____	* N. Williams	<u>NDW</u>



 General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Rescind Recommendations 2, 3 and 4 of Board Report No. 19-066 wherein the Board of Recreation and Park Commissioners (Board) approved an amendment to Agreement No. 3549 with San Fernando Valley Historical Society to extend the term of Agreement No. 3549 from three (3) years to ten (10) years;
2. Approve a Supplemental Agreement to Agreement No. 3549 (Supplemental Agreement) to extend the term of Agreement No. 3549 from three (3) years to ten (10) years;
3. Authorize the Board Secretary to transmit the Supplemental Agreement concurrently to the Mayor in accordance with Executive Directive No. 3 (Villaraigosa Series) and to the City Attorney for review and approval as to form; and,
4. Authorize the Board President and Secretary to execute the Supplemental Agreement upon receipt of the necessary approvals and authorize the Department of Recreation and Parks' (RAP) General Manager or designee, if needed, to make any technical changes to the Supplemental Agreement to carry out the intent of this Report prior to executing the Supplemental Agreement.

SUMMARY

On April 3, 2019, the Board approved an amendment to extend the term of Agreement No. 3549 with the San Fernando Valley Historical Society, from three (3) years to ten (10) years (Report No. 19-066, attached hereto as Attachment 1), for the continued operation of Andres Pico Historical Museum. The amendment is under review by the City Administrative Officer and Mayor's Office in accordance with Executive Directive No. 3. However, due to unforeseen delays in completing the review process, Agreement No. 3549 expired on May 31, 2019, prior to the execution of the amendment.

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Due to the expiration of Agreement No. 3549, the prior amendment approved by the Board, having not been executed prior to the expiration of Agreement No. 3549, will need to be replaced with a Supplemental Agreement serving the same purpose as the amendment. The proposed Supplemental Agreement is attached hereto as Attachment 2.

Should minor technical changes in the Supplemental Agreement be further required, authorization is requested from the Board to make any adjustments in the Supplemental Agreement prior to its execution in keeping with the Board's intent to extend Agreement No. 3549.

The San Fernando Valley Historical Society (Organization) is a non-profit corporation with a mission to preserve the unique historical significance of the Andres Pico Adobe Museum (Museum), through its development, exhibition of artifacts, education, promotion, and preservation. The Organization has operated and maintained the Museum for over fifty (50) years. With the Board's approval of the Supplemental Agreement, the Organization will be authorized to continue operating the Museum under Agreement No. 3549.

FISCAL IMPACT

There will be no impact to RAP's General Fund as a result of the Board's approval of the proposed Supplemental Agreement.

STRATEGIC PLAN INITIATIVES AND GOALS

Goal No. 6: Build Financial Strength & Innovative Partnerships

Outcome No. 3: In collaboration and coordination with nonprofit organizations for the expansion and development of recreational programming and public services.

This Report was prepared by Joel Alvarez, Sr. Management Analyst II, and Raymond Chang, Management Analyst II from the Partnership Section.

LIST OF ATTACHMENTS

- 1) Report No. 19-066
- 2) Supplemental Agreement to Agreement No. 3549

APPROVED

APR 03 2019

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 19-066

DATE April 3, 2019

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ANDRES PICO ADOBE HISTORICAL MUSEUM - AMENDMENT TO AGREEMENT NO. 3549 WITH THE SAN FERNANDO VALLEY HISTORICAL SOCIETY TO EXTEND THE TERM

AP Diaz, R. Barajas, H. Fujita, V. Israel, S. Pifia-Cortez, * N. Williams, NDW

[Signature] General Manager

Approved X Disapproved Withdrawn

RECOMMENDATIONS

- 1. Accept an offer of services from the San Fernando Valley Historical Society for the continued operation and maintenance of the Andres Pico Adobe Historical Museum;
2. Approve the proposed Amendment to Agreement No. 3549 (Amendment) with the San Fernando Valley Historical Society, attached hereto as Attachment 1, to extend the term of Agreement No. 3549 from three (3) years to ten (10) years, subject to the approval of the Mayor and City Council, and approval of the City Attorney as to form;
3. Direct the Board of Recreation and Park Commissioners (Board) Secretary to transmit the proposed Amendment, concurrently to the Mayor in accordance with Executive Directive No. 3 (Villaraigosa Series), and to the City Attorney for review and approval as to form; and,
4. Authorize the Board President and Secretary to execute the Amendment upon receipt of the necessary approvals;

SUMMARY

The Department of Recreation and Parks (RAP) owns and operates real property located at 10940 Sepulveda Boulevard, Mission Hills, CA 91345, commonly known as the Andres Pico Adobe. The property consists of open green space and landscaping, and several historical structures such as the Pico Adobe Home, the Lankershim Reading Room, and the San Fernando Railroad Shanty. Also on site among the historical structures is a historical farm equipment display area. Said historical structures are what essentially comprise the Andres Pico Adobe Historical Museum (Museum), which houses important original and replica historical and cultural artifacts related to California heritage.

BOARD REPORT

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The San Fernando Valley Historical Society (Organization) is a non-profit corporation with a mission to preserve the unique historical significance of the Museum, through its development, exhibition, education, promotion, and preservation. The Organization has operated and maintained the Museum for over fifty (50) years. Currently, the Organization operates the Museum under Agreement No. 3549 (Attachment 2) which is due to expire on May 31, 2019.

Based on the most recent performance report submitted by Organization covering the period July 2017 to June 2018, there were almost 2,800 visitors to the Museum, comprising 2,134 self-guided tours. In addition, various speaker meetings were held at the Museum. Fourteen (14) school tours were conducted involving 577 students. Such school tours are enhanced with demonstrations and hands-on activities such as adobe brick making, clothes washing, quilting, kitchen equipment utilization, acorn grinding, Native American cultural arts, and tours of the railroad shanty. Recently, eighty-six (86) donated items from a collector of historic items of pertinent interest were added and a vintage 85-pound El Camino Real bell was donated to the Museum and installed by volunteers. For the past three years, the Organization's librarian has spent much time organizing the extensive library of historic books, numbering them according to the Dewey decimal system and creating a database of the holdings.

As the Organization has faithfully maintained the Museum collection in good condition and provided tours to the public, staff recommends an extension to the term of Agreement No. 3549 to allow the Organization to continue to operate and maintain the Museum under the same terms and conditions. Under the proposed Amendment, the term of Agreement No. 3549 will be extended for an additional seven (7) years, expiring May 31, 2026, and contact information for the parties updated.

Organization will continue to use the facility as its headquarters and open the Museum free to the public and provide knowledgeable docents who enhance the public's experience, at no cost to the City. Organization will also continue to pay Cost Recovery Reimbursement Fees to RAP for utilities, trash removal, and staff impacts. In working with RAP, the Organization will be authorized to permit the Museum and grounds to third-party groups for meetings, receptions, and other one-time private events. During the period July 2017 to June 2018, rentals of the park provided about \$10,700 in revenue, providing a much needed source of support for the operation of the Museum.

RAP has no staff presence at the Museum and does not have identified resources to self-operate the Museum and keep it open to the public.

FISCAL IMPACT STATEMENT:

The operation and maintenance of the Museum is work that RAP is not budgeted to perform. Therefore, this Amendment to Agreement No. 3549 with Organization will contribute to the City by providing a facility for the public's benefit at no additional cost to the City. Maintenance of the grounds of the park area is part of a regular maintenance route and is budgeted through RAP's annual budget process.

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This Report was prepared by Joel Alvarez, Sr. Management Analyst II, and Raymond Chang, Management Analyst, Partnership Division.

LIST OF ATTACHMENTS

- 1) Proposed Amendment
- 2) Agreement No. 3549

SUPPLEMENTAL AGREEMENT TO AGREEMENT NO. 3549
BETWEEN
THE CITY OF LOS ANGELES
AND
SAN FERNANDO VALLEY HISTORICAL SOCIETY
FOR THE CONTINUED
OPERATION AND MAINTENANCE OF
THE ANDRES PICO ADOBE

THIS SUPPLEMENTAL AGREEMENT TO AGREEMENT NO. 3549 (SUPPLEMENTAL AGREEMENT) is made this _____ day of _____, 20____, by and between the City of Los Angeles, acting by and through its Board of Recreation and Park Commissioners (CITY) and San Fernando Valley Historical Society, a California 501(c)(3) non-profit organization (SFVHS). CITY and SFVHS may be referred to individually herein as "PARTY", or collectively as "PARTIES."

WITNESSETH

WHEREAS, on April 6, 2016, the Board of Recreation and Park Commissioners approved AGREEMENT NO. 3549 between the CITY and SFVHS for SFVHS to continue to operate and maintain the Andres Pico Adobe as a public museum for the benefit and enjoyment of Los Angeles residents and visitors, as SFVHS has since 1981 (Report No. 16-080); and,

WHEREAS, Agreement No. 3549 (AGREEMENT) was executed on June 1, 2016, for a three (3) year term, which initially expires on May 31, 2019; and

WHEREAS, SFVHS has performed satisfactorily in providing historical, recreational, research and educational opportunities at the Andres Pico Adobe, while maintaining the building for the past three (3) years under said AGREEMENT; and

WHEREAS, SFVHS has notified CITY that it wishes to continue its collaboration for an additional seven (7) year term to expire on May 31, 2026, under substantially the same terms and conditions of the AGREEMENT, commencing upon the expiration date of the AGREEMENT; and

WHEREAS, CITY accepts SFVHS's offer to continue this collaboration for the maintenance and operation of the Andres Pico Adobe.

NOW THEREFORE, the PARTIES agree to amend the AGREEMENT as follows:

A. Section 2 – Term and Termination

The first sentence in Section 2 of the AGREEMENT is hereby amended in its entirety and shall now read as follows:

The performance period authorized under this AGREEMENT (for ease of reference, shall be referred to herein as “TERM”) shall be **Ten (10)** years, from June 1, 2016 to May 31, 2026.

B. Section 23 – Notices

Section 23 of the AGREEMENT is hereby amended in its entirety and shall now read as follows:

Any notice, request for consent, or statement (“Notice”), that the CITY or SFVHS is required or permitted to give or cause to be given to the other, shall be in writing and shall be delivered or addressed as set forth below. Either the CITY or SFVHS may designate a different address for any Notice by written statement to the other in accordance with the provisions of this section. A Notice shall be delivered personally, or emailed, or by deposit with the United States Postal Service with postage prepaid.

Notices to the CITY shall be addressed as follows:

City of Los Angeles Department of Recreation and Parks
Attention: Partnership Section
221 North Figueroa Street, Suite 180
Los Angeles, CA 90012

Tel.: (213) 202-5600; Fax: (213) 202-2614
Email: rap.partnerships@lacity.org

Notices to SFVHS shall be addressed as follows:

Mr. Ron Van Deest, President
San Fernando Valley Historical Society
P.O. Box 7043
Mission Hills, CA 91346-7043

Tel.: (818) 360-8959;
Email: sfvhistory@gmail.com; rnsvandeest@msn.com

Supplemental Agreement to Agreement No. 3549
San Fernando Valley Historical Society
Andres Pico Adobe

C. With the exception of the amendments to Sections 2 and 23 of the AGREEMENT as stated above, the remainder of the terms and conditions of Agreement No. 3549 shall remain unchanged and in full force and effect. Should any provision of Agreement No. 3549 conflict with this SUPPLEMENTAL AGREEMENT, the terms and conditions of this SUPPLEMENTAL AGREEMENT shall prevail.

[SIGNATURE PAGE FOLLOWS]

Supplemental Agreement to Agreement No. 3549
San Fernando Valley Historical Society
Andres Pico Adobe

IN WITNESS WHEREOF, the PARTIES have executed this SUPPLEMENTAL AGREEMENT as of the day and year first written above.

CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

SAN FERNANDO VALLEY HISTORICAL SOCIETY, a California 501(c)(3) non-profit organization

By: _____
President

By: _____

By: _____
Secretary

Title: _____

Date: _____

By: _____

Title: _____

APPROVED AS TO FORM:

Date: _____

MICHAEL N. FEUER, City Attorney

By: _____
Deputy City Attorney

Date: _____