

**APPROVED**  
JUN 15 2006

REPORT OF GENERAL MANAGER

NO. 06-171

DATE June 15, 2006

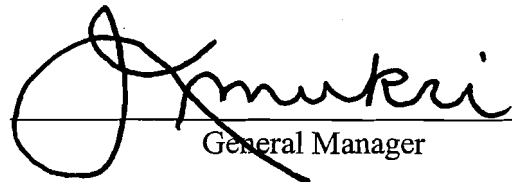
**BOARD OF RECREATION  
and PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BANNING RESIDENCE MUSEUM – REFURBISHMENT OF BUILDING AND GARDEN IMPROVEMENTS – PHASE II (W.O. #E170374F) – MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING, AND THE DEPARTMENT OF GENERAL SERVICES

J. Combs _____	J. Kolb _____
H. Fujita _____	F. Mok _____
S. Huntley _____	K. Regary _____
B. Jensen _____	*M. Shull _____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE), and the Department of General Services (GSD) for the Banning Museum – Refurbishment of Building and Garden Improvements – Phase II (W.O. #E170374F) project, subject to the approval of the City Attorney as to form;
2. Upon execution of the MOU, direct Department staff to ensure that the BOE works with the CAO to secure the necessary Council approval to appropriate \$350,000 in construction funds to GSD, prior to the start of construction as follows:

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From:

<u>FUND SOURCES</u>	<u>FUND/DEPT/ACCOUNT NO.</u>	<u>APPROPRIATION</u> <u>AMOUNT</u>
Prop K YR 9 (2005/06)	43K/10/Y363	\$ 47,075
Prop K YR 9 (2006/07)	43K/10/TBD	\$ 97,894
Prop K YR 5 (2002/03)	43K/10/S363	\$125,000
Prop K Inflation *	TBD	<u>\$ 80,031</u>
Total Encumbrance Amount		\$350,000

\* Pending approvals of the L.A. for Kids Steering Committee and City Council. The LA for Kids Steering Committee will consider funding approval at the June 16, 2006, Special Meeting.

Through GSD Account Y140, to the appropriate GSD accounts in Fund 100, Dept. 40, listed below:

1101 – Construction Salaries Hiring Hall:	\$175,000
1121 – Hiring Hall Fringe Benefits:	\$ 35,000
3180 – Construction Materials and Supplies:	<u>\$140,000</u>
Total:	\$350,000

3. Direct the Board Secretary to transmit forthwith the MOU to the City Attorney for review and approval as to form; and,
4. Authorize the Department's General Manager to execute the proposed MOU, upon approval as to form from the City Attorney.

SUMMARY:

The Banning Residence Museum – Refurbishment of Building and Garden Improvements – Phase II (W.O. #E170374F) project is located at 401 East M Street, Wilmington, CA 90744. The project is a Proposition K Year 9 project that requires Proposition K funds be obligated prior to the end of this fiscal (Fiscal Year 2005-2006) year. If this year's Proposition K funds are not encumbered by June 30, 2006, they will no longer be available for any purpose and the overall funding of Prop K (\$750,000,000) will be reduced by the corresponding amount. The project scope consists of the installation of an eight foot high wrought iron ornamental type fence to surround the museum for security purposes. This is needed in order to deter the vandalism attempts that the Museum has experienced in the last few years.

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Staff recommends that awarding this project to GSD in lieu of conducting a competitive construction bid process is the best option for awarding this project in a timely fashion, because there is not sufficient time to publicly bid this project and award it by June 30, 2006. At its meeting on June 13, 2006, the LA for Kids Steering Committee approved this proposal. Therefore, staff requests that the General Manager of Recreation and Parks be authorized to enter into an MOU for construction of the facility as authorized by Los Angeles Administrative Code Section 22.535(a)(5).

The amount of funding in the MOU to start the project is a budgetary figure and is not based upon a cost estimate developed by GSD; therefore, it may not reflect the total construction cost. GSD will prepare a Class 'A' estimate, as applicable, and upon receipt of the GSD cost estimate, the BOE may reduce the scope of work and/or increase the construction budget in order for GSD to complete the project.

Staff has determined that the subject project will consist of placement of fencing around the Banning Residence Museum for the purpose of protecting and preserving the historic resource from vandalism. A Historic Resources Evaluation was conducted, which concluded that the placement of the fencing as proposed (Alternative #2) will not have an adverse effect on its historic significance. Therefore, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 11 (3) and Class 31 of the City CEQA Guidelines.

Council District 15 and the Region staff support the recommendations as set forth in this Report.

### FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's budget at this time. The assessments of the future operations and maintenance cost have yet to be determined.

Prepared by Susan Avila, and reviewed by Neil L Drucker, Program Manager, Bureau of Engineering, Recreational and Cultural Facilities Program and reviewed by Bradley M Smith, P.E., Chief Deputy City Engineer, Bureau of Engineering.