

REPORT OF GENERAL MANAGER

APPROVED
OCT 18 2006

NO. 06-300

DATE October 18, 2006

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DRUM BARRACKS CIVIL WAR MUSEUM – OPERATING AGREEMENT
WITH THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

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

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

K.W. Regan (for JKM)
General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATION:

That the Board:

1. Approve the proposed operating agreement, substantially in the form on file in the Board Office, for the use of the Drum Barracks Civil War Museum, subject to approval of the Mayor and of the City Attorney as to form;
2. Direct the Board Secretary to transmit forthwith the proposed operating agreement to the Mayor in accordance with Executive Directive No. 3 and concurrently to the City Attorney for review and to form; and
3. Authorize the Board President and Secretary to execute the operating agreement upon obtaining the necessary approvals.

SUMMARY:

The Drum Barracks Civil War Museum, located on a 0.44 acre site at 1052 Banning Boulevard in Wilmington, has been operated by the Department under license from the State since 1974 (City Contract No. 1118). The Museum is one of two structures remaining from the U. S. Army's post built in 1862 on 60 acres donated by General Phineas T. Banning, who is generally considered the economic founder of Wilmington; and by Benjamin Wilson, the second American Mayor of Los Angeles. The other structure from that era is the Powder Magazine, located three blocks away at 561 E. Opp Street, which is privately owned. The military post was named for Adjutant General Richard Coulter Drum, head of the Army's Department of the Pacific.

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The site served as the U. S. Army supply depot for southern California and for the territory that later became Arizona and New Mexico. As such, the Drum Barracks was the southern end of the "Dromedary Line", an unsuccessful experiment to use camels for transporting supplies to southwestern outposts. The Drum Barracks also served as a communications link since it had the first telegraph in the area. Troops were garrisoned there to ensure that the southwest remained on the Union side in the Civil War. The building that is now the Museum was used to house junior officers.

The Museum became Registered State Historical Landmark No. 169 in 1935. In 1963, it was declared the City of Los Angeles, Historic-Cultural Monument No. 21; the site was placed on the National Register of Historic Places in 1971. The State has estimated that the Drum Barracks is one of only two such Civil War structures remaining in the entire country; the other is at West Point, New York.

In 1873 the U. S. government returned the vacant land to Banning and Wilson and auctioned off the structures. For several decades in the early to mid-1900s, the couple who owned and lived in the Drum Barracks tried to preserve it. After the wife died in the early 1960s, the heirs decided to sell it. The State wished to acquire the site in order to prevent a public sale and likely demolition of the building. State funding was initially approved but then withdrawn. The City's Cultural Heritage Board gave the site official historical status and urged the City and Department to acquire it. The local "Society for the Preservation of Drum Barracks", which had in the meantime bought a purchase option for the site, also urged the Department to intervene.

In August 1966 the City Council allocated \$20,000 toward the purchase price of \$30,000, and the Board of Recreation and Park Commissioners authorized the remaining \$10,000 (C. F. No. 124396; Board Report No. 106). The acquisition was completed on September 29, 1966. Soon thereafter the State appropriated bond funds for the site's restoration and entered into a "friendly" condemnation, an action that included reimbursing the purchase price. The Board agreed to the State's acquiring the site on March 14, 1968, stating that the original acquisition had been viewed as a temporary, emergency act (Report No. 594, Superior Court Case No. 926164).

In the early 1970s the State decided to give up at least some authority over historic sites, such as the Drum Barracks, that were judged to have only local significance; however, before granting an operating agreement, the State required the City to draft a master plan for the building's overall refurbishment and stabilization as well as for landscaping and a parking area. During the years of private ownership, the structure had been modified which necessitated the removal of non-historic partitions, fixtures, etc. The intent was to preserve what was salvageable or noteworthy, such as a one hundred-year old rose bush. Because new structural materials were to be visually compatible, early plans and photos were consulted. The State agreed to provide approximately \$84,000 toward the restoration. The City estimated that its cost to make the site ready for public access would be an

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additional \$100,000. In preparation for the Museum's opening in September 1987, period furnishings and artifacts were obtained by the Preservation Society. This group is now called the "Drum Barracks Garrison and Society".

The Museum is a wood-framed, U-shaped structure of 6,420 square feet in the Greek Revival or Colonial style. The main part of the building is two stories with two single-story wings extending to the rear. Ceilings are typically 14 feet high. The interior has plastered walls, hardwood floors, mahogany railings and banisters, four large masonry fireplaces and porches on both levels at the front of the structure. Building materials were brought to Wilmington from the east coast by sea; some of the original hardware remains.

The Museum staff consists of one full-time historic site curator and three part-time museum guides. In calendar year 2005 they hosted 10,888 visitors, over 4,700 of them being schoolchildren. There are also Civil War re-enactments, seasonal celebrations, lectures and discussions as well as access for researchers interested in the small armory display and library. In addition, Drum Barracks staff join with staff of the Department's Banning Residence Museum, located three blocks away, to provide offsite educational programs for approximately 1,900 elementary students a year.

During the past five years \$674,500 was awarded for lead paint abatement and other ongoing refurbishment from the State's Local Assistance Grant Program and from a Proposition K competitive grant. The work completed to date was overseen by the Department of General Services. A representative from the State inspected the work in February 2005 and was favorably impressed.

For the past seven years the Museum has been chosen to participate in the Multicultural Internship Program sponsored by the J. Paul Getty Trust. The Program has paid for a summer intern to organize the library's expanding collections in order to enhance their usefulness, to improve the educational programs and to develop new exhibits. In the summer of 2006 the intern, in conjunction with Museum staff, developed a narrated video of the second-floor rooms and displays as a service to disabled visitors. The video includes the armory display and a display of Civil War medical artifacts; also included are displays representing barracks activity and major Civil War events occurring elsewhere such as the battle between the first ironclad warships, the "Monitor" and the "Merrimac", and the first battle involving the sinking of a ship by a submarine, the "Hunley".

The original operating agreement with the State expired on April 30, 2004; a successor agreement has been negotiated by Department staff with the assistance of the Real Property and Environment Division of the Office of the City Attorney. It has also received approval from the State. Among its provisions are the following:

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- The term is for 50 years with an “option” to renew upon mutual agreement for an additional 50 years. The City may terminate the agreement upon giving the State two years’ written notice.
- The City will operate and maintain the Museum at its sole cost in accordance with regulations generally applicable to the California park system. The City will also comply with applicable State and Federal directives concerning resource management and the treatment of historic sites. The State will notify the City if these directives change.
- There is no rent due the State for the City’s use of the site. Any revenue generated by the Museum must be used for its benefit with any leftover funds remitted to the State. Each fiscal year’s financial report, together with the estimated number of visitors, are due to the State by September 30. Documents relating to the Museum’s operation are to be kept for at least four years in case the State wishes to conduct an audit.
- The City must obtain prior written permission from the State for any improvements or modifications that exceed \$25,000. All such work is done at the City’s sole cost; the resulting improvements, like the rest of the site, belong to the State.
- The City’s financial obligation for non-routine operation and maintenance is limited to \$20,000 per year up to the beginning of calendar year 2012. Thereafter, and for each succeeding five-year period, the sum may increase in accordance with a calculation based on economic statistics (the Consumer Price Index) published by the U. S. Department of Labor.
- Subject to the prior written approval of the State, the City may grant concession contracts at the Drum Barracks consistent with applicable State requirements. No signs, logos, placards or ads can be displayed without the prior written permission of the State, which will judge if they are consistent with the Museum’s purpose.

Staff determined that the proposed action of the Board will consist of the renewal of an operating agreement for the Drum Barracks Museum and therefore is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class (14) of the City CEQA Guidelines.

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

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FISCAL IMPACT STATEMENT:

There is no new impact to the Department's General Fund as a result of executing this long-term agreement.

Prepared by Joan Reitzel, Senior Management Analyst, Real Estate and Asset Management.