

APPROVED
AUG 09 2006

REPORT OF GENERAL MANAGER

NO. 06-222

DATE August 9, 2006

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DANIELS FIELD SPORTS CENTER – AMENDMENT TO THE USE AGREEMENT AND CONSIDERATION OF THE DESIGN FOR THE SKATE PARK COMPLEX TO BE CONSTRUCTED AND OPERATED BY THE BOYS AND GIRLS CLUBS OF THE LOS ANGELES HARBOR

J. Combs _____
H. Fujita _____
S. Huntley _____
B. Jensen _____

J. Kolb _____
F. Mok _____
K. Regan _____
*M. Shull _____

an f.m.s.

Robert Jensen (for)

General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the final plans drafted by Rodin Associates and Ishii Engineering and submitted to the Department's Planning and Development Division on June 14, 2006, for a skate park and other amenities planned for the Daniels Field Sports Center, provided that the plans and resulting construction incorporate architectural plan review comments by staff of the Bureau of Engineering dated July 28, 2006, and provided that there are separate meters for all utilities to be used at the project site;
2. Direct staff to request the Bureau of Engineering to arrange with the Bureau of Contract Administration to provide their customary oversight with respect to this project;
3. Approve a draft Amendment, substantially in the form on file in the Board Office, to the Use Agreement executed on April 16, 2004, concerning the development operation and maintenance of this project, subject to approval of the Mayor and City Council and of the City Attorney as to form;
4. Direct the Board Secretary to transmit forthwith the draft Amendment concurrently to the City Attorney for review as to form and, in accordance with Executive Directive No. 3, to the Mayor's Office for expedited review and approval; and

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5. Authorize the Board President and Secretary and the Executive Director of the Boys and Girls Clubs of the Los Angeles Harbor to execute the Amendment upon obtaining the necessary approvals.

SUMMARY:

On April 7, 2004, through Report No. 04-102, the Board approved a Use Agreement with the Boys and Girls Club of San Pedro; the Agreement was executed on April 16, 2004. The purpose was to provide the Club sufficient site control to qualify for grant funding under the Proposition 40 Urban Park Act of 2001. The Club intends to construct, staff, operate and maintain a skate park with bleachers and cages for both baseball batting and golf driving-range practice; the site is the southeastern portion of the Daniels Field Sports Center, located at 845 West 12th Street in San Pedro. The project will also include masonry retaining walls and a modular unit having an equipment storage area, an office for staff and an ADA-accessible restroom.

The broader goal of the agreement with the Club is to expand the after-school, year-round programming offered by the organization by opening new recreation facilities to the public. As a result, on April 26, 2006, there was a jointly sponsored community meeting to consider the project's components, which were favorably received. There is no comparable facility in the area; it has a large population of lower income, underserved youths. The Boys and Girls Club of San Pedro is located across Cabrillo Avenue from the Daniels Field Sports Center and has for some time received the Department's approval to organize team sports there. The new skate park and related amenities will provide for individual recreation that is currently not available at the Sports Center.

For reference, it is noted that the Department's initial approvals for the project were addressed to the "Boys and Girls Club of San Pedro". In 2005 this club affiliated with a similar club in Wilmington to become the joint "Boys and Girls Clubs of the Los Angeles Harbor" (Council File No. 03-0008-S16). The change in name is also noted in the draft Amendment.

To date, funding for the project totals \$850,000 as follows: \$500,000 from Proposition 40 "Urban Parks", \$150,000 from the Amateur Athletic Foundation (awarded to the Club) and \$200,000 from Community Development Block Grants. It is anticipated that this funding is sufficient for constructing, if not the entire project, then those components judged the most essential so that the skate park can open to the public by early 2007.

At the time of drafting the Use Agreement, both the Department and the San Pedro Club recognized that the final design of the project and detail concerning operations would be decided at a later date. Therefore, the Board is now being asked to approve design plans that were previously reviewed by the Architectural Division of the Bureau of Engineering.

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The Board is also being asked to approve a draft Amendment to the Use Agreement. The draft Amendment includes the following provisions:

1. The Clubs will install at their sole expense the utility meters needed for the project and pay all subsequent utility costs.
2. The Clubs will obtain at their sole expense all required Building and Safety and other plan checks and permits.
3. The Clubs will adhere to the general skate park guidelines set forth in the Amendment, with the understanding that from time to time they may be modified by amendment to the Citywide Skate Park or other Ordinances or by the consent of the Superintendent of Pacific Region.
4. Except as specifically noted, name change, for all of the terms of the executed Use Agreement still apply, including insurance coverages and requirements that the construction, staffing, operation and maintenance of the proposed amenities occur at no expense to the City.
5. The term of the Use Agreement has been extended two years to ensure that there is sufficient site control to meet grant requirements.

Environmental staff previously determined, for inclusion in approved Board Report No. 04-102, that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); reference was made to Article III, Section 1, Class 3 (6) and Class 11 (1) of the City CEQA Guidelines. This determination is still valid since there has been no significant change in the project's components.

The Office of Council District Fifteen, the Assistant General Manager of Operations East and the Superintendent of Pacific Region concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

There is no anticipated impact to the Department's General Fund other than staff time associated with Regional personnel providing general oversight for the project.

Report prepared by Joan Reitzel, Senior Management Analyst in Real Estate and Asset Management.