

AGENDA

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

Wednesday, May 18, 2016 at 9:30 a.m.

Normandale Recreation Center
22400 Halldale Avenue
Torrance, CA 90037

SYLVIA PATSAOURAS, PRESIDENT
LYNN ALVAREZ, VICE PRESIDENT
MELBA CULPEPPER, COMMISSIONER
MISTY M. SANFORD, COMMISSIONER
IRIS ZUÑIGA, COMMISSIONER

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. CALL TO ORDER AND SPECIAL PRESENTATIONS

- Special Introduction and Opening Remarks by Councilmember Joe Buscaino's Office, Fifteenth Council District
- Introduction of Normandale Recreation Center Staff

2. APPROVAL OF THE MINUTES

- Approval of Minutes for the Regular Meeting of May 4, 2016

3. BOARD REPORTS

- 16-118 Schedule of Rates and Fees – Exemption to the Annual Garden Use Fees from the Community Garden Facilities Rates and Fees for Nonprofit Organizations Operating, Maintaining, and Paying Utility Costs at Community Gardens on Park Property
- 16-119 Late Night Hoops Basketball Program – Donation from Los Angeles Clippers Foundation in Support of the Program
- 16-120 Central Recreation Center Pool and Bathhouse Renovation (PRJ20251) (W.O. #E1907620) Project – Acceptance and Release of Stop Payment Notice on Construction Contract No. 3513

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- 16-121 Central Recreation Center Pool and Bathhouse Renovation (W.O. #E1907620) Project – Directive to Partially Release Payment on Construction Contract No. 3513
- 16-122 Gaffey Street Pool – Pool and New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F) Project – Acceptance of Stop Payment Notice and Acceptance of Bond to Release Money Withheld on Stop Payment Notice on Construction Contract No. 3514
- 16-123 109th Street Pool and Bathhouse Replacement Project (PRJ1501P) (W.O. #1906494) – Revised Directive to Withhold Contract Payments on Construction Contract No. 3462
- 16-124 Los Angeles Riverfront Park – Phase II (W.O. #E170406F) Project – Revised Directive to Withhold Contract Payment on Construction Contract No. 3385
- 16-125 Los Angeles Riverfront Park – Phase II (W.O. #E170406F) Project – Authority to Negotiate and Issue Change Orders, Supplemental Agreement Change Order, and Subsequent Change Orders to Contract No. 3385
- 16-126 Hollywood Recreation Center – Pool and Pool Building Project (PRJ1402B) (W.O. #E170344F) – Contract No. 3454 – Final Acceptance

4. COMMISSION TASK FORCE UPDATES

- Commission Task Force on Concessions Report – Commissioners Zuñiga and Culpepper
- Commission Task Force on Facility Repair and Maintenance Report – Commissioners Sanford and Alvarez

5. GENERAL MANAGER'S DEPARTMENT REPORT AND UPDATES

- Various Communications Report
- Informational Report on Department Activities and Facilities
- Informational Update on the Greek Theatre

6. PUBLIC COMMENTS

Comments by the Public on All Other Matters within the Board's Subject Matter Jurisdiction

7. FUTURE AGENDA ITEMS

Requests by Commissioners to Schedule Specific Future Agenda Items

8. NEXT MEETING

The next scheduled Regular Meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, June 1, 2016, 9:30 a.m., at EXPO Center Comrie Hall, 3980 South Bill Robertson Lane, Los Angeles, CA 90037.

May 18, 2016

REGULAR MEETING MINUTES

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

Wednesday, May 4, 2016

The Board of Recreation and Park Commissioners of the City of Los Angeles convened the Regular Meeting at EXPO Center Comrie Hall at 9:30 a.m. Present were President Sylvia Patsouras, Commissioner Misty M. Sanford, and Commissioner Iris Zuñiga. Also present were Michael A. Shull, General Manager, and Deputy City Attorney III Strefan Fauble.

The following Department staff members were present:

Anthony-Paul Diaz, Executive Officer
Vicki Israel, Assistant General Manager, Partnership and Revenue Branch
Kevin Regan, Assistant General Manager, Operations Branch
Ramon Barajas, Assistant General Manager, Planning, Construction and Maintenance Branch
Noel Williams, Chief Financial Officer, Finance Division

CALL TO ORDER AND APPROVAL OF THE MINUTES

Commissioner Sanford moved that the Board approve the Minutes of the April 20, 2016 Regular Meeting, which was seconded by Commissioner Zuñiga. There being no objections, the Motion was unanimously approved.

BOARD REPORTS

16-106

VARIOUS COMMUNICATIONS

Board Report No. 16-106 was amended to omit Various Communications Item No. 6:

City Clerk, relative to a proposed Master Amendment between the Department and seven contractors for as-needed environmental impact analysis services.

16-107

CALIFORNIA DEPARTMENT OF EDUCATION – SUMMER FOOD SERVICE PROGRAM 2015-2016 – AUTHORIZATION TO SUBMIT GRANT APPLICATION FOR SUMMER LUNCH PROGRAM; ACCEPTANCE OF GRANT FUNDS

Sophia Pina-Cortez, Superintendent of Metro Region, presented Board Report No. 16-107 for approval of the submission of a Summer Food Service Program 2015-2016 grant application to the California Department of Education (CDE) for the Department's Summer Lunch Program in the approximate amount of \$811,000.00.

16-108

GRIFFITH PARK PONY RIDE CONCESSION – AWARD OF CONTRACT TO LOS ANGELES PONY RIDES, INC.; AUTHORIZATION TO DEVELOP CONCESSION AGREEMENT

May 4, 2016

Chief Sustainability Officer Matthew Rudnick presented Board Report No. 16-108 for authorization to award the Griffith Park Pony Ride Concession to Los Angeles Pony Rides, Inc; and authorize Department staff to develop terms, conditions, and transition plan for the Concession Agreement with Los Angeles Pony Rides, Inc. for a period of five years with three one-year renewal options exercisable at the General Manager's sole discretion. The Board Report title was corrected to reflect the recommended contract award to Los Angeles Pony Rides, Inc. as follows:

GRIFFITH PARK PONY RIDE CONCESSION – AWARD OF CONTRACT TO LOS ANGELES PONY RIDES, INC.; AUTHORIZATION TO DEVELOP CONCESSION AGREEMENT

16-109

AS-NEEDED ENVIRONMENTAL HEALTH AND SAFETY SERVICES – AWARD OF CONTRACTS

Kai Wong, Management Analyst II of Finance Division, presented Board Report No. 16-109 for the approval of proposed three-year Services Contracts with Ambient Environmental, Inc., A-Tech Consulting, Inc., Integrity Environmental Consultants, Inc., and Ninyo & Moore for as-needed environmental health and safety services with a Charter Section 1022 determination for hazardous materials analysis, surveying, monitoring, and industrial hygiene services.

16-110

REIMBURSEMENT OF SALARIES AND RELATED EXPENSES FROM THE MUNICIPAL RECREATION PROGRAM FUND AND GRANT FUND ACCOUNTS – RESOLUTION FOR FISCAL YEAR 2016-2017

Noel Williams, Chief Financial Officer, presented Board Report No. 16-110 for adoption of a Resolution authorizing the City Controller to reimburse the Department's budgetary accounts for salaries and related expenses by transfer of expenditures from the budgetary accounts to the appropriate Grant Fund accounts, Departmental Capital Improvement accounts, other Special Accounts, City General Fund Capital accounts for Departmental projects, and Municipal Recreation Program (MRP) Fund for Fiscal Year 2016-2017.

16-111

REIMBURSEMENT FOR PETTY CASH, EXPENSES, AND REFUND RESOLUTIONS FOR FISCAL YEAR 2016-2017

Noel Williams, Chief Financial Officer, presented Board Report No. 16-111 for the adoption of Petty Cash, Expenses, and Refund Resolutions for Fiscal Year (FY) 2016-2017 in order to transition financial operations into FY 2016-2017.

16-112

TRANSFER OF EXPENDITURES TO BOGDANOVICH TRUST FUND FOR FISCAL YEAR 2016-2017

Noel Williams, Chief Financial Officer, presented Board Report No. 16-112 for the adoption of a Resolution authorizing the City Controller to transfer expenditures for sports and other activities

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associated with the Martin J. Bogdanovich Recreation Center from Municipal Sports Account, Fund 301, Department 88, to Recreation and Parks, Fund 302, Department 89, Bogdanovich Trust Account 89050K, for Fiscal Year 2016-2017.

16-113

TRANSFER OF APPROPRIATIONS WITHIN FUND 302 IN THE DEPARTMENT OF RECREATION AND PARKS

Noel Williams, Chief Financial Officer, presented Board Report No. 16-113 for authorization of various transfers of appropriations within Recreation and Parks Fund 302, and authorization for the General Manager or Designee to make technical corrections to the transactions as necessary.

16-114

EXPO CENTER – AUTHORIZATION TO PAY OUTSTANDING INVOICES FOR THE USE OF LOT 1 AT THE EXPO CENTER

Noel Williams, Chief Financial Officer, presented Board Report No. 16-114 for authorization to pay outstanding invoices for the use of Lot 1 parking spaces at EXPO Center; authorization for the Department's Chief Accounting Employee to encumber and pay an amount not to exceed \$62,500.00 from Fund No. 302, Department No. 88, Appropriation Account No. 003040; and authorization for the Department's Chief Accounting Employee to make technical corrections as necessary.

16-115

EAGLE ROCK RECREATION CENTER – LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR PARKING SPACE; EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE III, SECTION 1(A), CLASS 1, CATEGORY 14 OF THE CITY OF LOS ANGELES CEQA GUIDELINES

Cid Macaraeg, Senior Management Analyst II of the Planning Construction, and Maintenance Branch, presented Board Report No. 16-115 for approval of a proposed Lease Agreement, Contract No. 9.2167, between the Department and Southern California Edison Company for the use of a 0.4 acre parcel to serve as additional parking space for the Eagle Rock Recreation Center; authorization for the Department's Chief Accounting Employee to pay the annual rent due beginning August 1, 2016 to SCE from Fund 302, Department 88, Account No. 6030, and every year thereafter until August 1, 2020 pursuant to the payment schedule presented in Report No. 16-115; and approval of the finding that the proposed renewal of a License Agreement is categorically exempt from the California Environmental Quality Act (CEQA).

16-116

1ST AND BROADWAY CIVIC CENTER PARK – NEW PARK DEVELOPMENT (PRJ20781) PROJECT – ALLOCATION OF QUIMBY FEES

Cathie Santo Domingo, Superintendent of Planning, Construction, and Maintenance Branch, presented Board Report No. 16-116 to authorize the Department's Chief Accounting Employee to

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transfer \$7,822,693.50 in Quimby Fees from the Quimby Fees Account No. 89460K-00 to the 1st and Broadway Account No. 89460K-RX; approval of the allocation of \$7,822,693.50 in Quimby Fees from 1st and Broadway Account No. 89460K-RX to the 1st and Broadway Civic Center Park - New Park Development Project; and authorization for the Department's Chief Accounting Employee to make technical corrections as necessary to carry out the intent of the Report.

16-117

SAN PEDRO PLAZA PARK – EXPANSION BY HARBOR DEPARTMENT; ISSUANCE OF RIGHT-OF-ENTRY PERMIT TO HARBOR DEPARTMENT

Cid Macaraeg, Senior Management Analyst II of the Planning Construction, and Maintenance Branch, presented Board Report No. 16-117 for preliminary approval of the San Pedro Plaza Park Expansion Project (Project); consideration of the finding that the Project will have no significant environmental impacts or such impacts have been mitigated to a less than significant level, based on substantial evidence in the record as a whole; approval of the Project's conceptual plan on Department property; authorization to issue the necessary Right-of-Entry permit to the City of Los Angeles Harbor Department (LAHD) for the Project's park development work on Department property; and preliminary approval for the acquisition of LAHD property for the Project.

Public comments were invited for the Board Reports. One request for public comment was submitted for Board Report No. 16-108, and such comments were made to the Board.

President Patsouras requested a Motion to approve the Board Reports as presented, and Board Report Nos. 16-106 and 16-108 as amended. Commissioner Sanford moved that the Board Reports be approved, and that the Resolutions recommended in the Reports be thereby approved. Commissioner Zuñiga seconded the Motion. There being no objections, the Motion was unanimously approved.

CONTINUED BOARD REPORTS

16-105

AS-NEEDED ALL WEATHER TURF CONSTRUCTION, RETROFIT, MAINTENANCE AND/OR REPAIRS – AWARD OF CONTRACTS

Noel Williams, Chief Financial Officer, presented Board Report No. 16-105 for authorization to waive any informality found in the proposals submitted by Ohno Construction Company and UBU Sports, Inc. for the As-Needed All Weather Turf Construction, Retrofit, Maintenance, and/or Repairs Request for Proposals; and approval of the proposed three-year Services Contracts (Contracts) with Ohno Construction Company and UBU Sports, Inc. for as-needed all weather turf construction, retrofit, maintenance, and repair services with a Charter Section 1022 determination.

Public comments were invited for Board Report No. 16-105; however, no requests for public comment were received.

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GENERAL MANAGER'S DEPARTMENT REPORT AND UPDATES

- Executive Officer Anthony-Paul Diaz acknowledged Risk Manager Marc Hendon for his service to the Department, and announced that Mr. Hendon has accepted a promotional opportunity. General Manager Michael Shull reported on Department activities, facilities, and upcoming events. The Department hosted the inaugural Venice Springtime Ladies Jam, which was held on April 30, 2016 at Venice Beach. The Los Angeles Parks Foundation is hosting the 2016 Rose Award ceremony on May 5, 2016 at the Exposition Park Rose Garden to recognize Olympic Gold Medalist Mia Hamm for her efforts and contributions to the quality of life in the City of Los Angeles. The Department is hosting a Mother's Day Dinner at Echo Park Recreation Center on May 7, 2016 for all mothers in the local community who volunteer and support the recreation programs. The Sylmar Recreation Center Groundbreaking Ceremony is scheduled on May 9, 2016. The Whitsett Fields Park Groundbreaking Ceremony is scheduled on May 12, 2016 for three synthetic soccer fields.
- General Manager Michael Shull reported on the Greek Theatre's 2016 Season. Five concerts have been held since the opening night on April 16, 2016.
- Chief Sustainability Officer Matthew Rudnick reported on the Department's strategic planning process. Interviews were conducted with various individuals, including with several Councilmembers and Council District Office staff. NPO Solutions and Department staff will be working with the Finance Division to evaluate financial projections for revenue-based projects, upcoming technological projects with Systems Division, and succession planning with Human Resources Division. A graphic designer will also assist the Department with the aesthetics of the Strategic Plan. A Special Meeting for a follow-up strategic planning discussion will be scheduled prior to the release of the draft Strategic Plan.
- Superintendent Joe Salaires reported on the temporary closure of Runyon Canyon Park. The Los Angeles Department of Water and Power started the Runyon Canyon Water System Improvement Project (Project) on April 1, 2016, which is currently on schedule and expected to be open by July 31, 2016. Approximately 3,000 feet of water pipeline has been replaced over the last month. Department of Recreation and Parks crews have been cleaning up Runyon Canyon Park, including brush clearance. The roadway will be covered by a topping material after it is paved, which is designed to reduce heat and be able to withstand fire suppression vehicles. Department staff will report back to the Facility Repair and Maintenance Task Force regarding the aesthetics of the topping material.
- Landscape Architect Robert Oyakawa reported on the maintenance of outdoor fitness zones. A total of 78 installations of outdoor fitness zones throughout the City of Los Angeles, of which are inspected on a monthly basis for any maintenance issues, vandalism, and any worn out, loose or broken parts. The outdoor fitness equipment typically need maintenance every three to four months, or as reported by park patrons. The estimated annual maintenance costs amount to approximately \$20,000; however, maintenance costs may increase as the equipment ages and additional outdoor fitness zones are installed. The time involved in maintaining the outdoor fitness zones amounts to 15% to 20% of the Department's maintenance staff time. The maintenance staff assigned to maintain the outdoor fitness zones also inspect playground equipment on a monthly basis. The Board and Department staff discussed the warranties and useful life of the fitness equipment.

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COMMISSION TASK FORCES

- Commission Task Force on Concessions Report (Commissioners Zuñiga and Culpepper)

There was no report for the Commission Task Force on Concessions.

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

Commissioner Sanford reported on the Facility Repair and Maintenance Task Force Meeting held on May 4, 2016 prior to the Board Meeting, in which the Task Force discussed the Department's gardening program and associated annual garden use fees.

PUBLIC COMMENTS

Public comments on matters within the Board's jurisdiction were invited. Nineteen requests for public comment were submitted, and such comments opposing the proposed outdoor basketball court project at Runyon Canyon Park were made to the Board. One written communication was also submitted to the Board as public comment.

Additional public comments on matters within the Board's jurisdiction were invited thereafter. Senior Deputy Catherine Landers of Councilmember David E. Ryu's Office, Fourth Council District, spoke on behalf of Councilmember Ryu regarding a letter addressed to the Board and Department staff requesting to halt the construction of the proposed outdoor basketball court project (Project) at Runyon Canyon Park, and that the Board reconsider its prior conditional approval of the Project.

FUTURE AGENDA ITEMS

There were no requests for future Agenda Items.

NEXT MEETING

The next Regular Meeting of the Board of Recreation and Park Commissioners was scheduled to be held on Wednesday, May 18, 2016, 9:30 a.m., at Normandale Recreation Center, 22400 Halldale Avenue, Torrance, CA 90501.

ADJOURNMENT

There being no further business to come before the Board, President Patsouras adjourned the Meeting at 10:55 a.m.

ATTEST

PRESIDENT

BOARD SECRETARY

BOARD REPORT

NO. 16-118

DATE: May 18, 2016

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SCHEDULE OF RATES AND FEES – EXEMPTION TO THE ANNUAL GARDEN USE FEES FROM THE COMMUNITY GARDEN FACILITIES RATES AND FEES FOR NONPROFIT ORGANIZATIONS OPERATING, MAINTAINING AND PAYING UTILITY COSTS AT COMMUNITY GARDENS ON PARK PROPERTY

A.P. Diaz	_____	*V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

That the Board:

1. Approve a proposed exemption to the Annual Community Garden Use Fee from the Community Garden Facilities Rates and Fees for outside, non-profit organizations currently operating, maintaining and paying utility costs at community gardens on park property, to be effective July 1, 2016; and,
2. Authorize staff to amend the Schedule of Rates and Fees to incorporate these changes.

SUMMARY

On May 4, 2011, the Board of Recreation and Park Commissioners (Board) approved the Policy on Community Operated Open Space, and Operating Guidelines for Self-Operated Community Gardens (Report No. 11-121 attached as Exhibit A). Exhibit C of Report No. 11-121 included the following Annual Community Garden Use Fee(s) from the Community Garden Facilities Rates and Fees page of the Department of Recreation and Parks (RAP) Schedule of Rates and Fees, which are based solely on the existing number of garden plots within each respective garden and applied to outside organizations operating garden facilities on park property:

<u>Number of Garden Plots</u>	<u>Use Fee</u>
1 – 50	\$ 100.00 per year
51 – 250	\$ 500.00 per year
251 and over	\$1,000.00 per year

Currently, annual garden facility use fees are due on July 1st of each year. Excluding the three RAP self-operated community garden facilities at Expo Center Urban Garden, Orcutt Ranch Community Garden, and Sepulveda Garden Center, there are presently ten (10) active community gardens operated by nonprofit organizations on park property at their own expense,

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including the provision of their own maintenance and upkeep, payment of utility expenses, and which have been subject to the Annual Garden Use Fees. The total sum of all Annual Garden Use Fees collected by RAP from the ten (10) nonprofit garden operators is Three Thousand Five Hundred Dollars (\$3,500.00):

Garden	Operator	Park	Plots	Annual Fee
1. Ocean View Farms	Ocean View Farms, Inc.	Venice Reservoir Site	500	\$1,000.00
2. Wattles Farm Comm. Garden	Wattles Farm and Neighborhood Gardeners, Inc.	Wattles Garden Park	172	\$500.00
3. Roger Jessup Comm. Garden	Youth Speak Collective	Roger Jessup Park	60	\$500.00
4. Eastside Community Garden	L.A. Conservation Corps	E.L.A. Conservation Corps Site (across Boyle Hts. Sports Complex)	19	\$100.00
5. East Wilmington Comm. Garden	L.A. Conservation Corps	East Wilmington Greenbelt Park	37	\$100.00
6. Solano Canyon Comm. Garden	L.A. Community Garden Council	Elysian Park	137	\$500.00
7. East Hollywood Public Garden	L.A. Community Garden Council	Proposed Name: Madison Avenue Park	61	\$500.00
8. Drew St. Comm. Garden	L.A. Community Garden Council	Drew Street Park	38	\$100.00
9. El Sereno Comm. Garden	L.A. Community Garden Council	CalTrans Land leased to RAP	25	\$100.00
10. Patton Street Comm. Garden	L.A. Community Garden Council	Patton Street Park	10	\$100.00
Total Annual Fees:				\$3,500.00

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NO. 16-118

It is understood that community gardens contribute to the improvement of the social fabric of their respective communities. For example, they help grow new neighborhood leaders by encouraging some turnover among the garden's leadership each year so more people get the experience and responsibilities of leadership.

Pursuant to recent discussions with the Los Angeles Community Garden Council and other nonprofit garden operators, it was brought to RAP's attention that many gardens are feeling the economic impact of increasing operating costs, particularly escalating water utility rates. Based on these discussions and observation of the community contributions community gardens make, staff recommends that the Annual Community Garden Use Fee in the RAP Community Garden Facilities Rates and Fees, not apply to nonprofit community garden operators who provide or pay the cost of their maintenance and utilities, and that such exemption be effective July 1, 2016. A proposed, revised Community Garden Facilities Rates and Fees page is attached to this report as Exhibit B.

This exemption to the Annual Garden Use Fee does not change the obligation for organizations currently operating community gardens on park property to perform their own maintenance and pay for the cost of utilities used at the community gardens. RAP Maintenance Staff currently do not provide any maintenance services at the ten community gardens operated by nonprofit organizations. Nonprofit community garden operators will continue to be fully responsible for the cost of utilities for each garden, either through dedicated utility meters under an associated utility account and direct payment to the Los Angeles Department of Water and Power; or through sub-meter readings monitored by RAP Maintenance Staff with invoices from RAP provided to garden operators for reimbursement through quarterly or biannual billings. Any community garden operators that require garden maintenance services to be provided by RAP would remain subject to the Garden Annual Use Fee and Staff Impact Cost Recovery Reimbursement Fees, to be determined by the level of maintenance being provided by RAP.

FISCAL IMPACT STATEMENT

The exemption to the Community Garden Annual Use Fees will have a minor negative impact on the RAP General Fund of an estimated Three Thousand Five Hundred Dollars (\$3,500) annually.

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

ATTACHMENTS/EXHIBITS

- 1) Report No. 11-121 dated May 4, 2011
- 2) Revised Community Garden Facilities Rates and Fees

Exhibit A

APPROVED

REPORT OF GENERAL MANAGER

NO. 11-121

DATE May 4, 2011

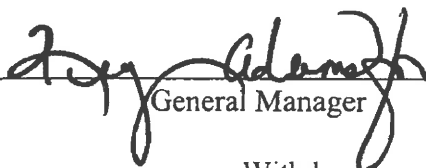
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BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: COMMUNITY OPERATED OPEN SPACES – POLICY ON COMMUNITY OPERATED OPEN SPACE, AND OPERATING GUIDELINES FOR SELF-OPERATED COMMUNITY GARDENS – PROPOSED CHANGES TO SCHEDULE OF RATES AND FEES FOR COMMUNITY GARDEN FACILITIES – OPERATION OF THE DEPARTMENT’S COMMUNITY GARDEN PROGRAM

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


General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve the proposed Community Operated Open Space Policy, (attached as Exhibit A), which concerns the development, operation, and maintenance of public parkland in partnership with individuals, entities, or organizations, and in accordance with the Board’s Policy on Partnerships;
2. Approve the proposed Operating Guidelines for Self-Operated Community Gardens, (attached as Exhibit B), which provides uniform operating guidelines for community garden sites managed by the Department of Recreation and Parks (RAP);
3. Approve the changes to the Community Garden Plots section of the Schedule of Rates and Fees as outlined in the body of this report and the attached schedule (Exhibit C), effective July 1, 2011 and subject to the approval of the U.S. Army Corps of Engineers, where applicable;
4. Authorize staff to amend the Schedule of Rates and Fees to incorporate these changes;

REPORT OF GENERAL MANAGER

PG. 2

NO. 11-121

5. Take the following actions regarding Eastside Community Garden:
 - A. Direct staff to transition Los Angeles Conservation Corps (LACC) to a Partnership Agreement for the operation and maintenance of Eastside Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - B. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with LACC for the operation and maintenance of Eastside Community Garden.
6. Take the following actions regarding El Sereno Community Garden:
 - A. Direct staff to terminate the lease between RAP and LACC;
 - B. Direct staff to transition LACC to a Partnership Agreement for the operation and maintenance of El Sereno Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - C. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with LACC for the operation and maintenance of El Sereno Community Garden.
7. Take the following action regarding Expo Center Urban Garden:
 - A. Direct staff to continue to self-operate Expo Center Urban Garden.
8. Take the following actions regarding Howard Finn Community Garden:
 - A. Direct staff to terminate the Operating Agreement between RAP and LACC;
 - B. Direct staff to develop a conceptual design plan for Howard Finn Community Garden; and,
 - C. Direct staff to identify opportunities to establish a partnership for the operation and maintenance of Howard Finn Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy.

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PG. 3

NO. 11-121

9. Take the following actions regarding Little Green Acres Community Garden:
 - A. Direct staff to cease operation of Little Green Acres Community Garden;
 - B. Direct staff to develop a conceptual design plan for Little Green Acres Community Garden; and,
 - C. Direct staff to identify opportunities to establish a partnership for the operation and maintenance of Little Green Acres Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy.

10. Take the following actions regarding North Weddington Hidden Garden:
 - A. Direct staff to terminate the Right of Entry Permit between RAP and Rio Vista Elementary School;
 - B. Direct staff to transition Rio Vista Elementary School to a Partnership Agreement for the operation and maintenance of North Weddington Hidden Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - C. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with Rio Vista Elementary School for the operation and maintenance of North Weddington Hidden Garden.

11. Take the following actions regarding Ocean View Farms:
 - A. Direct staff to terminate the Right of Entry Permit between RAP and Metropolitan Neighborhood Garden and Farm, Inc;
 - B. Direct staff to transition Ocean View Farms, Inc., to a Partnership Agreement for the operation and maintenance of Ocean View Farms, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - C. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with Ocean View Farms, Inc., for the operation and maintenance of Ocean View Farms.

REPORT OF GENERAL MANAGER

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NO. 11-121

12. Take the following action regarding Orcutt Ranch Community Garden:
 - A. Direct staff to continue to self-operate the Orcutt Ranch Community Garden; and,
 - B. Direct staff to identify opportunities to establish a partnership for the operation and maintenance of Orcutt Ranch Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy.

13. Take the following actions regarding Rodger Jessup Garden Plots:
 - A. Direct staff to transition Project Youth Green, Inc., to a Partnership Agreement for the operation and maintenance of the Rodger Jessup Garden Plots, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - B. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with Project Youth Green, Inc., for the operation and maintenance of Rodger Jessup Garden Plots.

14. Take the following action regarding Rose Hills/Debs Community Garden:
 - A. Direct staff to cease operation of Rose Hills/Debs Community Garden;
 - B. Direct staff to develop a conceptual design plan for Rose Hills/Debs Community Garden; and,
 - C. Direct staff to identify opportunities to establish a partnership for the operation and maintenance of Rose Hills/Debs Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy.

15. Take the following action regarding Sepulveda Garden Center:
 - A. Direct staff to continue to self-operate the Sepulveda Garden Center; and,
 - B. Direct staff to identify opportunities to establish a partnership for the operation and maintenance of Sepulveda Garden Center, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy.

REPORT OF GENERAL MANAGER

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NO. 11-121

16. Take the following actions regarding Solano Canyon Community Garden:
 - A. Direct staff to transition Solano Canyon Garden Association, Inc., to a Partnership Agreement for the operation and maintenance of the Solano Canyon Community Garden, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - B. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with Solano Canyon Garden Association, Inc., for the operation and maintenance of Solano Canyon Community Garden.

17. Take the following actions regarding Wattles Farm:
 - A. Direct staff to terminate the Right of Entry Permit between RAP and Wattles Farm and Neighborhood Gardeners, Inc.;
 - B. Direct staff to transition Wattles Farm and Neighborhood Gardeners, Inc. to a Partnership Agreement for the operation and maintenance of the Wattles Farm, in accordance with the Board's Policy on Partnerships and the proposed Community Operated Open Space Policy; and,
 - C. Direct staff to return to the Board for final authorization to execute a Partnership Agreement with Wattles Farm and Neighborhood Gardeners, Inc., for the operation and maintenance of Wattles Farm.

SUMMARY:

On January 5, 2010, the Board of Recreation and Park Commissioners (Board) directed staff to develop a comprehensive policy for the Department of Recreation and Parks' (RAP) community gardening program and to return to the Board for adoption of said policy (Board Report 11-012). Additionally, the Board suspended the billing due date for community garden plot fees until after a study had been completed by staff and all changes, if any, to RAP's schedule of rates and fees had been adopted by the Board.

In response to the Board's direction, staff undertook an extensive review of RAP's community garden program. As a part of this review, staff analyzed RAP's existing policies, pricing, and procedures, as well as the type and level of service being provided by RAP staff at each community garden facility. Additionally, staff met with community gardeners and representatives of community garden organizations to discuss issues related to the operation of the community gardens.

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Based on the input received through this process, staff has developed (1) a uniform program policy (the Community Operated Open Space Policy); (2) a set of operating procedures and guidelines for RAP operated community gardens (the Operating Guidelines for Self-Operated Community Gardens); and, (3) a proposed rate and fee schedule for community garden facilities. The proposed Community Operated Open Space Policy and Operating Guidelines for Self-Operated Community Gardens, as well as the proposed changes to the community garden facilities section of RAP's schedule of rates and fees are summarized below and in the attached exhibits.

Community Operated Open Space Policy

The purpose of the proposed Community Operated Open Space Policy is to establish a framework that allows individuals and organizations to partner with RAP to develop, operate, and maintain public park property in order to provide opportunities for the physical and social benefit of the people and neighborhoods. In order to support and facilitate a range of uses and programs, including community and ornamental gardens, the proposed policy is purposefully designed to be as broad and flexible as possible. For example, community gardens that provide and rent individual garden plots are permitted uses for Community Operated Open Space sites; however, the proposed policy states that they should adopt rules that extend the gardening experience to as many people as possible.

The proposed policy specifies that all Community Operated Open Space sites shall be operated in partnership with RAP, and in accordance with the Board's Policy on Partnerships. All organizations interested in operating or maintaining public park property as a Community Operated Open Space would be required to enter into a Board approved Partnership Agreement with RAP.

Finally, the proposed policy stipulates that a Community Operated Open Space site shall be non-exclusive and that the general public's access to public parkland should be maintained and protected. The specific details as to how the general public will be able to access a Community Operated Open Space site will be delineated in each individual Partnership Agreement. The policy also stipulates that RAP staff shall have access to a site at all times and shall be kept informed of any site access arrangements made by partner organizations.

The Community Operated Open Space Policy is attached hereto as Exhibit A.

Operating Guidelines for Self-Operated Community Gardens

The purpose of the proposed Operating Guidelines for Self-Operated Community Gardens is to provide a standard set of rules, regulations, and operating procedures for all community garden facilities operated by RAP. Community Gardens operated by individuals and organizations in partnership with RAP through a Board approved Partnership Agreement would not be subject to these operating guidelines. The implementation of uniform operating guidelines for RAP operated community garden facilities would provide member gardeners with certainty in program operations, and clearly identify RAP's standards and expectations for member conduct.

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Included in the proposed Operating Guidelines for Self-Operated Community Gardens are the hours of operation for the facilities, RAP's procedures relative to the assignment of vacant garden plots, regulations for the maintenance of individual garden plots and common areas, planting and watering guidelines, and basic rules regarding the conduct of members and guests.

The Operating Guidelines for Self-Operated Community Gardens also limit the number of individual garden plots to three plots per household. However, it should be noted that the Operating Guidelines for Self-Operated Community Gardens do permit those households currently assigned more than three plots to retain those assigned plots in excess of the proposed three plot limit.

At this time, there are three community garden facilities that staff recommends be operated by RAP and would therefore be subject to the proposed Operating Guidelines for Self-Operated Community Gardens: Expo Center Urban Garden, Orcutt Ranch Community Garden, and Sepulveda Garden Center.

The Operating Guidelines for Self-Operated Community Gardens are attached hereto as Exhibit B.

Community Garden Plot Rates and Fees

On July 14, 2010, the Board approved changes to RAP's schedule of rates and fees (Board Report No. 10-180). One of the fees modified in that schedule changed the annual rate to rent a community garden plot from \$25 per calendar year to \$120 per calendar year and applied that fee to nine community garden facilities within RAP's jurisdiction. The nine community garden facilities included in that schedule change were: Rose Hills/Debs Community Garden, Solano Canyon Community Garden, Eastside Community Garden, El Sereno Community Garden, Orcutt Ranch Community Garden, Sepulveda Garden Center, Rodger Jessup Garden Plots, Ocean View Farms, and Wattles Farm.

On January 5, 2011, the Board suspended the billing due date for community garden plot fees until staff completed a study of RAP's rates and fees and if changes to the schedule of rates and fees is recommended, then the schedule of rate and fees is suspended until the recommendation is adopted by the Board (Board Report No. 11-012). This report represents staff's completion of its review of RAP's schedule of rates and fees for community garden facilities.

Staff recommends that RAP's rates and fees be changed to address policy and operational issues, and to appropriately align community garden fees with the cost of services provided by RAP at each community garden facility. Staff has developed a revised rate and fee schedule for the community garden facilities that, upon the Board's approval of this report, would be made effective July 1, 2011 (Exhibit C).

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The proposed rate and fee schedule would re-align the collection of community garden fees from the start of the calendar year, January 1st, to the start of RAP's fiscal year, July 1st. Fees would be paid semi-annually, with payments being due on July 1st and January 1st of each fiscal year. Fees for newly assigned garden plots would be prorated based on the number of months remaining in each semi-annual period.

It should be noted that RAP collected community garden plot rental fees from January 1, 2010 through December 31, 2010, which means that RAP will have collected community garden plot fees for a portion of the current fiscal year, which started July 1, 2010. If the proposed rate and fee schedule is approved and adopted by the Board, RAP will not collect any community garden plot rental fees for the period of January 1, 2011 through June 30, 2011.

Rates and Fees for RAP Operated Community Garden Facilities

RAP staff analyzed RAP's current annual labor, utility, and supply costs in order to determine the estimated annual cost to RAP to operate those community garden facilities proposed to be operated by RAP. Where appropriate, staff prorated the labor, utility, and supply costs at each facility in order to equitably identify those costs associated with the operation of each community garden facility. Staff then identified where opportunities existed to create operational efficiencies through the realignment of staffing and resources. Once that exercise was complete, the anticipated annual labor, utility, and supply costs for each facility were added together then divided equally by the number of plots at each facility in order to calculate the estimated annual cost to RAP to operate each facility. A summary of the identified annual labor, utility, and supply costs for each facility proposed to be operated by RAP, and the methodology used to calculate each facility's estimated annual operation cost, is attached hereto as Exhibit D.

Staff estimates the cost to RAP to operate the Orcutt Ranch Community Garden is \$26,215 annually, which calculates to approximately \$198 per plot per year. Staff estimates the cost to RAP to operate the Sepulveda Garden Center is \$143,227 annually, which calculates to approximately \$177 per plot per year.

The annual fee for the community garden plots has been static for many years. During staff's review of this issue the public provided a great deal of constructive input and commentary. Based upon the various comments received through this process staff is not currently recommending full cost recovery for these community garden plots. Staff recommends that the Board amend the rate and fee schedule for community garden plot rentals at only Orcutt Ranch Community Garden and Sepulveda Garden Center and implement an annual per plot rental fee of \$120 at each facility (Exhibit C) that would be paid in semi-annual installments on July 1st and January 1st of each fiscal year.

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NO. 11-121Rates and Fees for Partner Operated Community Garden Facilities

For those community garden facilities proposed to be operated by organizations partnering with RAP, staff recommends that partnering organizations be made responsible, through individual Partnership Agreements, for all costs associated with the operation and maintenance of the community gardens, including any identified utility fees and/or use fees.

At each community garden facility currently proposed to be operated by organizations partnering with RAP, staff has identified, and estimated, the anticipated RAP staff costs and utility fees that will need to be considered. Most of the identified RAP staff costs, particularly those related to the initial development of each Partnership Agreement are expected to be one-time charges. Some of the RAP staff costs, however, will reoccur annually as they are related to required performance reviews and facility inspections. Additionally, staff investigated each of the proposed partner operated community garden facilities and determined which facilities already have designated water meters and which do not. At those facilities that currently do not have designated water meters RAP will install a new water meter or sub-meter.

Staff recommends that RAP amend the rate and fee schedule for community garden facilities and implement a use fee for each community garden facility proposed to be operated by organizations partnering with RAP (Exhibit C). While the proposed user fees would vary based on the number of garden plots provided at each partner-operated community garden facility, no per plot fees are proposed to be charged by RAP at community garden facilities operated by outside entities.

COMMUNITY GARDEN FACILITY RECOMMENDATIONS

As discussed above, staff has proposed various recommendations for each of RAP's community garden facilities including those community gardens that are currently operated by an outside group or organization on land that is either owned or leased by RAP.

Eastside Community Garden

Eastside Community Garden is located at 933 Mott Street in the Boyle Heights community of the City, in Council District 14. The community garden is located on a 1.4 acre portion of Boyle Heights Sports Center, which is owned by the City, and contains approximately 20 community garden plots. The community garden facility also has a designated water meter. The Los Angeles Conservation Corps (LACC) had a Memorandum of Agreement with RAP to operate Eastside Community Garden. This Memorandum of Agreement expired in February 2008 and is no longer operative.

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RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

RAP staff recommends that LACC be transitioned to a Partnership Agreement for the operation and maintenance of Eastside Community Garden. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, LACC be made responsible, at its sole costs and expense, for all utility, maintenance, and repair costs related to the operation of Eastside Community Garden. Additionally, LACC would be subject to the proposed annual use fee for partner operated community garden facilities.

El Sereno Community Garden

El Sereno Community Garden is located at 5466 Huntington Drive in the El Sereno community of the City, in Council District 14. The community garden is located on a 1.5 acre site, which is owned by the California Department of Transportation and leased to RAP, and contains approximately 25 community garden plots. The community garden facility also has a designated water meter. LACC has a sublease with RAP for the operation of the El Sereno Community Garden. This sublease agreement, which expires in April 2011, can be revoked by RAP with thirty (30) days written notice.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

RAP staff recommends that the existing sublease between RAP and LACC be terminated and that LACC be transitioned to a Partnership Agreement for the operation and maintenance of El Sereno Community Garden. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, LACC be made responsible, at its sole costs and expense, for all utility, maintenance, and repair costs related to the operation of the El Sereno Community Garden. Additionally, LACC would be subject to the proposed annual use fee for partner operated community garden facilities.

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NO. 11-121Expo Center Urban Garden

Expo Center Urban Garden is located at 3990 Bill Robertson Lane in the Exposition Park community of the City, in Council District 8. The community garden is located on a 0.25 acre portion of the Expo Center Park, which is owned by the City, and contains 27 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. The Expo Center Urban Garden is operated by RAP.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Staff recommends that the Expo Center Urban Garden continue to be operated by RAP, in accordance with the proposed Operating Guidelines for Self-Operated Community Gardens. However, as the Expo Center Urban Garden is solely used as an educational learning space for the community, and community members do not have exclusive access to individual community garden plots, staff does not recommend the application of an annual rental fee for the community garden plots at this facility.

Francis Avenue Community Garden

Francis Avenue Community Garden is located at 2909 Francis Avenue in the Koreatown community of the City, in Council District 1. The community garden is located on a portion of the 0.15 acre Francis Avenue Community Garden Park, which is owned by the City, and contains 16 community garden plots. This community garden facility also has a designated water meter. Los Angeles Neighborhood Land Trust (LANLT) has a Lease Agreement with RAP for the operation of the Francis Avenue Community Garden. This Lease Agreement expires in November 2106.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Staff does not recommend any changes to the existing Lease Agreement between LANLT and RAP for the operation and maintenance of the Francis Avenue Community Garden as that agreement was entered into in furtherance of a Proposition K Grant Agreement between the City and LANLT.

Howard Finn Community Garden

Howard Finn Community Garden is located at 7717 Foothill Boulevard in the Sunland-Tujunga community of the City, in Council District 2. The community garden is located on a 0.3 acre portion of Howard Finn Park, which is owned by the City, and contains 30 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. LACC has an Operating Agreement with RAP for the operation of the Howard Finn Community Garden. This Operating Agreement expired in June 2004; however, the agreement

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stipulates that upon expiration the term will become a month to month tenancy until terminated. The site is currently being operated by a group of local community members, who are unaffiliated with LACC.

LACC has informed staff that it is no longer interested in operating the Howard Finn Community Garden. Therefore, RAP staff recommends that the existing Operating Agreement between the Department and LACC be terminated.

RAP staff has determined that the Howard Finn Community Garden is currently underutilized and may need to be redesigned to better fit the needs of the local community and the general public.

Staff recommends the development of a conceptual design plan for the Howard Finn Community Garden. The proposed conceptual plan would be developed with input from neighborhood and community organizations, other City Departments/Agencies, the Councilmember of the District, and other stakeholders as appropriate.

Little Green Acres Community Garden

Little Green Acres Community Garden is located at 10420 South Vermont Avenue in the Vermont Vista community of the City, in Council District 8. The community garden is located on portion of the 0.23 acre the Little Green Acres Park, which is owned by the City, and contains multiple community garden plots. The community garden facility also has a designated water meter. The Little Green Acres Community Garden is operated by RAP; however, community members currently do not have access to the existing community garden plots.

RAP staff has determined that the Little Green Acres Community Garden is currently underutilized and may need to be redesigned to better fit the needs of the local community and the general public.

Staff recommends the development of a conceptual design plan for the Little Green Acres Park. The proposed conceptual plan would be developed with input from neighborhood and community organizations, other City Departments/Agencies, the Councilmember of the District, and other stakeholders as appropriate.

North Weddington Hidden Garden

The North Weddington Hidden Garden is located at 10844 Acama Street in the Studio City community of the City, in Council District 4. The community garden is located on a 0.1 acre portion of the North Weddington Park, which is owned by the City, and contains 29 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. Rio Vista Elementary School has a revocable Right of Entry Permit with RAP for the operation of the North Weddington Hidden Garden. This Right of Entry Permit expires in October 2012.

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RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Department staff recommends that the existing Right of Entry Permit between RAP and Rio Vista Elementary School be terminated and that Rio Vista Elementary School be transitioned to a Partnership Agreement for the operation and maintenance of North Weddington Hidden Garden. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, Rio Vista Elementary School be made responsible, at its sole costs and expense, for all utility, maintenance, and repair costs related to the operation of North Weddington Hidden Garden. Additionally, Rio Vista Elementary School would be subject to the proposed annual use fee for partner operated community garden facilities.

Ocean View Farms

Ocean View Farms is located at 3245 Grand Avenue Boulevard in the Mar Vista community of the City, in Council District 11. The community garden is located on a 6 acre site, which is owned by the Los Angeles Department of Water and Power and leased to RAP, and contains approximately 500 community garden plots. The community garden facility also has a designated water meter. Metropolitan Neighborhood Garden and Farm, Inc. has a revocable Right of Entry Permit with RAP for the operation of Ocean View Farms. This Right of Entry Permit can be revoked by RAP with thirty (30) days written notice. The site is currently being operated by an organization known as Ocean View Farms, Inc.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Department staff recommends that the existing Right of Entry Permit between RAP and Metropolitan Neighborhood Garden and Farm, Inc., be terminated and that the current operator, Ocean View Farms, Inc., be transitioned to a Partnership Agreement for the operation and maintenance of Ocean View Farms. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, Ocean View Farms, Inc., be made responsible, at its sole costs and expense, for all utility, maintenance, and repair costs related to the operation of Ocean View Farms. Additionally, Ocean View Farms, Inc., would be subject to the proposed annual use fee for partner operated community garden facilities.

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NO. 11-121Orcutt Ranch Community Garden

Orcutt Ranch Community Garden is located at 23600 Roscoe Boulevard in the Canoga Park community of the City, in Council District 3. The community garden is located on a 1.5 acre portion of the Orcutt Ranch Park, which is owned by the City, and contains 132 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. The Orcutt Ranch Community Garden is operated by RAP.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Staff recommends that, until such time as a partnership can be established for its operation and maintenance, the Orcutt Ranch Community Garden continue to be operated by RAP, in accordance with the proposed Operating Guidelines for Self-Operated Community Gardens. Based on the type and level of services anticipated to be provided at this site by RAP, as well as the estimated annual utility costs, staff recommends that, starting July 1, 2011, an annual rental fee of \$120.00 be applied to each community garden plot at Orcutt Ranch Community Garden.

Rodger Jessup Garden Plots

Rodger Jessup Garden Plots is located at 12467 West Osborne Street in the Pacoima community of the City, in Council District 7. The community garden is located on a 2.5 acre portion of Rodger Jessup Park, which is owned by the City, and contains approximately 60 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. Project Youth Green, Inc. had a Right of Entry Permit with RAP for the operation of Rodger Jessup Garden Plots. This Right of Entry Permit expired in January 2010 and is no longer operative.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

RAP staff recommends that Project Youth Green, Inc., be transitioned to a Partnership Agreement for the operation and maintenance of Rodger Jessup Garden Plots. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, Project Youth Green, Inc., be made responsible, at its sole cost and expense, for all utility, maintenance, and repair costs related to the operation of Rodger Jessup Garden Plots. Additionally, Project Youth Green, Inc., would be subject to the proposed annual use fee for partner operated community garden facilities.

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NO. 11-121Rose Hills/Debs Community Garden

Rose Hills/Debs Community Garden is located at 3606 North Boundary Avenue in the Rose Hills community of the City, in Council District 14. The community garden is located on a 0.5 acre portion of Ernest E. Debs Regional Park, which is owned by the City, and contains 21 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. Rose Hills/Debs Community Garden is operated by RAP.

RAP staff has determined that Rose Hills/Debs Community Garden is currently underutilized and may need to be redesigned to better fit the needs of the local community and the general public.

Staff recommends the development of a conceptual design plan for Rose Hills/Debs Community Garden. The proposed conceptual plan would be developed with input from neighborhood and community organizations, other City Departments/Agencies, the Councilmember of the District, and other stakeholders as appropriate.

Sepulveda Garden Center

Sepulveda Garden Center is located at 16633 Magnolia Boulevard in the Encino community of the City, in Council District 5. The community garden is located on an approximately 20 acre portion of Sepulveda Basin Recreation Area, which is owned by the U.S. Army Corps of Engineers and leased to RAP, and contains 807 community garden plots. The community garden facility has a designated water meter for the portion of the facility located south of Magnolia Boulevard; however, the portion of the facility north of Magnolia Boulevard does not. Sepulveda Garden Center is operated by RAP.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

Staff recommends that, until such time as a partnership can be established for its operation and maintenance, Sepulveda Garden Center continue to be operated by RAP, in accordance with the proposed Operating Guidelines for Self-Operated Community Gardens. Based on the type and level of services anticipated to be provided at this site by RAP, as well as the estimated annual utility costs, staff recommends that, starting July 1, 2011, an annual rental fee of \$120.00 be applied to each community garden plot at Sepulveda Garden Center.

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NO. 11-121Solano Canyon Community Garden

Solano Canyon Community Garden is located at 545 Solano Avenue in the Solano Canyon community of the City, in Council District 1. The community garden is located on a 5 acre portion of Elysian Park, which is owned by the City, and contains approximately 30 community garden plots. The community garden facility does not have a designated water meter; however, a water sub-meter could be installed. Solano Canyon Garden Association, Inc. had a revocable Right of Entry Permit with RAP for the operation of Solano Canyon Community Garden. This Right of Entry Permit expired in March 2002 and is no longer operative.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

RAP staff recommends that Solano Canyon Garden Association, Inc. be transitioned to a Partnership Agreement for the operation and maintenance of Solano Canyon Community Garden. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

Staff recommends that, as a part of the proposed Partnership Agreement, Solano Canyon Garden Association, Inc., be made responsible, at its sole cost and expense, for all utility, maintenance, and repair costs related to the operation of Solano Canyon Community Garden. Additionally, Solano Canyon Garden Association, Inc., would be subject to the proposed annual use fee for partner operated community garden facilities.

Wattles Farm

Wattles Farm is located at 1824 North Curson Avenue in the Hollywood community of the City, in Council District 4. The community garden is located on a 4.2 acre portion of Wattles Garden Park, which is owned by the City, and contains approximately 172 community garden plots. The community garden facility also has a designated water meter. Wattles Farm and Neighborhood Gardeners, Inc. has a revocable Right of Entry Permit with RAP for the operation of Wattles Farm. This Right of Entry Permit can be revoked by RAP with sixty (60) days written notice.

RAP staff has determined that the continued operation of a community garden at this site would be of benefit to park patrons and the surrounding community.

RAP staff recommends that the existing Right of Entry Permit between RAP and Wattles Farm and Neighborhood Gardeners, Inc. be terminated and that Wattles Farm and Neighborhood Gardeners, Inc. be transitioned to a Partnership Agreement for the operation and maintenance of Wattles Farm. The Partnership Agreement should be developed in accordance with the Board's Policy on Partnerships and in conformance with the Community Operated Open Space Policy.

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Staff recommends that, as a part of the proposed Partnership Agreement, Wattles Farm and Neighborhood Gardeners, Inc. be made responsible, at its sole cost and expense, for all utility, maintenance, and repair costs related to the operation of Wattles Farm. Additionally, Wattles Farm and Neighborhood Gardeners, Inc., would be subject to the proposed annual use fee for partner operated community garden facilities.

FISCAL IMPACT STATEMENT:

Implementation of the proposed Community Operated Open Space Policy and the proposed Operating Guidelines for Self-Operated Community Gardens will have no impact to RAP's General Fund. Implementation of the proposed changes to the Community Garden Plots section of the Schedule of Rates and Fees will result in an increase in the amount of fees collected and enable RAP to offset some of its operating costs at these facilities.

This report was prepared by Ramon Barajas, Principal Grounds Maintenance Supervisor, Melinda Gejer, City Planning Associate, and Darryl Ford, Management Analyst, of the Planning, Construction, and Maintenance Division.

DEPARTMENT OF RECREATION AND PARKS
COMMUNITY OPERATED OPEN SPACE POLICY

PURPOSE

The purpose of the Community Operated Open Space Policy is to allow individuals and organizations to partner with the Department of Recreation and Parks (RAP) to develop, operate, and maintain public park property in order to provide opportunities for unstructured recreation; nature, educational, and environmental programs; and, for growing food, flowers, and ornamental plants.

POLICY

1. Use: Community Operated Open Spaces may be developed with community gardens, landscaped open space, and ornamental gardens. Community Operated Open Spaces are not permitted to be used for organized sports, public event space, or parking (ancillary parking is permitted). No products grown or cultivated on a Community Operated Open Space site may be sold or used for for-profit commercial purposes.
 - a. Sites operated as community gardens should adopt rules that extend the gardening experience to as many people as possible.
2. Operation: All Community Operated Open Spaces shall be operated in partnership with RAP, and in accordance with the Department of Recreation and Parks, Board of Recreation and Park Commissioners' (Board) Policy on Partnerships. Individuals and organizations are required to enter into a Board approved Partnership Agreement in order to be eligible to operate a Community Operated Open Space.
3. Access: Community Operated Open Spaces shall be non-exclusive and shall be made open to the general public in the manner described in the approved Partnership Agreement. For safety and security reasons, it may be appropriate to limit public access to portions of a Community Operated Open Space site (e.g. individual garden plots). RAP staff shall have, at all times, the ability to access a Community Operated Open Space site and shall be kept informed of all site access arrangements.

DEPARTMENT OF RECREATION AND PARKS
OPERATING GUIDELINES FOR SELF OPERATED COMMUNITY GARDENS

PURPOSE

The purpose the Department of Recreation and Parks' (RAP) Community Garden Program is to provide the surrounding urban community a place to garden, to promote and practice gardening techniques, provide education and guidance to program participants (Members) in the growing of plants, recycling of waste through composting, and maintenance of green space. Members are encouraged to participate in gardening activities that benefit the community, to grow plants for food, and flowers for beautification; to be used by Members and not for sale or other commercial purposes.

GUIDELINES

Use:

- These guidelines are designed for use at all community garden sites and facilities that are self-operated by RAP.
- Any member who violates any of these guidelines is subject to having their membership immediately terminated.

General Hours of Operation:

- Sunrise to Sunset
- 7 days a week
- Closed Holidays

Annual Rental Fee:

Fees are paid semiannually. Fees are due on July 1st and January 1st of each year. Fees are considered delinquent if not paid by July 31st and January 31st respectively. Fees for newly assigned plots at RAP operated facilities will be prorated based on the number of months remaining in each semiannual period. Checks should be made payable to the City of Los Angeles Department of Recreation and Parks. No cash payments are accepted and the fee is non-refundable.

Garden Plot Assignment:

A waiting list is maintained by staff. When available, plots are assigned one at a time on a first come first served basis. Priority will be given to those households not currently assigned a garden plot. Any plot assigned to a Member of the garden that is not cultivated within the first two (2) weeks shall be reassigned.

The maximum number of plots per household will be limited to three (3) plots in order to extend the gardening experience to as many people as possible. Households that are assigned more than three plots at the time these guidelines are adopted shall be permitted to retain those plots in excess of the three plot maximum.

Garden Plot Inheritance & Subdivision:

- No Member will reassign, subdivide, or sublet his or her plot to another person.
- No Member will lease a plot from another Member, inherit a plot from another Member, nor assume responsibility for an unassigned plot.
- Members wishing to exchange plots with another Member, or to be assigned a specific vacant plot, must notify staff in writing.
- All such changes or reassignments must be approved by staff.

Garden Plot General Regulations:

- No new trees of any kind shall be planted in any plot.
- Members will not put up any structures in their garden plot without written permission from staff.
- If Staff gives permission to put up a fence in a garden plot, it cannot be higher than 48 inches (4 feet) from the ground. The fencing should look natural to a garden setting. Members should check with staff before purchasing materials.
- Members will not store nor bring the following chemicals of any type into the garden center: lead or oil based paint, paint thinner, varnishes, lacquers and stains.
- Members will not bring pesticides, insecticides, herbicides, rodent poisons or any materials that is not organic into the garden. All organic fertilizers should be stored in sealed containers since they attract animals.
- There are to be no more than three window screens, and three plastic bottles, per garden plot. Plastic bottles must be stored on the ground.
- Members will not use fiber board, veneer board, bonded wood products, wood that has been painted, nor any lumber that has been pressure treated. These items may contain arsenic or other dangerous chemicals that will leach into the soil.
- Members will not use large water bottles, fish bowls nor aquariums in their plots.
- It is the responsibility of each Member to visit the garden's bulletin board for updates on all posted information.

Garden Plot Maintenance and Boundaries:

- Individual plots and their surrounding pathways shall be kept orderly and free of weeds, grass, dead plants and any other debris at all times.
- No planting, cultivating, digging, working, excavating, gardening, harvesting, growing, husbanding, or caring for plants, shrubs or trees shall be permitted in any area of the garden outside one's assigned plot without specific permission from staff. This applies to open areas, community areas, arbor areas, orchard areas, under or near any existing tree, along any fence, roadway or near any gate, near any meeting area or storage area.
- Adjoining pathway is defined as any walkway that surrounds the garden plot.
- Members must maintain their garden so that plants, weeds or other vegetation do not obstruct pathways or walkways.
- Members are responsible to weed/remove vegetation to the center of any walkway surrounding the perimeter of their garden plot.

- New Members must have their plots cleared and start cultivation within two (2) weeks of the plot assignment, weather permitting. Failure to maintain their plots and adjoining pathways to the satisfaction of staff or to start cultivation within two (2) weeks will result in forfeiture of the garden plot.
- Members shall not allow plants to hang over into pathways or neighboring plots, nor to grow roots or runners into pathways or neighboring plots. All new plantings or berries that send out underground roots shall be kept 18” from any bordering plot.
- Members shall not allow any plant, existing tree, shrub, vine or structure to be of such height as to cast shade on another plot. If a Member does not respond within two (2) weeks to a notice to correct such a situation, staff shall be empowered to cut, prune, adjust, trim, alter or remove any or all such plants, existing trees, shrubs, vines, or structures without requiring permission or further notification to the member.
- No Member shall maintain a trash heap, collect debris, or store non-gardening related materials and belongings in his or her assigned plots, or in any other area of the Garden. If a Member does not respond within two (2) weeks to a notice to remove all trash, debris or non-gardening related materials and belongings, staff shall be empowered to remove and dispose of all such items without requiring permission or further notification to the Member.
- Members are encouraged to maintain compost piles in their assigned plots. The piles must be made only of organic materials, and provided that such compost piles are regularly attended, are not unsightly, do not become foul, putrid, rotting, reeking, rancid, sour, spoiled, or attract flies, roaches, vermin or other scavengers. If a Member does not respond within two (2) weeks to a notice to clean up or remove an unpermitted compost pile, staff shall be empowered to remove and dispose of all or any part without requiring permission or further notification to the Member.
- Individual plots shall not be allowed to expand beyond their assigned boundaries. Staff shall have the authority to determine the exact boundaries of any individual plot, and to require members to conform to such boundaries within a two (2) week period.
- Members going on vacation or who plan to be away for more than two (2) months must notify staff and make arrangements to have their plots tended in their absence. Members planning to be away longer than two (2) months may have to relinquish their plots for reassignment and may be given priority in the assignment of a new plot upon their return.

Garden Plot Planting Guidelines:

- Only fruits, vegetables, flowers and herbs shall be grown or raised in plots. Members shall not plant or raise trees in their plots nor raise animals anywhere on the garden property.
- Trees are prohibited, and landscape foundation plants are not suitable in the community garden.
- Commercial growing is not permitted.
- Plants may not exceed six (6) feet in height so that plants do not encroach upon nor shade adjacent garden plots or pathways, and must not be in a container larger than 15 gallons.

Garden Plot Watering Guidelines:

- Alterations to any water faucets for irrigation purposes are strictly prohibited. When watering, Members must always have a shut off valve attached to the hose. There are no exceptions.

Member Conduct:

- Good conduct and civil procedure shall prevail at all times.
- Physical violence in any form is prohibited on the premises of the garden. Any Member who uses physical violence for any reason will have their membership terminated immediately.
- Members who disturb the peace, engage in vandalism, malicious mischief, or who do malicious injury to any plants or crops will have their membership terminated immediately.
- Smoking anywhere in the garden is prohibited.
- No Member or guest shall pick or remove any plant, vine, existing tree, bush, flower, fruit, vegetables, tool, equipment, lumber, hose, earth or material of any kind from another Member's plot without permission. Nor shall any Member or guest pick or remove any of the same from any community area open area, orchard area, avocado grove or any other area not specifically assigned to him or her. Any Member violating this rule will have his or her membership immediately terminated.

Member Guests & Children:

- Members are responsible for the conduct of any guests or children brought into the garden.
- Each Member is responsible for the conduct and safety of all guests or helpers they invite into the garden. In addition, each Member shall be liable for any and all damage they caused to another's plot, whether accidental or not, and for any and all damage caused to another's plot by any guests, helpers or children invited into the garden.
- The following rules regarding children shall be strictly enforced: No running in the garden. No climbing trees, posts, structures, gates or fences. No riding in wheelbarrows, no riding bicycles, tricycles, skateboards, skates, rollerblades or any other vehicles, carts or buggies. No picking or handling of flowers, vegetables, plants or produce of any kind except in their parent's plot. Children may not handle, use, work or play with any tools, hoses or equipment in any area at any time except under direct parental supervision.
- Indemnification: Each Member shall indemnify and hold harmless the City for any injury claimed or actual occurring to any child or guest, whether or not they are in the garden by invitation.
- Assumption of Risk: Each Member shall advise the parents of each child or guest that they will be in a garden and that they are invited at their own risk.

Member Animals:

- Members are responsible for the conduct of any animal brought into the garden.
- All animals must be kept on a leash at all times.

Notifications and Communications: It is the Member's responsibility to provide staff with their current address and telephone number. Staff must be notified when a Member desires to relinquish their garden plot.

- All notices sent by the City of Los Angeles are considered to have been served when either delivered personally, or three (3) days after being deposited with postage paid in the U.S. Mail. Failure of the member to correct a violation within two (2) weeks of the mailing date of the Notice of Non-Compliance will result in forfeiture of the plot. The Member may contact staff to advise the City of any extraordinary circumstances leading to the violation and /or prevention of correction of the violation. The Member may also contact staff to ascertain the decision of RAP. Upon forfeiture, staff will reassign the garden plot to the person at the top of the waiting list, and all crops, produce, and/or other property within the plot shall be dispersed at the discretion of staff.

EXHIBIT C

COMMUNITY GARDEN PLOTS FACILITIES RATES AND FEES

(Revised 07/10 05/11)

FEES

Community Garden Facilities are subject to the stated fees. Community Garden Plots Facilities that are self-operated by the City of Los Angeles Department of Recreation and Parks (RAP) are listed below: ~~and subject to the stated fees:~~

- ~~Rose Hills Park~~
- ~~Solano Canyon at Elysian Park~~
- ~~Eastside Community Garden at Boyle Heights R.C.~~
- ~~El Sereno~~
- ~~Orcutt Ranch Community Garden~~
- ~~Sepulveda Garden Center~~
- ~~Roger Jessup~~
- ~~Ocean View Farms (Cheviot Hills)~~
- ~~Wattles Farm~~

FEES (PER PLOT) - RAP SELF-OPERATED GARDEN FACILITIES

Enrollment Fee	\$15.00
Monthly Rental Fee	\$10.00 (\$120 annually)
Semiannual Rental Fee	\$60.00 (\$120 annually)

RAP self-operated Garden Facility Plot Fees are paid semiannually. Fees are due on July 1st and January 1st of each year. Fees for newly assigned plots at RAP self-operated facilities will be prorated based on the number of months remaining in each semiannual period.

FEES (PER FACILITY) - PARTNER OPERATED GARDEN FACILITIES

<u>Number of Garden Plots</u>	<u>Use Fee</u>
1 - 50	\$ 100.00 Per Year
51 - 250	\$ 500.00 Per Year
251 - Over	\$1,000.00 Per Year

Partner Operated Garden Facility Use Fees are paid annually. Fees are due on July 1st of each year.

PAYMENT OF FEES

~~Fees are \$10 per month paid at the beginning of each month or \$120 paid annually at the beginning of each year, which is always January 1st. Year end is always 12/31. Checks should be made payable to the City of L.A. Recreation and Parks.~~

Checks should be made payable to the City of L.A. Department of Recreation and Parks.

Fees are to be deposited ~~into~~ in the Department of Recreation and Parks General Fund.

EXHIBIT D

DEPARTMENT OF RECREATION AND PARKS
 SELF OPERATED COMMUNITY GARDENS
 COST ANALYSIS SUMMARY

Department of Recreation and Parks (RAP) staff analyzed RAP's current annual labor, utility, and supply costs in order to determine the estimated annual cost to RAP to operate those community garden facilities proposed to be operated by RAP. Where appropriate, staff prorated the labor, utility, and supply costs at each facility in order to equitably identify those costs associated with the operation of each community garden facility.

Orcutt Ranch Community Garden

Cost Analysis:

- Utilities: \$2,772 Annually. Staff has prorated the annual utility cost to 25% of the annual total based on an estimate of the percent being used to support the operation of the community garden. Prorated Utility Cost = \$693
- Materials and Supplies: \$960 Annually. Staff has prorated the annual materials and supplies cost to 50% of the annual total based on an estimate of the percent being used to support the operation of the community garden. Prorated Materials and Supplies Cost = \$480
- Gardener Caretaker: 520 Annual Hours X \$43.30 Fully Burdened Rate = \$22,516
- Sr. Gardener: 52 Annual Hours X \$48.59 Fully Burdened Rate = \$2,526

Estimated Annual RAP Cost (Total) = \$26,215

Number of Plots = 132

Estimated Annual RAP Cost (Per Plot) = \$198

Sepulveda Garden Center

Cost Analysis:

- Utilities: \$16,423 Annually. Staff has prorated the annual utility cost to 60% of the annual total based on an estimate of the percent being used to support the operation of the community garden. Prorated Utility Cost = \$9,853
- Materials and Supplies: \$3,600 Annually. Staff has prorated the annual materials and supplies cost to 80% of the annual total based on an estimate of the percent being used to support the operation of the community garden. Prorated Materials and Supplies Cost = \$2,880
- Gardener Caretaker: 2,080 Annual Hours X \$43.30 Fully Burdened Rate = \$90,064
- Sr. Gardener: 416 Annual Hours X \$48.59 Fully Burdened Rate = \$20,213
- Special Program Assistant II: 1040 Annual Hours X \$19.44 Fully Burdened Rate = \$20,217

Estimated Annual RAP Cost (Total) = \$143,227

Number of Plots = 807

Estimated Annual RAP Cost (Per Plot) = \$177

EXHIBIT B

COMMUNITY GARDEN FACILITIES RATES AND FEES
(Revised 05/04/2016)

FEES

Community Garden Facilities are subject to the stated fees. Community Garden Facilities that are self-operated by the City of Los Angeles Department of Recreation and Parks (RAP) are listed below:

Expo Center Urban Garden
Orcutt Ranch Community Garden
Sepulveda Garden Center

FEES (PER PLOT) - RAP SELF-OPERATED GARDEN FACILITIES

Semiannual Rental Fee \$60.00 (\$120 annually)

RAP self-operated Garden Facility Plot Fees are paid semiannually. Fees are due on July 1st and January 1st of each year. Fees for newly assigned plots at RAP self-operated facilities will be prorated based on the number of months remaining in each semiannual period.

FEES (PER FACILITY) - PARTNER OPERATED GARDEN FACILITIES

Effective July 1, 2016, outside non-profit organizations operating community gardens at their own expense, including maintenance and utilities, on park property are exempt from paying the following annual use fees.

<u>Number of Garden Plots</u>	<u>Use Fee</u>
1 – 50	\$ 100.00 per year
51 – 250	\$ 500.00 per year
251 and over	\$1,000.00 per year

Partner Operated Garden Facility Use Fees are paid annually. Fees are due on July 1st of each year.

PAYMENT OF FEES

Checks should be made payable to the City of Los Angeles Department of Recreation and Parks.

Fees are to be deposited into the Department of Recreation and Parks General Fund.

BOARD REPORT



NO. 16-119

DATE May 18, 2016

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: **LATE NIGHT HOOPS BASKETBALL PROGRAM – DONATION FROM LOS ANGELES CLIPPERS FOUNDATION IN SUPPORT OF THE PROGRAM**

AP Diaz		*V. Israel	
*R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Accept a donation from the Los Angeles Clippers Foundation (LACF), consisting of funding and in-kind supplies in support of the Department of Recreation and Parks (RAP) adult Late Night Hoops Basketball Program (Program), with a total estimated value of up to Fifty-Six Thousand Nine Hundred Thirty-Four Dollars (\$56,934.00), to benefit adults ages eighteen to twenty-five (18-25), and that appropriate recognition be given to the donor; and
2. Direct the RAP Chief Accounting Employee to deposit funds received from the LACF for the Program in the amount of Thirty-One Thousand, Nine Hundred Thirty-Four Dollars (\$31,934.00), in Fund 302, Department 89, Account 89703H, and Sub-Account LA, to pay for Program-related expenses from Sub-Account LA.

SUMMARY

LACF has generously offered to provide RAP with a donation valued up to Fifty-Six Thousand Nine Hundred Thirty-Four Dollars (\$56,934.00) for support of the Program. The subject donation consists of in-kind support in the form of uniforms, awards and banquet, a Job Fair, and other Program-related activities with an estimated value of Twenty-Five Thousand Dollars (\$25,000.00). In addition, the donation also includes cash up to the amount of Thirty-One Thousand, Nine Hundred Thirty-Four Dollars (\$31,934.00) to be provided to RAP to pay for staff, security and other Program-related expenses.

The Program is a late evening basketball league providing positive alternatives for young adults, by allowing them to run the courts instead of running the streets. The Program promotes non-

BOARD REPORT

PG. 2

NO. 16-119

violence and unity, health and fitness, educational opportunities, employment referral, organized recreation, and cultural activities.

Over the last twenty-five (25) years, LACF has joined with RAP to work with inner city youth, adults, and families to promote the game of basketball, sportsmanship, and athletics as an alternative to negative influences. Since 1990, this collaboration has resulted in programs such as 'Neighborhood Pride', "Pride Jam", "City Wide Basketball Finals", "NBA 2 Ball", "Junior Clippers", and "Late Night Hoops".

The Late Night Hoops Basketball Program starts in mid-April and concludes in late-June, with Championship Game Day Activities that include a championship game, Job Fair, all-star game, and three point shooting contest. Rancho Cienega Sports Complex serves as the host site, with over one hundred sixty (160) young adults participating from Algin Sutton, Denker, El Sereno, Evergreen, EXPO Center, Jackie Tatum Harvard, Jim Gilliam, Mount Carmel, Rancho Cienega, Ross Snyder, Saint Andrews, Slauson and Queen Anne Recreation Centers.

The LACF has provided funding in similar amounts for the last four (4) years. The Program has been a huge success and continues to thrive each year.

Staff discussed the Program with the Assistant General Manager of the Operations Branch and the Superintendents of the Pacific and Metro Regions, and each supports the program and concurs with staff's recommendations.

FISCAL IMPACT STATEMENT

Acceptance of this donation results in no fiscal impact to RAP's General Fund, as LACF is providing funding for Program-related expenses and providing all in-kind Program support as needed for the Program to be a success.

This Report was prepared by Vicki Israel, Assistant General Manager, Partnership and Revenue Branch.

BOARD REPORT

NO. 16-120

DATE May 18, 2016

C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CENTRAL RECREATION – CENTER POOL AND BATHHOUSE RENOVATION (PRJ20251) (W.O. #E1907620) PROJECT – ACCEPTANCE AND RELEASE OF STOP PAYMENT NOTICE ON CONSTRUCTION CONTRACT NO. 3513

AP Diaz _____	V. Israel _____
<i>for</i> R. Barajas <u>CSD</u> _____	K. Regan _____
H. Fujita _____	N. Williams _____

Ramon Barajas *for*

 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Direct staff to withhold the amounts claimed in the following Stop Payment Notices, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available, and to notify contractors, sureties, and other interested parties that the amount of said claims plus 25% will be withheld; and,
2. Accept the Release of Stop Payment Notices.

STOP PAYMENT NOTICE:

The Department of Recreation and Parks (RAP) is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8044, 8100 et seq., 8500 et seq., 9350 et seq. on the following contract:

Contract 3513 CD 9

Central Recreation Center – Pool And Bathhouse Renovation (PRJ20251) (W.O. #E1907620) Project	General Contractor;	Acon Development, Inc.
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Construction Status: 99% Complete	Claimant:	Walters Wholesale Electric #7
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Project Impact: None	Amount:	\$26,831.99
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BOARD REPORT

PG. 2 NO. 16-120

RELEASE OF STOP PAYMENT NOTICES:

RAP is in receipt of the Release of Stop Payment Notice filed by the claimant below, which releases the Board from any and all liability for withholding funds from the general contractors or the sureties:

Contract 3513 CD 9

Central Recreation Center – Pool And Bathhouse General Acon Development, Inc.
Renovation (PRJ20251) (W.O. #E1907620) Contractor:

Construction Status: Construction

Claimant: Walters Wholesale Electric #7

Project Impact: None

Amount: \$26,831.99

FISCAL IMPACT STATEMENT:

Acceptance of Stop Payment Notices has no impact on the Department of Recreation and Parks' General Fund.

This Report was prepared by Iris Davis, Commission Executive Assistant I, Board Office.

LISTS OF ATTACHMENTS

- 1) Stop Payment Notice
- 2) Verification
- 3) Release of Stop Payment Notice In Its Entirety
- 4) California All-Purpose Acknowledgement

Cont. 3513

STOP PAYMENT NOTICE - PRIVATE WORKS / PUBLIC WORKS

LEGAL NOTICE TO WITHHOLD CONSTRUCTION FUNDS
(CA CIVIL CODE " 8044, 8100 et seq., 8500 et seq., 9350 et seq.)

01011611 - 4 PM 12:47

TO: OWNER OR REPUTED OWNER, OR PUBLIC ENTITY <small>(see CA Civ. Code §§ 8506, 8520-8522, 8036, 9354)</small>	DIRECT CONTRACTOR or REPUTED DIRECT CONTRACTOR <small>(see CA Civ. Code § 8018)</small>	CONSTRUCTION LENDER or REPUTED CONSTRUCTION LENDER, if any <small>(see CA Civ. Code § 8006, 8505, 8530-8538)</small>
NAME: LOS ANGELES CITY PLAYGROUND/ ADDRESS: CITY OF LOS ANGELES DEPT OF PUBLIC WORKS 221 N FIGUEROA ST #1550 LOS ANGELES CA 90015	ACON DEVELOPMENT INC 1554 S SAINT ANDREWS PL LOS ANGELES CA 90019	NONE/BOND CO: INTERNATIONAL FIDELITY INS CO C/O C & D BONDING 534 E BADILLO ST COVINA CA 91723

YOU ARE HEREBY NOTIFIED THAT (Claimant):

Name: **WALTERS WHOLESALE ELECTRIC #7**
Address: **ELECTRIC CO 2825 TEMPLE AVE SIGNAL HILL CA 90755**

Relationship to the parties of the one giving this notice (subcontractor, supplier, describe if otherwise): **SUPPLIER**

HAS FURNISHED WORK, LABOR, SERVICES, EQUIPMENT OR MATERIAL OF THE FOLLOWING GENERAL DESCRIPTION:
ELECTRICAL SUPPLIES

FOR THE BUILDING, STRUCTURE OR OTHER WORK OF IMPROVEMENT LOCATED AT THE FOLLOWING ADDRESS OR SITE OTHERWISE DESCRIBED SUFFICIENTLY FOR IDENTIFICATION:

Address of **OWNER PROJ #14-287**
Description: **1351 E 22ND ST
LOS ANGELES CA
"CENTRAL PARK RECREATION CENTER
POOL & BATH HOUSE RENOVATION"
WO #E1907620**

THE PERSON OR FIRM TO WHOM SUCH WORK, LABOR, SERVICES, EQUIPMENT OR MATERIAL IS PROVIDED:

Name: **APS ELECTRIC INC**
Address: **1262 S CRENSHAW BLVD #4
LOS ANGELES CA 90019**

The value of the whole amount of work, labor, service, equipment, and/or material to be provided is:	\$ 91,831.99
The value of work, labor, services, equipment or material provided to date is:	26,831.99
Claimant has been paid the sum of:	0.00
And there remains unpaid after deducting all just credits and offsets the sum of:	26,831.99
Together with interest at the rate of: 10.00% per annum, from 03/25/2016	

UNDER CALIFORNIA CIVIL CODE § 8522, 8536, and/or 9358 YOU ARE REQUIRED TO SET ASIDE SUFFICIENT FUNDS TO SATISFY THIS CLAIM WITH INTEREST, COURT COSTS AND REASONABLE COSTS OF LITIGATION, AS PROVIDED BY LAW. YOU ARE ALSO NOTIFIED THAT CLAIMANT CLAIMS AN EQUITABLE LIEN AGAINST ANY CONSTRUCTION FUNDS FOR THIS PROJECT WHICH ARE IN YOUR HANDS.

DATE: **03/01/2016**

NAME OF CLAIMANT: **WALTERS WHOLESALE ELECTRIC #7**

(Claimant Name)

BY: 

(Signature of Claimant or Authorized Agent)

VERIFICATION

I, Thomas G NANCE the undersigned say: I am the THOMAS NANCE DIRECTOR OF CREDIT
(Owner of, President of, Authorized Agent of, Partner of, etc.)

the claimant named in the foregoing STOP PAYMENT NOTICE – PRIVATE WORKS / PUBLIC WORKS. I have read said STOP PAYMENT NOTICE – PRIVATE WORKS / PUBLIC WORKS and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 03/01/2016 at SIGNAL HILL, CA
[Date] [City/State]
BY: [Signature]
[Signature]

PROOF OF SERVICE DECLARATION
(CA Civil Code Sections 8100-8118)

I, Thomas G NANCE, declare that I served a copies of the above STOP PAYMENT NOTICE - PRIVATE WORKS / PUBLIC WORKS (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____ (date), at _____ (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on 03/01/2016 (date)
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed at SIGNAL HILL, CA on 03/01/2016 (date).
[Signature]
(Signature of person making service)

Cont 3513

BOARD OF RECREATION
AND PARK COMMISSIONER

**RELEASE OF STOP PAYMENT NOTICE IN ITS ENTIRETY
- PRIVATE WORKS / PUBLIC WORKS**

2016 APR 14 AM 8:36

(CA CIVIL CODE " 8044, 8100 et seq., 8500 et seq., 9350 et seq.)

TO:	OWNER OR REPUTED OWNER, OR PUBLIC ENTITY <small>(see CA Civ. Code §§ 8506, 8520-8522, 8036, 9354)</small>	DIRECT CONTRACTOR or REPUTED DIRECT CONTRACTOR <small>(see CA Civ. Code § 8018)</small>	CONSTRUCTION LENDER or REPUTED CONSTRUCTION LENDER, if any <small>(see CA Civ. Code § 8006, 8506, 8530-8538)</small>
NAME:	LOS ANGELES CITY PLAYGROUND/ CITY OF LOS ANGELES DEPT OF PUBLIC WORKS 221 N FIGUEROA ST #1550 LOS ANGELES CA 90015	ACON DEVELOPMENT INC 1554 S SAINT ANDREWS PL LOS ANGELES CA 90019	NONE/BOND CO: INTERNATIONAL FIDELITY INS CO C/O C & D BONDING 534 E BADILLO ST COVINA CA 91723

THE UNDERSIGNED, **WALTERS WHOLESALE ELECTRIC #7**

HEREBY ENTIRELY RELEASES AND FULLY DISCHARGES THE STOP PAYMENT NOTICE DATED **03/01/2016**

WHICH WAS AT THAT TIME IN THE AMOUNT OF **\$ 26,831.99**

AGAINST **LOS ANGELES CITY PLAYGROUND/**

AS THE OWNER OF THE WORK OF IMPROVEMENT OR THE PUBLIC ENTITY, OR (IF APPLICABLE) AGAINST

Contractor: **ACON DEVELOPMENT INC**

AS DIRECT CONTRACTOR FOR THE WORK OF IMPROVEMENT LOCATED AT THE FOLLOWING ADDRESS OR SITE
OTHERWISE DESCRIBED SUFFICIENTLY FOR IDENTIFICATION:

Address or Description: **OWNER PROJ #14-287
1351 E 22ND ST
LOS ANGELES CA
"CENTRAL PARK RECREATION CENTER
POOL & BATH HOUSE RENOVATION"
WO #E1907620**

DATE: **04/04/2016**

NAME OF CLAIMANT: **WALTERS WHOLESALE ELECTRIC #7**

(Claimant Name)

BY: 

(Signature of Claimant or Authorized Agent)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)
On April 6 2016 before me, Cindy L. Martin, a Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Thomas Nance
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cindy L. Martin
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Release of Stop Paymen Document Date: April 4, 2016
Number of Pages: 1 Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

BOARD REPORT

NO. 16-121

DATE May 18, 2016

C.D. 9

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CENTRAL RECREATION CENTER POOL AND BATHHOUSE RENOVATION PROJECT (W.O. #E1907620) PROJECT — DIRECTIVE TO PARTIALLY RELEASE PAYMENT ON CONSTRUCTION CONTRACT NO. 3513

AP Diaz _____	V. Israel _____
<i>for</i> R. Barajas <u><i>RB</i></u>	K. Regan _____
H. Fujita _____	N. Williams _____

Ramon Barajas
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION

Direct the Chief Accounting Employee to release Four Hundred Twenty-Two Thousand, Six Hundred Dollars and No Cents (\$422,600.00) per the Directive from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC) (File No. P14-452) for Construction Contract No. 3513.

RELEASE OF CONTRACT PAYMENT

On April 20, 2016, the Board approved holding Four Hundred Twenty-Three Thousand Six Hundred Dollars (\$423,600.00) as assessed by the Directive from the OCC for Construction Contract No. 3513. (Report No. 16-098)

The Department of Recreation and Parks (RAP) has received a memorandum from OCC dated April 20, 2016 to release Four Hundred Two Thousand Six Hundred Dollars (\$402,600.00) leaving a Balance of Twenty-One Thousand Dollars (21,000.00).

FISCAL IMPACT STATEMENT

Acceptance of the Directive to Release Contract Payment has no impact on RAP's General Fund.

This Report was prepared by Iris Davis, Commission Executive Assistant I, Board Office.

BOARD REPORT

PG. 2 NO. 16-121

LIST OF ATTACHMENTS

- 1) Request to Release Labor Withhold on Funds

ARCHITECTURAL DIVISION
RECEIVED

16 APR 25 AM 10:49

Date: April 20, 2016

To: Armando X. Bencomon
Commission Executive Asst. II
Dept. of Recreation & Parks
Mail Stop #625/15

From: Hannah Choi, Program Manager
Department of Public Works
Bureau of Contract Administration
Office of Contract Compliance
By Chris Jenson
Labor Compliance Officer

Subject: REQUEST TO RELEASE LABOR WITHHOLD ON FUNDS

CENTRAL RECREATION CENTER POOL & BATHHOUSE RENOVATION E1907620

Prime Contractor: ACON Development, Inc.
Subcontractor: A.P.S. Electric, Inc.
Subcontractor: Mectec, Inc.

Please release the Labor withhold on the retention payment on the above listed project by **\$422,600.00**. This amount represents the settlement of restitution and penalties incurred by ACON Development, Inc. and two of its subcontractors for labor violations due to non-submittal of payrolls. The total Labor withholding on this project should now be **\$21,000.00**.

Listed below is the Summary of Withhold Requests on this project to date:

Date Withhold Requested	Date Release Requested	Contractor	Amount
3/17/16		A.P.S. Electric, Inc.	\$22,000.00
3/17/16		Mectec, Inc.	\$22,000.00
3/18/16		ACON Development, Inc.	\$399,600.00
	4/20/16	A.P.S. Electric, Inc.	(\$22,000.00)
	4/20/16	Mectec, Inc.	(\$22,000.00)
	4/20/16	ACON Development, Inc.	(\$378,600.00)
Total Amount Withheld			\$21,000.00

If you have any questions regarding this matter, please contact Leland Young at (213) 847-2663.

cc: ly/chrono/file

Frank Rinaldi, BCA Principal Construction Inspector

Willis Yip, BOE Architect/PM I
Mail Stop #507

Iris Davis, RAP Commission Exec Asst I
Mail Stop #625/15

BOARD REPORT

NO. 16-122

DATE May 18, 2016

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GAFFEY STREET POOL – POOL AND NEW BATHHOUSE RESTORATION (PRJ20726) (W.O. #E1907453F) PROJECT – ACCEPTANCE OF STOP PAYMENT NOTICE AND ACCEPTANCE OF BOND TO RELEASE MONEY WITHHELD ON STOP PAYMENT NOTICE ON CONSTRUCTION CONTRACT NO. 3514

for AP Diaz	_____	V. Israel	_____
R. Barajas	<u>COD</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____

Ramon Barajas FOR
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Direct staff to withhold the amounts claimed in the following Stop Payment Notice, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available;
2. Accept the Bond to Release Money Withheld on Stop Payment Notice, filed by AWI Builders, Inc., general contractor for the Gaffey Street Pool – Pool And New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F) Project; and,
3. Direct the Board Secretary to notify the contractor, surety, and other appropriate parties that the Stop Notice was accepted, and that the Bond to Release Money Withheld was also accepted.

SUMMARY

STOP PAYMENT NOTICE

The Department of Recreation and Parks (RAP) is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8520, 8530, and 9350, on the following contract, dated March 1, 2016:

BOARD REPORT

PG. 2 NO. 16-122

Contract 3514 CD 15

Gaffey Street Pool – Pool and New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F)	General Contractor:	AWI Builders, Inc.
Construction Status: 43% Complete	Claimant:	Rodriguez Bros Engineering, Inc.
Project Impact: none	Amount:	\$64,843.20

BOND TO RELEASE MONEY WITHHELD ON STOP PAYMENT NOTICE

On April 13, 2016, RAP received the following Bond to Release Money Withheld on Stop Payment Notice filed by AWI Builders, Inc., which releases the Board from any and all liability for withholding funds from the general contractors or the sureties:

Contract 3514 CD 15

Gaffey Street Pool – Pool And New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F)

General Contractor:	AWI Builders, Inc.	Surety:	Hanover Insurance Company
Stop Notice Claimant:	Rodriguez Bros Engineering, Inc.	Amount of Bond:	\$81,054.00

Construction Status: 43% Compete

Project Impact: none

The Bond was filed in accordance with California Civil Code Section 9364, which states, (a) A public entity may, in its discretion, permit the direct contractor to give the public entity a release bond. The bond shall be executed by an admitted surety insurer, in an amount equal to 125 percent of the claim stated in the stop payment notice, conditioned for the payment of any amount the claimant recovers in an action on the claim, together with court costs if the claimant prevails, and b) On receipt of a release bond, the public entity shall not withhold funds from the direct contractor pursuant to the stop payment notice.

FISCAL IMPACT STATEMENT

Acceptance of the Stop Payment Notice and the Bond to Release Money Withheld on Stop Payment Notice has no impact on the RAP's General Fund, as monies were previously appropriated for this project.

BOARD REPORT

PG. 3 NO. 16-122

This Report was prepared by Iris Davis, Commission Executive Assistant I, Board Office.

ATTACHMENTS

1. Stop Payment Notice
2. Bond to Release Money Withheld on Stop Payment Notice

PUBLIC WORK STOP PAYMENT NOTICE
LEGAL NOTICE TO WITHHOLD CONSTRUCTION FUNDS
AND
REQUEST FOR NOTICE OF FILING OF NOTICE OF
ACCEPTANCE, COMPLETION OR CESSATION
CIVIL CODE §8044, 8520, 8530, & 9350 et seq.

TO: City of Los Angeles Dept. of Rec. & Parks Commission Off./Attn: Armando Bencomo
221 West Figueroa Street, #300
Los Angeles, CA 90012

PROJECT: Gaffey Street Pool Restoration
3351 South Gaffey Street
San Pedro, CA

TAKE NOTICE THAT Rodriguez Bros Engineering, Inc. whose address is 2023 South Bon View Avenue, #H, Ontario, CA 91761 has performed labor and/or furnished materials for a work of improvement described as follows: Gaffey Street Pool Restoration, 3351 South Gaffey Street, San Pedro, CA.

The labor and/or materials furnished by claimant are of the following general kind: Underground site utilities. Direct contractor is AWI Builders, Inc., 7831 Paramount Boulevard, Pico Rivera, CA 90660.

The labor and/or materials were furnished to or for the following party: AWI Builders, Inc., 7831 Paramount Boulevard, Pico Rivera, CA 90660. The relationship of the Claimant to the other parties is: Subcontractor.

The value of the whole amount of labor and/or materials agreed to be furnished is \$237,897.00. The value of the labor and/or materials furnished to date is \$203,479.55. Claimant has been paid the sum of \$138,636.35, and there is due, owing and unpaid the sum of \$64,843.20 together with interest at the rate of 2.00 percent per annum from November 1, 2015.

You are required to set aside sufficient funds to satisfy this claim with interest, court costs and reasonable costs of litigation as provided by law. You are also notified that claimant claims an equitable lien against any construction funds for this project which are in your hands.

You are also required to give Notice of Acceptance, Completion or Cessation to the undersigned as required by Civil Code §9362. Attached hereto is the \$10.00 fee as required by Civil Code §9362.

Firm Name: Rodriguez Bros Engineering, Inc.

By: 
Naomi Pele / Authorized Agent

VERIFICATION

I, the undersigned, say: I am the Authorized Agent of the claimant of the foregoing Stop Payment Notice; I have read said Stop Payment Notice and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 1, 2016, at San Diego, California.


Naomi Pele / Authorized Agent

BOND TO RELEASE MONEY WITHHELD ON STOP NOTICE

KNOW ALL MEN BY THESE PRESENTS:

That I/We, AWI BUILDERS, INC., as PRINCIPAL(S), and THE HANOVER INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of NEW HAMPSHIRE and duly authorized to transact business under the laws of the State of California, as SURETY, are held and firmly bound unto the City of Los Angeles Department Of Public Works, and any authority or authorities, board(s), or officer(s) having control over distribution of money due or to become due under the contract, hereafter called the OBLIGEE, in the just and full sum of EIGHT ONE THOUSAND FIFTY FOUR NO/100 Dollars (\$ 81,054.00) lawful money of the United States of America, for the payment of which sum, well and truly to be made, the said PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That

WHEREAS, the said PRINCIPAL was awarded and entered into a written contract with the OBLIGEE for GAFFEY STREET POOL RESTORATION - 3351 SOUTH GAFFEY STREET, SAN PEDRO, CA

WHEREAS, a certain Stop Notice under date of MARCH 1ST, 2016 has been filed by RODRIGUEZ BROS ENGINEERING, INC. against payments which are due the said PRINCIPAL in connection with said contract, in the amount of SIXTY FOUR THOUSAND EIGHT HUNDRED FORTY THREE 20/100 Dollars (\$ 64,843.20); and

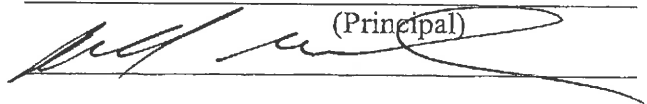
WHEREAS, the said PRINCIPAL(S) disputes the correctness and validity of said claim so filed, and desires that the funds now due him under the provisions of said contract shall be delivered to him notwithstanding said Stop Notice.

NOW, THEREFORE, if the above named PRINCIPAL shall fully protect the OBLIGEE, herein, against any loss by reason of or arising out of the acceptance of this bond, or the release of said moneys, or the payment thereto to said PRINCIPAL, and shall pay any sum which said claimant may recover on said claim, together with the cost of suit in said action, not exceeding the penal sum of this bond, then this obligation shall be void, otherwise it shall be and remain in full force and effect.

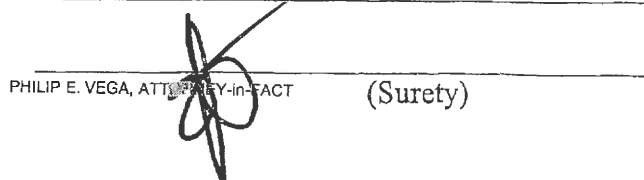
This bond is given and accepted under and in accordance with the provision Section 3196 of the Civil Cod of the State of California.

Signed, Sealed and Dated the 13TH day of APRIL, 2016

AWI BUILDERS, INC.

(Principal)


THE HANOVER INSURANCE COMPANY

PHILIP E. VEGA, ATTORNEY-in-FACT (Surety)


CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)

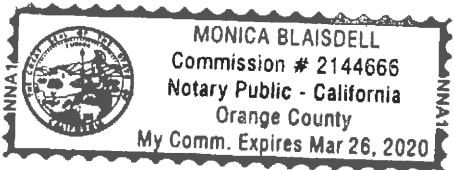
On APR 13 2016 before me, Monica Blaisdell, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Philip E. Vega
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Monica Blaisdell
Signature of Notary Public

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Philip E. Vega, Myrna Smith, Kevin E. Vega and/or Britton Christiansen

of Covina, CA and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Any such obligations in the United States, not to exceed Twenty Five Million and No/100 (\$25,000,000) in any single instance

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 27th day of February 2013.




THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Robert Thomas
Robert Thomas, Vice President

Joe Brenstrom
Joe Brenstrom, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 27th day of February 2013 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

 BARBARA A. GARLICK
Notary Public
Commonwealth of Massachusetts
My Commission Expires Sept. 21, 2018

Barbara A. Garlick
Barbara A. Garlick, Notary Public
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 13TH day of APRIL 20 16.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

J. Michael Pete
J. Michael Pete, Vice President

BOARD REPORT

NO. 16-123

DATE May 18, 2016

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 109TH STREET POOL AND BATHHOUSE REPLACEMENT PROJECT (PRJ1501P) (W.O. #E1906494) – REVISED DIRECTIVE TO WITHHOLD CONTRACT PAYMENTS ON CONSTRUCTION CONTRACT NO. 3462

AP Diaz _____	V. Israel _____
<i>for</i> R. Barajas <i>CSA</i> _____	K. Regan _____
H. Fujita _____	N. Williams _____

Ramon Barajas for

 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION

Direct the Chief Accounting Employee to increase the withhold amount from Three Hundred Thirty-Two Thousand, Three Hundred Twenty-Seven Dollars and Sixteen Cents (\$332,327.16) to Seven Hundred Forty-Nine Thousand, Nine Hundred Ninety-five Dollars and Ninety-two cents (\$749,995.92) as assessed by the Revised Directive to Withhold Contract Payments dated April 11, 2016 from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC) for Construction of 109th Street Pool And Bathhouse Replacement (PRJ1501P) (W.O. #E1906494) Project (Project) with Simgel Company, Inc. (Contractor), Contract No. 3462.

SUMMARY

On November 3, 2015, the Department of Recreation and Parks (RAP) received a memorandum from the Bureau of Contract Administration, (OCC File No. P13-365) for the Disposition of the Case by the Labor Commissioner, DLSE #2805, in the amount of Three Hundred Thirty-Two Thousand, Three Hundred Twenty-Seven Dollars and Sixteen Cents (\$332,327.16), which represents restitution and penalties incurred by the Contractor for the underpayment of prevailing wages and other labor violations.

On April 20, 2016, the Board of Recreation and Park Commissioners (Board) withheld Three Hundred Thirty-Two Thousand, Three Hundred Twenty-Seven Dollars and Sixteen Cents (\$332,327.16) from the Contractor, Contract No. 3462, in accordance with the Directive dated November 3, 2015 from the Office of Contract Compliance (Report No. 16-097).

BOARD REPORT

PG. 2 NO. 16-123

The Revised Directive to Withhold Contract Payments dated April 11, 2016 from OCC was received by the RAP, Board Office to increase the amount from Three Hundred Thirty-Two Thousand, Three Hundred Twenty-Seven Dollars and Sixteen Cents (\$332,327.16) to a not-to-exceed amount of Seven Hundred Forty-Nine Thousand, Nine Hundred Ninety-Five Dollars and Ninety-Two cents (\$749,995.92) for underpayment of prevailing wages and other labor violations for the project.

FISCAL IMPACT STATEMENT

Acceptance of the Revised Directive to Withhold Contract Payments has no impact on the RAP's General Fund.

This Report was prepared by Iris Davis, Commission Executive Assistant I, Board Office.

LISTS OF ATTACHMENTS

- 1) Revised Request to Withhold Contract Payments

Date: April 11, 2016

OCC File No: P13-365

To: Armando X. Bencomo
Commission Executive Asst. II
Dept. of Recreation & Parks
Mail Stop # 625/15

From: Hannah Choi, Program Manager
Department of Public Works
Bureau of Contract Administration
Office of Contract Compliance
by Jacqueline Basuel
Management Analyst II

REVISED

Subject: **REQUEST TO WITHHOLD CONTRACT PAYMENTS**

109TH STREET POOL AND BATHHOUSE REPLACEMENT

E1906494

Prime Contractor: Simgel Company, Inc.

Please increase the withhold amount from **\$332,327.16** to **\$749,995.92** from the contract payments on the above listed project. This amount represents restitution and penalties incurred by Simgel Company, Inc. for underpayment of prevailing wages and other labor violations. The total withholding should **not exceed \$749,995.92** which includes the amount of the March 2016 withhold request.

If you have any questions regarding this matter, please contact Jacqueline Basuel at (213) 847-2661.

cc: jb/chrono/file

Frank Rinaldi, BCA Principal Construction Inspector

Jaime Contreras, BOE Architect
Mail Stop #549

Willis Yip, BOE Architect/PM I
Mail Stop # 507

Iris Davis, RAP Commission Exec Asst I
Mail Stor #625/15

BOARD REPORT

NO. 16-124

DATE May 18, 2016

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES RIVERFRONT PARK – PHASE II (W.O. #E170406F) PROJECT
– REVISED DIRECTIVE TO WITHHOLD CONTRACT PAYMENT ON
CONSTRUCTION CONTRACT NO. 3385

AP Diaz _____	V. Israel _____
<i>for</i> R Barajas <u>C&D</u>	K. Regan _____
H. Fujita _____	N. Williams _____

Ramon Barajas Cor
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION

Direct the Chief Accounting Employee to decrease the withhold amount to Four Hundred Eighty-Seven Thousand, Five Hundred Twelve Dollars and Sixty Cents (\$487,512.60) from Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88) assessed by Revised Directive, April 15, 2016, from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC) for Construction of Los Angeles Riverfront Park – Phase II (W.O. #E170406F) project (Project) with Simgel Company, Inc. (Contractor), Contract No. 3385.

SUMMARY

On November 3, 2015, the Department of Recreation and Parks (RAP) received a memorandum from the Department of Public Works, Bureau of Contract Administration (OCC File No. R13-001), Disposition of the Case by the Labor Commissioner, DLSE #2804, in the amount of Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88), which represents restitution and penalties incurred by the Contractor for the underpayment of prevailing wages and other labor violations.

On April 20, 2016, the Board withheld Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88) from the Contractor, Contract No. 3385, in accordance with a Directive from the Office of Contract Compliance (Report No. 16-096).

Directive dated April 15, 2016, from OCC revised Request to Withhold Contract Payment was received by RAP, Board Office to decrease to Four Hundred Eighty-Seven Thousand, Five Hundred Twelve Dollars and Sixty Cents (\$487,512.60) from Six Hundred Fifteen Thousand,

BOARD REPORT

PG. 2 NO. 16-124

Eighty-Eight Cents (\$615,878.88), for underpayment of prevailing wages and other labor violations for the project.

FISCAL IMPACT STATEMENT

Acceptance of the Revised Request to Withhold Contract Payment has no impact on the RAP's General Fund.

This Report was prepared by Iris Davis, Commission Executive Assistant I. Board Office.

LISTS OF ATTACHMENTS

- 1) Request to Withhold Contract Payments

Date: April 15, 2016

OCC File No: R13-001

To: Armando X. Bencomo
Commission Executive Asst. II
Dept. of Recreation & Parks
Mail Stop # 625/15

From: Hannah Choi, Program Manager
Department of Public Works
Bureau of Contract Administration
Office of Contract Compliance
by Jacqueline Basuel
Management Analyst II

REVISED

Subject: REQUEST TO WITHHOLD CONTRACT PAYMENTS

LOS ANGELES RIVERFRONT PARK PHASE II

E170406F

Prime Contractor: Simgel Company, Inc.

Based on our revised assessment, please amend our original withhold amount of \$615,878.88 to \$487,512.60 from the contract payments on the above listed project. This amount represents restitution and penalties incurred by Simgel Company, Inc. for underpayment of prevailing wages and other labor violations. The total withholding should not exceed \$487,512.60 which includes the amount of the March 2016 withhold request.

If you have any questions regarding this matter, please contact Jacqueline Basuel at (213) 847-2661.

cc: jb/chrono/file

Seffy Wiles, BCA Principal Construction Inspector

Jaime Contreras, BOE Project Manager
Mail Stop # 549

Dora Leung, PWB Accountant II
Mail Stop #477

Iris Davis, RAP Commission Exec Asst I
Mail Stop #625/15

BOARD REPORT

NO. 16-125

DATE May 18, 2016

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES RIVERFRONT PARK – PHASE II (W.O. #E170406F) PROJECT – AUTHORITY TO NEGOTIATE AND ISSUE CHANGE ORDERS, SUPPLEMENTAL AGREEMENT CHANGE ORDER, AND SUBSEQUENT CHANGE ORDERS TO CONTRACT NO. 3385

<i>for</i> AP Diaz _____	V. Israel _____
R. Barajas <i>CSB</i> _____	K. Regan _____
H. Fujita _____	N. Williams _____

Ramon Barajas for

General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Authorize the General Manager to negotiate and issue Supplemental Agreement to the Contractor to extend the terms and conditions of Contract No. 3385 from the current change order ceiling of One Million, Three Thousand Dollars (\$1,003,000.00), or twenty-five percent (25%) of the contract award amount, to a new ceiling of One Million, Nine Hundred Twenty-Five Thousand Dollars (\$1,925,000.00), or forty-eight percent (48%) of the contract award amount; and,
2. Authorize the General Manager to issue subsequent change orders up to not-to-exceed amount of One Million, Nine Hundred Twenty-Five Thousand Dollars (\$1,925,000.00), or forty-eight percent (48%) of the contract award amount, to complete the Los Angeles Riverfront Park – Phase II (W.O. #E170406F) project.

SUMMARY

On June 6, 2012, the Board awarded Contract No. 3385 to Simgel Co., Inc. (Report No. 12-174), in the amount of Four Million, Twelve Thousand Dollars (\$4,012,000.00) for the construction of the Los Angeles Riverfront Park – Phase II (W.O. #E170406F) project. The plans for this project call for the construction of public recreational improvements along two Reaches located along the south bank of the Los Angeles River, one between Sepulveda Boulevard and Kester Avenue, and the other between Coldwater Canyon Boulevard and Whitsett Avenue.

BOARD REPORT

PG. 2 NO. 16-125

The construction is currently 78% complete overall. The first Reach is 99% complete in construction, and is open for public use. The second Reach is approximately 38% complete in construction. To date, twenty-three (23) change orders (Attachment 1) have been executed, for a total amount of Six Hundred Ninety Thousand, Eighty-Three Dollars (\$690,083.00), which is 17.2% of the original awarded contract amount.

The Department of Public Works, Bureau of Engineering (BOE) is requesting that the General Manager be given the authority to negotiate and issue Change Orders, in an amount not to exceed One Million, Nine Hundred Twenty-Five Thousand Dollars (\$1,925,000.00), or forty-eight percent (48%) of the original contract amount to Contract No. 3385 with Simgel Co., Inc., for the work outlined in the body of this report. See Attachment No. 2 for the Change Order Summary, Attachment No. 3 for Negotiated Change Orders, and Attachment No. 4 for Change Orders Pending Negotiation.

Some of the change order work already executed (Attachment 1) includes: Partial compensation for the delayed start of construction, which was due to additional required plan approval by the United States Army Corps of Engineers (USACE). This review occurred as a result of changes in the USACE's policy, which occurred following the award of this project for construction, and has resulted in significant changes in the design versus the as-bid plans. These design changes are reflected in construction grading changes, landscaping and irrigation revisions, the addition of retaining (gabion) walls, and required the addition of a drainage system behind these walls.

Background

The Proposition K – Los Angeles Riverfront Park Project (Project) consists of various phases of improvements to the banks of the Los Angeles River (River) between Studio City and Encino. The Project is funded by the Proposition K – L.A. for Kids Program and is also a part of the Los Angeles River Revitalization Master Plan, adopted by the City Council in May 2007, which envisions an unobstructed bikeway along the banks of the River in the Valley.

The Project design includes construction of paved bike paths, walkways, landscaping and irrigation, gateways and vehicle ramps, paving, seating areas, ornamental fencing, and environmental education amenities. This Project was specified to be located along the River within Encino, Sherman Oaks, and Studio City.

Implementation of the Proposition K specified project is being carried out in phases. Phase I of the Project consists of a segment located in the Studio City neighborhood, along the River between Laurel Canyon Avenue and Whitsett Avenue. This segment was completed in 2009, and is in operation.

Phase II of the Project is being constructed on land owned by the County of Los Angeles (County), under a Land Use Agreement between the County and the City of Los Angeles (City). This phase consists of two Reaches located along the River: Reach 1 is between Sepulveda Boulevard and Kester Avenue; and Reach 2 is between Coldwater Canyon Avenue and

BOARD REPORT

PG. 3 NO. 16-125

Whitsett Avenue. Reach 1 was opened to the public on June 2, 2015 and is 99% complete, except for a storm drain that was not included in the original project's as-bid plans. This storm drain has been designed, and is currently in plan check with the USACE. It is approximately 75% complete in plan check. The storm drain work will be issued, as a Change Order, to the Contractor subsequent to the Board's approval of this report.

Construction on Reach 2 is now thirty-eight (38%) complete.

History

Given the time constraints to award the construction contract and obligate the Proposition K funds before the end of Fiscal Year 2011-2012, the Project was advertised and awarded by the Board of Recreation and Park Commissioners on June 6, 2012, prior to receiving the final Land Use Agreement and permit from the County. The Project was awarded for construction to Simgel Construction Inc., Contract No. 3385, in the amount of Four Million, Twelve Hundred Thousand Dollars (\$4,012,000.00), with instructions to postpone the start of construction until the permit was issued by the County. At the time of award, the County had provided all comments and the BOE had completed the corresponding revisions. The BOE was told by the County that upon completion of the Land Use Agreement, the County would be ready to issue the permit, and allow construction to move forward.

While the City was waiting for the issuance of the Land Use Agreement and permit, the County directed the City to submit the design and construction plans to the USACE for review and approval. This requirement was new to the County's clearance process, and not included in prior plan check reviews. The City was informed that the additional review by the USACE was due to changes in procedures due to Hurricane Katrina. The BOE immediately began the process for the application and submitted plans to the USACE.

The USACE permit review involved a full review of the design and construction plans. When comments were received from the USACE, and in order to expedite the Project into construction, the BOE directed its consultant Mia Lehrer and Associates (MLA) to implement the design comments received from the USACE on Reach 1 first. That redesign was completed, and with concurrence from the USACE, the County issued the City a permit to start construction of Reach 1. Construction on Reach 1 began in September 2013. Once that portion of the Project was under construction, efforts were focused on addressing permitting for the Reach 2, located between Coldwater Canyon and Whitsett Avenues.

The comments and modifications requested by the USACE generated fairly major changes in the scope of work for both Reach 1 and Reach 2 from the original as-bid plans. For example, the USACE insisted that any new construction be relocated away from the River channel, so as not to place any loading on the channel walls. These design changes are reflected in the revised design of all entrance ramps, landscaping and irrigation, construction grading changes, and the addition of retaining (gabion) walls and drainage behind these walls.

BOARD REPORT

PG. 4 NO. 16-125

For Reach 2, the USACE also included the requirement to do a full redesign of the entrance ramp at the Coldwater Canyon Avenue entrance to the River. The USACE changes require the ramp be constructed on caissons (piles), to eliminate any additional loading (weight) on the adjacent river walls. The Permit for the construction of Reach 2 was issued by the County on May 21, 2015 and a Notice to Proceed was issued to the Contractor. The Ground Breaking ceremony was held for Reach 2 on June 2, 2015. Reach 2 construction is approximately 38% complete to date.

The BOE is currently negotiating with the Contractor for the cost of changes to the original scope of work required by the USACE plan check comments. In addition, due to the time that has elapsed since award of the Project, the contractor has submitted a Request for Equitable Adjustment (REA) to account for the cost escalation of materials from the time of the submission of their original bid to now, compensation (Contractor Overhead) for the delayed start of construction and the contract time extension, the addition of a new storm drain at Columbus Avenue, and other items. See Attachment No. 2 for Change Orders pending negotiation.

Status of Funding

There is no impact to the General Fund, as current costs will be funded by Proposition K Funds. Sufficient funds remain in construction contingency and project reserve accounts to complete these construction changes. Funding is available in the following accounts:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT/ACCT NO.</u>
Proposition K – Fiscal Year 2002	43K/10/10S232
Proposition K – Fiscal Year 2003	43K/10/10T232
Proposition K – Fiscal Year 2004	43K/10/10V232
Proposition K – Fiscal Year 2006	43K/10/10Y232
Proposition K – Fiscal Year 2007	43K/10/10A232
Proposition K – Fiscal Year 2008	43K/10/10C232
Proposition K – Fiscal Year 2009	43K/10/10E232
Proposition K – Fiscal Year 2012	43K/10/10H232
Proposition K – Fiscal Year 2015	43L/10/10A232
Proposition K – Fiscal Year 2011	43L/10/10G232
Proposition K – Fiscal Year 2012	43L/10/10H232
Proposition K – Fiscal Year 2007	46A/10/10H232

FISCAL IMPACT STATEMENT

The Project, and the change orders authority requested in this Board Report, are funded by Proposition K funding, which has been previously approved for the Project. There is no immediate fiscal impact to the Department's General Fund. However, operations and maintenance costs will be evaluated and included in future Department budget requests.

BOARD REPORT

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This Report was prepared by Jaime Contreras, Project Manager, BOE Recreational and Cultural Facilities Division. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Division; Deborah Weintraub, BOE, Chief Deputy City Engineer; and Cathie Santo Domingo, Superintendent, Planning, Construction and Maintenance Branch.

LIST OF ATTACHMENTS

- 1) Change Order & Change Order Request Log
- 2) Change Order Summary
- 3) Negotiated Change Order Requests as of May 5, 2016
- 4) Change Order Requests Pending Negotiation as of May 5, 2016



CO & CO Request Log: Los Angeles Riverfront Park - Phase II

W.O.No.: E170406

CO No	CO Req	DESCRIPTIONS	PCO ECO Date	GC Prop Amount	Proposal Date	CMD Est Amount	Apprv'd Amount	Apprv'd Date	Change Order Status	FCO Date	C O Type	Pymt Type	Cal. Days Req.	App'd Comp Cal Days	App'd Non Comp Cal Days	REMARKS
001	1	Price Adjustment for Steel and Electrical Products	01/30/13	\$ 90,524.00	01/30/13	\$ 90,524.00	\$ 90,524.00	03/11/13	Executed	03/11/13	U	LS	90	0	90	
002		GR Modification: Payment for Materials Stored Off Site	08/19/13	\$ -	06/19/13	\$ -	\$ -	06/19/13	Executed	06/19/13	U	LS	61	0	0	
003		Time Extension for Redesign	08/23/13	\$ 80,000.00		\$ 60,000.00	\$ 60,000.00	08/23/13	Executed	08/27/13	S	LS	124	0	124	Additional 10K on CO 22
005	4.2	Rubble During Grading		\$ 4,476.00	11/12/13	\$ -	\$ -		Cancelled							Shown in bid docs
006	4.1.1	Tree and Shrub Removal	09/05/14	\$ 15,316.00	11/12/13	\$ 7,158.00	\$ 36,308.00	08/20/14	Executed	09/05/14	E	LS	0	0	0	
007	4.1.2	Unforeseen Material During Trenching of Electrical		\$ 4,476.00	11/12/13	\$ -	\$ -		Cancelled							Repetitive, see 005.
008	4.1.5	SWPPP Fees		\$ 842.00	11/12/13	\$ -	\$ -		Cancelled							GC required to pay all fees
009	4.1.3	Drainage behind Gabions	01/18/15	\$ 175,240.00	11/12/13	\$ 2,515.00	\$ 88,174.00	11/20/14	Executed	01/18/15	E	LS	0	0	0	
010	4.1.10	5 Credit Signs	05/23/14	\$ 23,794.00	05/23/14	\$ 8,800.00	\$ 15,063.00	08/20/14	Executed	09/05/14	E	LS	0	0	0	
011	4.1.14	PVC Coating Upgrade	05/23/14	\$ 20,153.00	05/23/14	\$ 14,670.00	\$ 18,084.00	08/17/14	Cancelled		S	LS	0	0	0	Required by contract: See Geotech Report
012	4.1.15	Catch Basin at Lemona	08/20/14	\$ 30,084.00	05/23/14	\$ 11,324.00	\$ 27,355.00	08/20/14	Executed	09/05/14						
013	4.1.7	Verdura Wall Design	07/17/14	\$ 5,990.00	07/17/14	\$ 2,915.00	\$ 5,990.00	08/19/14	Executed	09/04/14	E	LS	0	0	0	
014	4.9	Expansion Joint in Wave Fence	05/23/14	\$ 9,770.00	05/23/14	\$ 3,187.00	\$ 9,145.00	09/05/14	Executed	09/05/14	U	LS	0	0	0	
015	4.1.6	Additional Gabion Walls 9+65-10+54	05/23/14	\$ 219,162.00	05/23/14	\$ 82,349.00	\$ 22,747.00	11/24/14	Executed	01/14/15	E	LS	0	0	0	
016	4.1.6	Additional Gabion Walls RFI 43	05/23/14	\$ 219,162.00	05/23/14	\$ 87,409.00	\$ 87,409.00	11/24/14	Executed	01/14/15	E	LS	0	0	0	
017	4.1.6	Additional Gabion Walls 25+25 - 27+36	05/23/14	\$ 219,162.00	05/23/14	\$ 87,408.00	\$ 53,928.00	11/24/14	Executed	01/14/15	E	LS	0	0	0	
018	4.1.6	Earthwork for Gabion Wall Drainage	11/24/14	\$ 219,162.00	05/23/14	\$ 87,409.00	\$ 57,840.00	11/24/14	Executed	01/14/15	E	LS	0	0	0	
019	4.2.4	Concrete Encase Storm Drain at Noble	09/24/14	\$ 2,518.00	08/12/14	\$ 1,163.00	\$ 2,200.00	09/24/14	Executed	04/09/15	U	LS	30	0	30	30 days added to negotiate all delays since CO 003 within a month
020	4.2.5	Dump Fee Costs	04/08/15	\$ 42,425.00	12/04/14	\$ 24,364.00	\$ 24,364.00	04/10/15	Executed	04/10/15	U	LS	0	0	0	
021	4.1.3	Grade Lowering of Entire Bike Path	04/22/15	\$ 107,255.00	05/23/14	\$ 22,201.00	\$ 22,201.00	04/22/15	Executed		E	LS	0	0	0	UNILATERAL CO
022	4.1.1	Delay Compensation and 60 Day Time Extension	04/28/15	\$ 20,000.00	08/08/13	\$ 10,000.00	\$ 10,000.00	08/15/13	Executed		U	LS	0	0	60	
025	31	Bike Lane Striping Reach 1	08/10/15	\$ 12,283.00	06/29/15	\$ 9,350.00	\$ 9,794.00	08/04/15	Executed	08/10/15	S	LS	0	0	0	
026	19	Kester Entrance Ramp Reconfiguration	08/04/15	\$ 13,844.00	06/29/15	\$ 2,060.00	\$ 12,000.00	07/15/15	Executed	08/04/15	S	LS	0	0	0	
027	29	Pressure Regulator for Drinking Fountain	08/06/15	\$ 1,745.00	06/25/15	\$ 1,069.00	\$ 1,545.00	07/15/15	Executed	08/06/15	U	LS	0	0	0	
028	26	Repair of AC Berm at Kester Entrance	08/10/15	\$ 32,620.00	06/30/15	\$ 8,560.00	\$ 20,000.00	07/15/15	Executed	08/10/15	S	LS	0	0	0	
029	32	Lock Lids at Electrical Pull Boxes	08/11/15	\$ 14,172.00	06/25/15	\$ 10,618.00	\$ 12,272.00	08/12/15	Executed	08/12/15	S	LS	0	0	0	
030	33	Sandy Loam at Blossvale	08/28/15	\$ 31,109.00	08/12/15	\$ 7,404.00	\$ 21,224.00	08/04/15	Executed	08/31/15	S	LS	0	0	0	
Original Contract Price			\$	4,012,000.00		Executed			U: Unforeseen	\$ 137,778.00	19 %	Executed Change Orders				
Original Contingency			\$	1,003,000.00		Negotiated			E: Errors & Omissions	\$ 389,660.00	55 %	23				690,085.00
Σ (Executed Change Orders)			\$	690,083.00		Unresolved			S: Change in Scope	\$ 153,374.00	22 %	0				Forecasted Change Orders
Revised Contract Price			\$	4,702,083.00		Cancelled			LS: Lump Sum			Change Order				
Outstanding Contingency			\$	312,917.00		Approved Comp. Cal. Days	0		TM: Time & Material			Percentage				
Num. Of Approved Days				304 Cal. Days		Approved Non Comp. Cal. Days	304		CAN: Cancelled			17.2 %				4

Footnotes

Description	QTY	Total Cost
Executed Change Orders	23	\$ 690,083.00
Negotiated Change Orders	17	\$ 204,539.00
Forecasted and Non-Negotiated CO	14	\$ 1,026,080.00
Total Change Orders	54	\$ 1,920,702.00

COR	CO	BIC	City Estimate	Description	Remarks
TIA	49	GC	\$ 300,000.00	Compensable Time for Reach 2	\$20K per month was Reach 1 rate.
Corr.	31	GC	\$ 376,000.00	Changes to Coldwater Canyon Entrance	GC providing additional info
	4	PM	\$ 114,642.00	Catch Basin at Columbus	Pending Permit from Others.
	6	PM	\$ 21,015.00	USACE Plan Changes	Need final design for Reach 2
41R	51	CM	\$ 51,076.00	Landscaping Price Adjustment Reach 1	To be finalized this week
	55	PM	\$ -	Additional Gabions at Reach2	Need final design for Reach 2
TBD	55	PM	\$ 18,347.00	Lane Striping and Logos	Add per Prop K (Reach 2)
	62	TBD	\$ -	Gravel for Gabion Drainage	Lump with CO 040; partial corrective work
TBD	40	PM	\$ 120,000.00	Additional Gabion and Stakes for Passive Force Generation	Need final design for Reach 2
TBD	57	PM	\$ 25,000.00	Relocate Catch Basins to Bike Path	Need final design for Reach 2
Total:			\$ 1,026,080.00		

BOARD REPORT

NO. 16-126

DATE May 18, 2016

C.D. 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HOLLYWOOD RECREATION CENTER – POOL AND POOL BUILDING PROJECT (PRJ1402B) (W.O. #E170344F) – CONTRACT NO. 3454 – FINAL ACCEPTANCE

AP Diaz	<u> </u>	V. Israel	<u> </u>
* R. Barajas	<u><i>R. Barajas</i></u>	K. Regan	<u> </u>
H. Fujita	<u> </u>	N. Williams	<u> </u>



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Accept work performed by Morillo Construction, Inc., under Contract No. 3454 for the Hollywood Recreation Center Pool and Pool Building (PRJ1402B) (W.O. #E170344F) project, as outlined in the Summary of the Report;
2. Authorize the Board Secretary to immediately release from escrow all retention monies held under Contract No. 3454 to Morillo Construction, Inc. after deducting for any remaining stop notices and/or penalties, if any; and,
3. Authorize the Board Secretary to furnish Morillo Construction, Inc., with a Letter of Completion.

SUMMARY

On June 5, 2013, the construction contract for the Hollywood Recreation Center – Pool and Pool Building (PRJ1402B) (W.O. #E170344F) project (Project) was awarded to Morillo Construction, Inc. (Report No. 13-144), in the amount of Five Million, One Hundred Ninety-Six Thousand Dollars (\$5,196,000.00). The Project, which is located at 1122 North Cole Avenue, Los Angeles, California 90038, was completed on January 11, 2016.

BOARD REPORT

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The Project replaced the existing old pool facility at the Hollywood Recreation Center, which was demolished under a separate contract to prepare for the new construction. A new 9,600 square-foot pool with integrated splash area, pool deck, Americans with Disabilities Act (ADA) compliant access ramp and railing, waterslide, diving stand, and covered spectator areas was built, as well as a new pool building with shower facilities, a life guard training room, a family changing room, a pool equipment room, and a storm water surge tank. Also, new irrigation, landscaping, and perimeter fencing with a gate was installed. The new facility provides the Department of Recreation and Parks' (RAP) the flexibility to operate the pool and pool building year-around.

Plans for the Project were prepared by Frank R. Webb Architects, Inc. under the direction of the Department of Public Works, Bureau of Engineering (BOE), Recreational and Cultural Facilities Division (RCFD). BOE, Construction Management Division (CMD), completed the construction management of the Project.

BOE has informed RAP that the Project is complete and that the contractor has furnished the required permits, drawings, operation and maintenance manuals, warranties and guarantees. The Statement of Completion (SOC) was issued by the Department of Public Works, Bureau of Contract Administration on January 11, 2016.

During the course of construction, ninety-five (95) change orders were issued in the total amount of One Million, Two Hundred Eighty-Four Thousand, Two Hundred Eighty-Five Dollars (\$1,284,285.00) or twenty-four point seven percent (24.7%) of the base contract amount. The list of change orders is included as Attachment 1 of this Report for reference. Over fifty percent (50%) of the change orders were attributed to unforeseen conditions.

When construction was first started, it was revealed that the deterioration of the existing structures was worse than expected. Therefore, some of the structures originally intended to be repaired or restored could not be salvaged for re-use, such as the retaining walls and fence posts along Lexington Avenue and North Cahuenga Boulevard and these structures were replaced with new structures to support the new perimeter fencing. Secondly, the Los Angeles Department of Water and Power (LADWP) mandated a larger power conduit for the new pool and bathhouse than was planned. In addition, a work backlog from LADWP resulted in an extended use of temporary power by the contractor to keep the existing gymnasium active while LADWP replaced the outdated power switch gear. This accounts for majority of the cumulative time impact (delays), which were compensable time extensions since the delay was caused by the City.

Furthermore, there were RAP requested change orders, which accounted for approximately twelve percent (12%) of the change orders. These change orders included adding security measures (video camera, alarm, doors and cashier's counter wire mesh), and a new ADA drinking fountain for the park.

Finally, the remaining change order costs were due to Errors and Omissions on the construction documents.

BOARD REPORT

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The final construction contract amount, including change orders, is Six Million, Four Hundred Eighty Thousand, Two Hundred Eighty-Five Dollars (\$6,480,285.00). Although the amount of the change orders appears relatively high, the overall construction cost of the Project is very close to the City Engineer's original Class A estimate of Six Million, Three Hundred Thousand Dollars (\$6,300,000.00).

RAP staff consulted with the Office of Contract Compliance concerning the status of the labor compliance requirements and Affirmative Action requirements on the project. There are no outstanding wage violations and labor compliance issues with the work completed by Morillo Construction, Inc. in this contract.

MURAL/ARTWORK

The Public Art component (mural) for this Project has been deferred until the Department of Cultural Affairs and RAP resolves the agreement with the artist. The mural uses various types, sizes, textures and colors of ceramic tiles to build a floral design. The mural design will be presented to the Board for approval. The contractor has constructed a wall surface area of 25 feet by 9 feet to receive the art work. This area is temporarily protected with a water resistant coating to permit later installation of the mural.

TREES AND SHADE

As part of the Project, three shade structures were installed in the spectator areas and three Palm trees were planted at the entrance of the pool building, along with drought tolerant plants such as Agave and Senecio. In addition, three Canary Island Pine trees were added to replace one existing tree that had to be removed in order to construct the pool building foundation.

FISCAL IMPACT STATEMENT

There is no immediate fiscal impact to the RAP's General Fund as this pool is a replacement and all the costs have been calculated in previous years.

This Report was prepared by Shashi Bhakta, Project Managers, Recreational and Cultural Facilities Division, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Division, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Cathie Santo Domingo, Superintendent of Planning, Construction and Maintenance Branch.

LIST OF ATTACHMENTS

- 1) List of Change Orders


CO & CO Request Log: Hollywood Recreation Center - Pool and Pool Bldg
W.O. No: E170344F

CO No	DESCRIPTIONS	Apprvd Amount	Apprvd Date	Change Order Status	C.O. Type	Apv'd Comp Cal Days	Apv'd Non Comp Cal Days	REMARKS
001	Door Changes Bulletin #2	\$14,728.00	5/1/14	Executed	S	0	0	Reissue PCO 1 per Bulletin #2; RFI 50, 76, 110, 114, 116; Converted to ECO 1 3/19; Morillo returned sigend copy 7/11
002	Grading and Haul Out of Excess Soil at Southwest Site	\$60,578.00	12/13/13	Executed	U	0	0	ECO, RFI 42; Time Separate
003	Permits and Plan Check Fees	\$23,778.00	11/5/13	Executed	S	0	0	
004	Utility Survey at South Grass Area	\$4,054.00	12/6/13	Executed	S	0	0	RFI 39
006	Trim Bars for Surge Pit Access Hatch	\$438.00	12/17/13	Executed	E	0	0	RFI 3
007	Additional Cost for Surge Pit Stilling Chamber Wall	\$3,433.00	12/17/13	Executed	E	0	0	RFI 4
008	Surge Pit Shoring	\$57,967.00	12/19/13	Executed	U	0	0	RFI 112; Time Separate
009	Pool Heater Mechanical Pad	\$1,800.00	12/19/13	Executed	E	0	0	RFI 2
010	Entrance Gate	\$1,425.00	12/19/13	Executed	S	0	0	
011	Surge Pit Waterproofing	\$1,363.00	12/19/13	Executed	S	0	0	Submittal 32R1
012	Sump Pits in Pool Equipment Chambers	\$1,000.00	12/19/13	Executed	E	0	0	RFI 5, 7
013	Sewer Connection Bulletin #2	\$9,838.00	1/27/15	Executed	U	0	0	RFI 39, Bulletin #2
014	Submersible Pump Station Bulletin #2	\$15,708.00	4/2/14	Executed	U	0	0	RFI 108
016	DWP Power Line Changes at South of Building with Walkway Replacement	\$49,072.00	5/29/14	Executed	U	0	0	RFI 46, 47, 48, 137, 150, 162,165, Bulletin #2; Morillo returnend signed copy 7/11
017	Lower Footing and Utility Relocations at Lifeguard Training Room	\$30,837.00	10/1/14	Executed	U	0	0	RFI 163
019	Demolition of Retaining Walls at Perimeter of the Site	\$24,515.00	5/20/15	Executed	U	0	0	RFI 29, 178. Refer to Reports 1-5 in Change Order Request.
020	Drinking Fountain Replacement	\$3,477.00	11/19/14	Executed	S	0	0	RFI 88
021	Planter Wall, Curb Wall and Planting Plan Bulletin #2	\$25,500.00	4/2/14	Executed	E	0	0	RFI 18, 18R1, 18R2, Bulletin #2
022	Lower Footing in Men's and Women's Shower Rooms	\$4,931.00	4/2/14	Executed	E	0	0	RFI 62, 83
023	Wall Finish Bulletin #1	\$7,738.00	12/16/14	Executed	S	0	0	Bulletin #1
026	Structural Horizontal Framing Modifications	\$9,016.00	6/12/15	Executed	E	0	0	RFI 75, 87
028	Pool Starting Platform and Lifeguard Chair	\$0.00	11/20/15	Executed	S	0	0	RFI 173, 179, Submittal 22
029	Exterior Drinking Fountain Ceiling and Chiller Location	\$5,130.00	10/19/15	Executed	E	0	0	RFI 141, 155, 155R1, 155R2
030	Concrete Coverage for Columns at Isolated Footings	\$7,000.00	4/8/14	Executed	E	0	0	RFI 17A
031	Window Actuator Circuits and Panel C Relocation	\$12,903.00	5/29/14	Executed	E	0	0	RFI 24, 43; Morillo returnend signed copy 7/11
032	Electrical Room Main Roof Drain	\$3,100.00	1/27/15	Executed	E	0	0	RFI 082; 126
033	Waterstop at Surge & Pump Pits	\$713.00	11/14/14	Executed	U	0	0	RFI 118
034	Pedestals for Canted Columns	\$1,500.00	4/8/14	Executed	E	0	0	RFI 55
035	Rebar at Surge & Pump Pit Pipe Penetrations	\$1,389.00	4/2/14	Executed	E	0	0	RFI 143
036	Diaper Changing Station in Family Changing Room #114	\$2,696.00	4/8/14	Executed	E	0	0	RFI 109
037	Conduit Trench Change at Electrical Room Foundation	\$4,623.00	1/15/15	Executed	U	0	0	
038	Credit for Fire Alarm System	(\$12,649.00)	4/8/14	Executed	S	0	0	
039	Water Service and Meter Size Change	\$16,133.00	5/30/14	Executed	U	0	0	RFI 53, 117, 219; Morillo returnend signed copy 7/11
040	Revised Bulletin #2 Submersible Pump Station	\$8,546.00	2/5/15	Executed	U	0	0	Revised Bulletin #2, RFI 176
043	Bonding Grids for Pool Epoxy Rebar	\$6,439.00	8/22/14	Executed	E	0	0	RFI 232
044	Pool Shell Reconstruction	\$43,484.00	9/1/14	Executed	E	0	0	
045	Temporary Power Service to the Gym	\$47,692.00	9/25/15	Executed	U	0	0	ECO
046	Additional Security Conduits	\$12,925.00	3/13/15	Executed	S	0	0	ECO; RAP email, RFI 333
048	Cumulative Time Impacts up to 8/31/2014	\$42,000.00	9/5/14	Executed	U	42	147	
049	Additional Plaster at GL A & 2	\$404.00	9/9/14	Executed	E	0	0	RFI 95, 225
050	Additional Site Demolitions	\$9,388.00	9/11/14	Executed	U	0	0	RFI 26
051	Pool Equipment Room Conduit	\$7,166.00	10/1/14	Executed	E	0	0	RFI 180, 207
052	Additional Support for the Cantilevered Walls	\$12,906.00	8/6/15	Executed	S	0	0	RFI 337; ECO
053	Foundation Reinforcements at Columns	\$5,780.00	1/16/15	Executed	E	0	0	RFI 113, 193
054	Dedicating a Circuit to PA rack in Life Guard Room	\$1,002.00	11/6/14	Executed	E	0	0	RFI 153
055	Bag Racks	\$3,000.00	4/6/15	Executed	E	0	0	
056	DWP Charge for Power Service	\$28,000.00	6/17/15	Executed	U	0	0	RFI 137
057	West Brick Fence Wall	\$7,274.00	6/17/15	Executed	U	0	0	1/23 requested hydroblast;
058	Canopy and Light Pole Footing Extension	\$2,355.00	1/28/15	Executed	E	0	0	
059	Chemtrol Pool Controller Replacement	\$10,500.00	11/5/15	Executed	S	0	0	ECO
060	Cumulative Time Impacts from 9/1/2014 to 2/6/2015	\$22,000.00	2/25/15	Executed	U	22	92	
062	Water Pipe Connection, Drywell Installation, and Model Change for Drinking Fountain	\$10,160.00	6/12/15	Executed	U	0	0	ECO, RFI 384, 457
063	Waterslide Fencing	\$7,153.00	4/9/15	Executed	E	0	0	RFI 288S1, 433

CO & CO Request Log: Hollywood Recreation Center - Pool and Pool Bldg
W.O. No: E170344F

064	LADBS Correction on Bulletin 2 Valve Box	\$3,353.00	3/12/15	Executed	U	0	0	RFI 427
065	Surface Preparation of Steel/Decking in Mechanical/Chemical Rooms	\$7,500.00	6/19/15	Executed	E	0	0	
066	Haul Out of Remaining Soil CO No.2	\$23,474.00	5/8/15	Executed	U	0	0	
067	Wire Mesh Panel Custom Designed Posts and Plates	\$23,000.00	7/1/15	Executed	U	0	0	
068	Vibration Isolation Rail System for MUA-1	\$8,946.00	7/1/15	Executed	E	0	0	
069	Lexington Avenue Retaining Wall and Fence Post Replacement	\$53,732.00	5/12/15	Executed	U	0	0	*Applicable T&M Sheets from COR 55
070	Cahuenga Boulevard Retaining Wall and Fence Post Replacement	\$60,692.00	5/12/15	Executed	U	0	0	*Applicable T&M Sheets from COR 56
071	Window Sill Waterproofing	\$4,750.00	6/19/15	Executed	S	0	0	
072	Chain Link Fence Rails Addition	\$8,000.00	6/19/15	Executed	U	0	0	
073	HVAC Duct Modifications	\$7,389.00	7/24/15	Executed	E	0	0	
074	Sheet Metal Cap Mechanical Pads	\$1,313.00	5/18/15	Executed	S	0	0	
075	Water Slide Footing Additional Overexcavation	\$12,000.00	6/19/15	Executed	U	0	0	
076	CMU Wall Changes	\$8,219.00	6/24/15	Executed	E	0	0	
077	Additional No Diving Signs on Deck	\$1,815.00	6/24/15	Executed	S	0	0	RFI 504
078	Pump Pit Modifications	\$3,507.00	10/19/15	Executed	E	0	0	RFI 506
079	Men's and Women's Dressing Room Signs	\$1,261.00	6/25/15	Executed	E	0	0	
080	Cumulative Time Impacts from 2/7/2015 to Substantial Completion	\$65,000.00	11/30/15	Executed	U	65	71	
081	Additional Security Walls, Doors and Panels	\$30,780.00	9/25/15	Executed	S	0	0	ECO
082	Water Slide Reset	\$3,123.00	8/13/15	Executed	U	0	0	
083	LADBS Plumbing Corrections	\$11,113.00	7/24/15	Executed	E	0	0	ECO
084	Trapeze Supports	\$6,829.00	8/14/15	Executed	E	0	0	
086	Temporary Certification of Occupancy	\$2,225.00	9/17/15	Executed	U	0	0	
087	Hot Dip Galvanize Encased Steel Members	\$7,481.00	10/14/15	Executed	S	0	0	
088	Mechanical and Chemical Rooms Structural Steel Changes	\$15,461.00	10/6/15	Executed	E	0	0	RFI 328
090	Extend Door Header	\$1,000.00	8/13/15	Executed	E	0	0	
091	Modifications to Building Walls and Floors	\$16,577.00	10/19/15	Executed	E	0	0	RFI 87, 124, 139, 188, 198, 234, 331
092	Door Frame Weld	\$4,325.00	8/14/15	Executed	E	0	0	
093	Window Support and Attachments	\$7,315.00	8/14/15	Executed	E	0	0	
094	Exterior Utility Changes	\$13,568.00	11/10/15	Executed	E	0	0	RFI 80, 353, 422, 430, 477, 496, 534, 550
095	Additional Power and Low Voltage Works	\$9,636.00	11/16/15	Executed	S	0	0	RFI 153, 214, 268, 335, 412, 455, 508
096	Hardscape Changes	\$8,197.00	11/16/15	Executed	E	0	0	RFI 166, 233, 349, 367
097	Outdoor Gas and Lights	\$12,958.00	11/17/15	Executed	E	0	0	RFI 244, 399, 403, 410, 466, 468, 500, 543
098	Additional Accessory Items	\$6,333.00	11/18/15	Executed	E	0	0	RFI 470, 499
099	Mechanical Corrections	\$4,490.00	10/9/15	Executed	E	0	0	RFI 441R1, 442R2, 432, 480, 486, 549
100	Trench Drain Reinforcements and Modifications	\$18,556.00	10/8/15	Executed	E	0	0	RFI 291, 299; Submittal 69R1
101	Curved Wall Platform and Accessories	\$11,922.00	10/1/15	Executed	U	0	0	RFI 291, 349, 352, 360S1
102	Roof Deck Support Steel Angels and Bent Plates	\$24,377.00	10/1/15	Executed	E	0	0	RFI 292, 301
103	Steel Installation Changes	\$36,408.00	11/19/15	Executed	E	0	0	Submittal 14s
104	Replacement of Asphalt Concrete Adjacent to Right of Way	\$11,500.00	11/19/15	Executed	S	0	0	
105	Landscaping	\$12,420.00	11/19/15	Executed	U	0	0	RFI 370, 439, 548
85R	Security System Steel Hangers and Additional Conduit Changes	\$11,273.00	10/16/15	Executed	S	0	0	RFI 469
FCO	Final Closeout Change Order	\$20,559.00	1/11/16	Executed	U	0	0	RFI 70, 72S1, 136, 406, 407 Submittal 24S8,
Original Contract Amount =		\$5,196,000.00	Change Order Type		U Unforeseen	\$744,544.00	58 %	
Revised Contingency =		\$1,299,000.00			E Errors & Omissions	\$380,948.00	30 %	
Total Change Order Amount =		\$1,284,285.00			S Change in Scope	\$158,793.00	12 %	
Revised Contract Price =		\$6,480,285.00	Approved Comp. Cal. Days	129	Change Order Percentage		24.7 %	
Remaining Contingency =		\$14,715.00	Approved Non Comp. Cal. Days	310	Total Change Order Amount =		\$1,284,285.00	
Total # of Approved Days =		439	Total # of Change Order		95			

CITY OF LOS ANGELES
DEPARTMENT OF RECREATION AND PARKS

TO: BOARD OF RECREATION AND PARK COMMISSIONERS
FROM: MICHAEL A. SHULL, General Manager 
SUBJECT: VARIOUS COMMUNICATIONS

The following communications addressed to the Board have been received by the Board Office, and the action taken thereon is presented.

<u>From</u>	<u>Action Taken</u>
1) Mayor, relative to a proposed Operating Agreement with the San Fernando Valley Historical Society for the Operation and Maintenance of the Andres Pico Adobe Historical Museum.	Referred to staff for further processing. (Report No. 16-080)
2) Mayor, relative to proposed Lease and Operating Agreements with the California Science Center for the use of Soboroff Playfield in Exposition Park.	Referred to staff for further processing. (Report No. 16-062)
3) Mayor, Executive Directive No. 15, Equitable Workforce and Service Restoration.	Noted and File.
4) City Clerk, relative to a proposed Master Amendment between the Department and seven contractors for as-needed environmental impact analysis services.	Referred to staff for further processing. (Report No. 15-263)
5) City Clerk, relative to the revised scope for the Echo Park Skate Park.	Referred to General Manager.
6) City Clerk, relative to using Community Redevelopment Agency of the City of Los Angeles (CRA/LA) Excess Bond Proceeds for Residence A in Barnsdall Park.	Noted and File.

BOARD OF RECREATION AND PARK COMMISSIONERS

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|---|------------------------------|
| 7) City Clerk, relative to Neighborhood Council presentations during City Board meetings. | Referred to General Manager. |
| 8) Chief Legislative Analyst, forwarding the Legislative Report for the weeks ending April 15, and April 22, 2016. | Noted and File. |
| 9) OurParks, relative to the Los Angeles Countywide Comprehensive Park & Recreation Needs Assessment. | Noted and File. |
| 10) Thirty-two residents, relative to the proposed basketball court in Runyon Canyon, and/or the Friends of Runyon Canyon. | Referred to General Manager. |
| 11) Derrick Allen, seven communications relative to his relations with the Golf Division. | Noted and File. |
| 12) Blanca Rivera, Sol Y Art Board Representative, requesting permission to hold a Community Art Festival at Hope and Peace Park. | Referred to General Manager. |
| 13) Two communicants, relative to the proposed AngelFest event. | Referred to General Manager. |
| 14) Dan Oliva, relative to the fruit trees at Orcutt Ranch. | Referred to General Manager. |
| 15) David Weiss, relative to a Golf Starter at a Sepulveda Basin golf course. | Referred to General Manager. |
| 16) Fabian Bahena and Jose Azpeitia, Banning Academies of Creative and Innovative Sciences High School, requesting permission to hold a service learning project in Banning Park. | Referred 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:

<u>ORIGINALLY PLACED ON BOARD AGENDA</u>	<u>PLACED ON MATTERS PENDING</u>	<u>DEEMED WITHDRAWN</u>
2/3/16	2/17/16	8/17/16
16-021	City Hall Park – Joy Picus Play Area Renovation (PRJ20941) Project – Allocation of Zone Change Fees; Exemption from the California Environmental Quality Act	
2/3/16	2/17/16	8/17/16
16-025	Griffith Park – Nursery Improvement (PRJ21006) Project – Allocation of Quimby Fees; Exemption from the California Environmental Quality Act	
3/16/16	4/6/16	8/6/16
16-077	Fence Installation, Maintenance and/or Repairs – Request for Qualifications	
4/20/16	5/4/16	9/4/16
16-101	Albion Riverside Park Project – Water Quality and Park Improvements (PRJ20647) (W.O. #EW40060F) Project – Approval of Final Plans	
4/20/16	5/4/16	9/4/16
16-102	Ken Malloy Harbor Regional Park Synthetic Soccer Field (PRJ20761) (W.O. E170384F) Project – Approval of Final Plans and Call for Bids; Exemption from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3 (6), Class 11 (3, 6) of the City CEQA Guidelines	

BIDS TO BE RECEIVED:

5/24/16 Lincoln Park Recreation Center - Pool and Bathhouse Replacement - Re-Bid (W.O. #E1907715)

6/21/16 Echo Park Boathouse Café Concession (CON-F16-002)

PROPOSALS TO BE RECEIVED:

None

QUALIFICATIONS TO BE RECEIVED:

6/7/16 Park Facility Construction, Retrofit, Maintenance and/or Repairs

6/21/16 General Park Building Construction, Retrofit, Maintenance and/or Repairs

For Internal Use – Not Included as Part of Agenda