

APPROVED
SEP 20 2006

REPORT OF GENERAL MANAGER

NO. 06-279

DATE September 20, 2006

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MACARTHUR PARK – CONCEPTUAL APPROVAL OF THE PROPOSED AGREEMENT WITH THE FRIENDS OF THE LEVITT PAVILION AT MACARTHUR PARK, FOR A DONATION OF BAND SHELL IMPROVEMENTS AND THE OPERATION OF ANNUAL SUMMER CONCERT PROGRAMMING

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

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

See p. 12


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Conceptually approve a proposed gift from The Friends of the Levitt Pavilion at MacArthur Park ("TFLP"), consisting of in-kind design assistance and improvements to the MacArthur Park Band Shell, valued up to \$250,000, pending approval of final plans and specifications, and conditioned upon the negotiation and execution of an agreement between the City of Los Angeles ("City") and TFLP for the proposed construction of band shell improvements and the operation of a summer concert series commencing upon completion of said improvements, all subject to the Board's final approval at a later date;
2. Authorize the Department and Bureau of Engineering to work with TFLP to prepare final plans and specifications for the proposed band shell renovation, based on the conceptual plans attached hereto as Exhibit-A, pursuant to City standards, procedures, and requirements, and subject to the Board's final approval at a later date;
3. Conceptually approve the Department's removal of existing seating and the performance of landscape improvements within the area surrounding the band shell, as part of the proposed band shell improvement project; and,

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4. Authorize the Department to work with the City Attorney to negotiate and prepare an agreement between the City and TFLP, specifying the terms and conditions associated with the proposed Gift and the proposed programming of an annual summer concert series to be provided each summer by TFLP for a period of fifty years (50), subject to the Board's final approval at a later date.

SUMMARY:

The Friends of the Levitt Pavilion at MacArthur Park (TFLP) is a to-be-formed, non-profit organization comprised of local business and community leaders who are dedicated to enriching communities by providing free public access to the performing arts. TFLP received a grant from the Mortimer Levitt Foundation (Levitt Foundation) for the renovation of a selected band shell theater located in Los Angeles County. After carefully considering several eligible venues, TFLP chose the MacArthur Park Band Shell ("Band Shell"), located at 2230 W. 6th Street, because of its location, setting, historical background, and the City's willingness to cooperate and participate directly in the renovation efforts.

At the restored MacArthur Park Band Shell, concert attendees will be able to come together to enjoy outstanding, professional concerts five (5) nights per week to share the universal language of music. Although the Levitt Foundation has completed several successful projects in several major cities throughout the United States, one of the most successful is located in the neighboring City of Pasadena – The Levitt Pavilion for the Performing Arts at Memorial Park. TFLP is in its fourth year of providing concerts in Pasadena, as illustrated and described on the 2006 Summer Concert Series brochure attached hereto as Exhibit-C. The renovated venue at Memorial Park in Pasadena has proven to be a great asset to the City of Pasadena, enhancing the park by rejuvenating its atmosphere, reducing illegal activity which had become a serious problem at the park, and providing a comfortable place for children, parents, and the public in general to go and enjoy the performing arts. The Pasadena venue is widely supported by local businesses, community groups, schools, and citizens. It is anticipated that the proposed MacArthur Park Band Shell improvement project will have similar results which will benefit the concert attendees, while improving the park and the surrounding community.

TFLP is offering to contribute to the proposed improvement project with in-kind services for the design of the project and by providing funding for and constructing the proposed improvements to the Band Shell, which are estimated to be valued in excess of \$250,000. The Band Shell renovation project includes improvements to the exterior and interior of the building, as well as improvements to the surrounding landscaping. The improvements to be constructed and/or funded by TFLP will consist primarily of work performed to the interior of the Band Shell. The exterior work will be performed by City forces (Recreation and Parks, General Services, and the Bureau of Engineering).

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Upon completion of construction, TFLP will have access to the Band Shell during specified periods for the operation of an annual, free to the public, summer concert series for a period of fifty (50) years ("Term"), subject to the final approval of the Board and City Council. Following the completion of the proposed Band Shell improvements, the proposed series of concerts would first occur June 5, 2007, through August 26, 2007, with a subsequent concert series continuing each year thereafter during the months of June through August, until the Term expires in August of the year 2056. While negotiations are on-going, it has been discussed that the City would provide some support services before, during, and after each summer evening concert, but that TFLP will bear the primary responsibility for funding and producing the concert series. As long as TFLP is able to fund and produce a high quality summer concert series for the City, the agreement would remain effective for the full fifty (50) year term. The Levitt Foundation will also provide TFLP with a \$500,000.00 grant to support the first five (5) years of concert production, subsidizing TFLP's initial efforts to fund the concert series with \$100,000 per year during that period.

The preliminary plans for the proposed improvements were prepared by the City's Bureau of Engineering and shall be used as the basis for the preparation of the final plans. The final plans will be prepared by the TFLP with support from the Bureau of Engineering, and will be presented to the Board for approval upon their completion, prior to any construction work being performed. A summary of the proposed scope of work, preliminary plans, and estimated project budget are attached hereto as Exhibit-B.

The total cost of the project is estimated to be \$1,700,000, including costs related to TFLP's contribution to the Band Shell's interior improvements. TFLP is offering to contribute in-kind design services and at least \$250,000 in interior band shell improvements. Although the City's portion of funding has not been secured, the remaining \$1,450,000 for the proposed structural and exterior improvements is anticipated to be funded through funding from Proposition 40 Discretionary Funds (\$250,000), the Community Redevelopment Agency (\$500,000), and the City's General Fund (\$700,000) through support from the Office of Councilmember Ed Reyes of the First Council District. The above figures are approximations based on preliminary plans and estimates. Final project funding and expense disclosures will be made when the project is presented to the Board for final approval.

Environmental Management Staff has determined that the proposed renovation of the MacArthur Park Band Shell may result in potentially significant impacts to the environment that could be feasibly mitigated, and has retained a consultant for the preparation of a Mitigated Negative Declaration (MND) in compliance with the California Environmental Quality Act (CEQA). When the MND has been completed and reviewed by appropriate agencies and the general public in accordance with CEQA, it will be brought to the Board for consideration and adoption in conjunction with formal approval of the project.

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Staff has discussed the proposed project with the Assistant General Manager of Operations East, Superintendent of the Metro Region, and the Office of Councilmember Ed Reyes of the First Council District, and each supports the project and concurs with staff's recommendations.

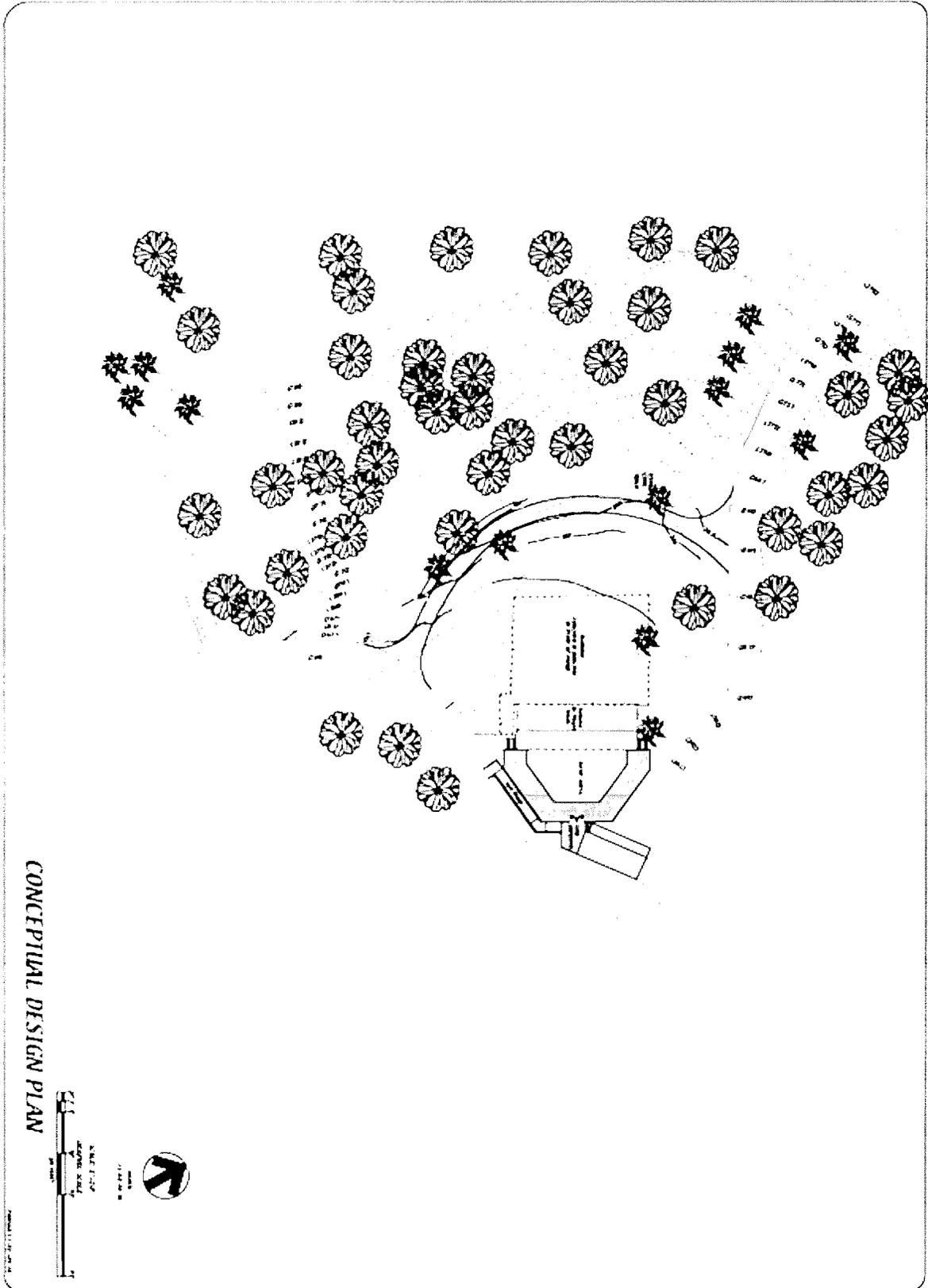
FISCAL IMPACT STATEMENT:

Conceptually, this project will not have any fiscal impact on the Department, and the City's capital contribution to the project, consisting of the exterior structural and landscape improvements will be funded by funds earmarked for MacArthur Park improvements from sources outside the Department's annual budget.

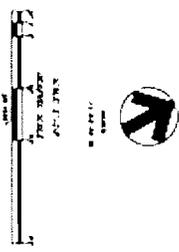
Security and maintenance during the proposed concert series performances will be funded through TFLP's payment of the Department's standard rates and fees for such events. However, the Department will not be collecting the fees and/or charges normally collected for the rental of the Band Shell.

The daily or regular maintenance of the improved facility will be funded as part of the regular MacArthur Park annual maintenance budget.

Prepared by Joel Alvarez, Management Analyst II, of the Department's Real Estate and Asset Management Section.



CONCEPTUAL DESIGN PLAN



CITY OF LOS ANGELES - DEPARTMENT OF PUBLIC WORKS - BUREAU OF ENGINEERING

EXHIBIT-B

Scope of Work

Mac Arthur Park Band Shell Renovation Project

1. Renovation of the Band Shell Building, including new ADA accessible bathrooms, interior, mechanical, electrical, and plumbing upgrades.
2. Renovations of the Glu-Lam beam and sub-floor replacements.
3. A concrete ADA ramp with handrails to be installed along the south side of the Band Shell, allowing for disabled access to the stage from the rear of the facility.
4. The scope of work will impact approximately 8,500 square feet of lawn and paving, and the concrete extension of the existing stage.
5. The existing stage extension will be demolished along with the paved area in front of the stage. The benches will be removed and will be replaced with lawn.
6. The existing walkway and adjacent concrete paving which currently cuts across the lawn in front of the bowl will be removed and replaced with paving of an enhanced nature. The new configuration will make the lawn "bowl" more apparent while still maintaining an ADA conforming access-way through the park. The enhanced paving will give the area an identity relating to the Band Shell as well as maintaining a natural circulation path.
7. A low stone curb will be installed at grade along a portion of the walk.
8. All areas not paved will require irrigation modification and reinstallation of the lawn.
9. Costs for Furniture, Fixtures, & Equipments, ie: audio/visual, are not included.
10. Costs to permanently and/or temporarily relocate various operations are not included.
11. Costs to perform major seismic upgrade of the Band Shell structure are not included.
12. An allowance is included in the estimate to handle standard site conditions issues during construction ie: contaminated soil, over-saturated soil, uncertified fill, hazardous material mitigation, environmental issues, historical issues, major replacement and relocation of existing utilities, etc. Additional funds would be needed should these issues be discovered to be extraordinary and beyond the allowance costs.
13. The estimate includes costs for construction escalation, estimated at 10% per year for one year.

EXHIBIT-C

**THE LEVITT PAVILION
FOR THE PERFORMING ARTS
MEMORIAL PARK, PASADENA**

2006 SUMMER CONCERT SERIES EVENT CALENDAR

After the summer concerts

JOIN US for two special events

A Night in Havana featuring

Pancho Sanchez
Come support the Friends of the Levitt Pavilion at our annual Fundraising Event. Enjoy the excitement of old Cuba, as it's brought to life in this very special extravaganza.

Sunday September 24th 7:00pm.
Tickets can be purchased at the Levitt Pavilion information Booth or by going online to the Levitt Pavilion website.

Shakespeare in the Park

Returns with Hamlet
Performed by the renowned Crown City Theatre Company. September 8th, 9th, 10th, 15th, 16th & 17th 7:00pm. For more information visit the Levitt Pavilion website.

Cultural Nexus

The Friends of the Levitt Pavilion are proud participants in Pasadena's 10 year program to promote and integrate fine arts and culture into our community. To learn more about this exciting program or learn how you can become a part of the Nexus team go to www.cjpasadena.ca.us/planning/jarts/nexus.asp or call 626-744-4009



The Friends of the Levitt Pavilion gratefully acknowledge and thank our 2005 sponsors

The Friends of the Levitt Pavilion are:

Founders:
Douglas Huberman
Barbosa Poverini

Chairman:
Linda M. Adams

Vice President:
Henry Barbosa

VP Emeritus:
Elizabeth Levitt Hirsch

Treasurer:
Joanna Bruno

Secretary:
Jim Morris

Board Members:
Cynthia Wright
Cynthia M. Angles
Claire Bran
Melanie Caldwell-Holden
Frank Marone
Ralph McKnight
Floraline Ingram Stevens
David Whitcomb
Stefanie Yarema
Executive Director
Coralie "C" Whitcomb

Levitt Pavilion Bandshell in Memorial Park
The Levitt Pavilion is located in Memorial Park at the corner of Walnut and Raymond in Old Town Pasadena. Easy access from the MetroLink Goldline Memorial Park Station.

After the summer concerts

JOIN US for two special events

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The Levitt Pavilion For The Performing Arts

Discover the magic of music

This June, the magic Returns. The 2006 Levitt Concert Series June 28 to September 3

The Friends of the Levitt Pavilion are proud to announce their fourth annual summer concert series. This year the lineup is bigger, the music grander and the surprises more exciting than ever before. Don't miss this opportunity to share in the magic that is the Levitt Pavilion Summer Concert Series.

The Friends of the Levitt Pavilion is a non-profit organization comprised of local business and community leaders who are dedicated to enriching the community by providing free public access to the performing arts. At the beautifully restored bandshell in historic Memorial Park, concert attendees come together to enjoy outstanding, professional concerts five nights a week, and to share the universal language of music.

To continue this mission the friends need your help. The organization is completely dependant upon the generosity of its patrons in order to further its arts and outreach programs. Your generosity will enable the music of the Levitt and the voice of our unified community to speak loudly for generations to come.

To become a part of this vision, please call 626.683.3230

or visit us on the web at LevittPavilionPasadena.org.

Who we are



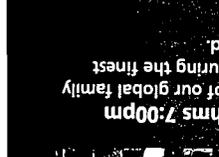
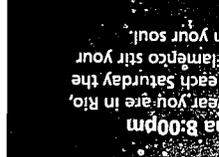
Levitt Loves Kids is Back
The Levitt Pavilion announces the return of the Levitt Loves Kids program. Join us each Wednesday and Sunday at 6:30 for a glimpse into the future of music. Featuring the finest rising stars from Pasadena and the surrounding communities, Levitt loves kids celebrates the talent of our youth by providing a unique showcase for these young performers to share their gifts with the world.

Saturday is Musica Latina 8:00pm
Close your eyes and you'll swear you're in Rio, Cancun or Puerto Vallarta as each Saturday the sounds of the Salsa and the Flamenco stir your passions and ignite the fire in your soul.

Friday is Dance Beat 8:00pm
From Swing to Zydeco, Afro Cuban to good old American Rock and Roll, make Fridays your weekly date to put on your dancing shoes and dance the night away under the stars.

Thursday is World Rhythms 7:00pm
Come experience the music of our global family in these special concerts featuring the finest artists from around the world.

Wednesday is Children's Night 7:00pm
Bring the whole family and especially the little ones for an evening of music, song, and storytelling as we present the very best in children's entertainment.



The 2006 Levitt Pavilion Summer Concert Series.
50 Performances under the Stars.
free admission

Children's Night 7:00pm With a special Levitt Loves Kids performance at 6:30

June 28th
Parachute Express
Award winning Children's group is back for their THIRD Season of music and fun.

July 5th
Joanie Bartels
Joanie returns bringing her award winning performance that has delighted thousands of children around the world!

July 12th
Brass Pacifica
Come explore the world of classical music as this group performs and teaches this rich tradition in a modern and fun way.

July 19th
Homespun with Leslie Perry
Storytelling at its best! Bring the kids for an evening of stories from many cultures told by these world class "word weavers".

July 26th
A Night In Africa with Lazare Houetin
You'll swear you've entered an African Village as Lazare and his ensemble bring the magic of the "Dark Continent" to life with music and dance.

August 2nd
Circus Night
The "Big Top" comes to the Levitt as world class jugglers Tarrel and Takako along with magician Doug Malloy provide "three rings" of fun for the entire family.

August 9th
Limpopo
A natural blend of rich, energetic Russian folk music, with phenomenal original jazz and blues compositions.

August 16th
The Ohmies
Welcome to a magical world where the Imagination of children RULES!

August 23rd
Peter Alonso
"Best of the Best" winning performance of a lifetime.

World Rhythms 7:00pm

June 29th
blue13 Dance**
Dynamic dance and music brings the excitement of Bollywood to Southern California.

July 6th
Eileen Ivers
Captivating Celtic violinist brings a mix of world percussion, Irish instrumentation, and stunning vocals.
Caltech (Joint Sponsor)

July 13th
West Coast Klezmer and Balkan**
The rich heritage of Romania, Serbia, and Bulgaria comes alive with this spirited musical group.

July 20th
Eyedentity
The Native American Dancers**
The spirit and life of the Indian culture told through interpretive movement. Led by world renowned dancer Thiriza Defoe.

July 27th
Robert Anthony Aviles & Insight
Don't miss a chance to see this world acclaimed 7-string violinist in a rare Southern California performance.

August 3rd
Niyaz**
An alluring combination of medieval Persian and Indian exotism set to a modern techno beat.

August 10th
Prince Diabate**
A fresh, powerful brand of twenty-first century Manden music with this master of the African Kora.

August 17th
Chris Korblein
Romantic guitar stylings weave a world music performance that will take you from Madrid to Paris and beyond.

August 24th
Marta Santamaría and Viagem**
A Night of Flamenco with a innovative blend of world music, seduction and the spirit of Carnival.

Dance Beat 8:00pm

June 30th
Swing Syndicate
Get ready to dance to the sounds of swing, jazz and blues from this incredible group!

July 7th
Bonne Musique Zydeco
Move to the sounds of "swamp boogie" with this infectious mix of Creole and Texas groove.

July 14th
Ricardo Lemvo
Songs that celebrate life and inspire you to dance your worries away.

July 21st
Bob Fetherolf
The 50's and 60's come alive with this amazing rock and roll group. Dust off the high tops and poodle skirts and get ready to rock.

July 28th
Eyedentity
Hip-Hop, Trip-Hop, Acid and Jazz all come together with a force that is guaranteed to keep you on the dance floor.

August 4th
Rolando Morales
Latin jazz, flamenco-samba, Afro-Cuban grooves and more with this dynamic guitarist who will keep you moving to the beat all night long.

August 11th
Teresa James
This powerful vocalist will captivate you with a voice that will reach deep into your soul and keep you on your feet dancing.

August 18th
noJazz
Amazing Parisian combo pushes the boundaries of Jazz and Hip-Hop with their drum and bass influenced experimental sound.

August 25th
Soup's Ready
Jazz, fusion and funk combine to make this a "groove" feast for the feet.

September 1st
Kenny Sara and the Sounds of New Orleans
A captivating blend of New Orleans Jazz, Cajun, Zydeco, and R&B guaranteed to have you moving the entire time.

Música Latina 8:00pm

July 1st
Henry Mora
A rich blend of salsa and Jazz with the Big Band sound of the 30's & 40's comes together for a smooth dance beat.

July 8th
Nocy
Pure Latin passion aptly defines the soulful, rhythmic Spanish guitar wizardry of Nocy Karkour.

July 15th
Son de Madera
Experience the new sound of the "Son Jarocho" movement from this popular ensemble.

July 22nd
Incendio
A Latin musical tapestry of Pop, Classical and traditional sounds create a sonic experience not to be missed.

July 29th
Quetzal
Poetic and empowering Rock en Español from the critically acclaimed Los Angeles Ensemble.

August 5th
Los Pinguis
A mixture of Latin rhythms performed with Spanish guitars, intricate percussion, and harmonizing vocals.

August 12th
Katia Moraes and Sambaguru
An ensemble from Brazil, Sri Lanka, and the United States bring their unique blend of world music to the Levitt stage.

August 19th
Perla Batalia
Latin vocal stylings with a depth of emotion and a sublime expressiveness that will hold you from the first note.

August 26th
Scott Martin
Latin Jazz Saxophone at its best with this phenomenal artist who has worked with such giants as Pancho Sanchez, Ray Charles and Tito Puente.

September 2nd
Mariachi Divas**
A unique, multi-cultural ensemble, represented by these incredibly talented women from all over the world.

Jazz Night 7:00pm With a special Levitt Loves Kids performance at 6:30

July 2nd
Barbara Morrison
The First Lady of the Levitt returns with her rich, soulful interpretations of jazz classics and contemporary tunes.

July 9th
Luther Hughes
World class bassist for Gene Harris, Quincy Jones and Lionel Hampton brings his contemporary brand of jazz to the Levitt.

July 16th
Jon Mayer
Amazing piano artistry characterized by a subtle and relaxed rhythm that carries a sense of melodic nirvana in every note.

July 23rd
Billy Mitchell
The jazz keyboard legend is back to wow the Levitt with his smooth style and funky rhythms.

July 30th
Theo Saunders
Come see this mesmerizing jazz pianist as he performs his special blend of improvisational music.

August 6th
Nolan Shaheed
See why Stevie Wonder, Diana Ross and Phil Collins all have used this amazing trumpeter on their albums.

August 13th
Instrumental Women
Amazing Jazz performed by some of the best ladies in the business.

August 20th
Claudia Vallela
African and European music with the sensibility of jazz combine to make a one-of-a-kind performance.

August 27th
Phyllis Battle
Jazz vocalist phenom Phyllis Battle will take you to another dimension with her spellbinding soulful sound.

September 3rd
Season Finale
The closing of our 2006 season will be a spectacular evening of surprises with a special musical artist you won't want to miss.



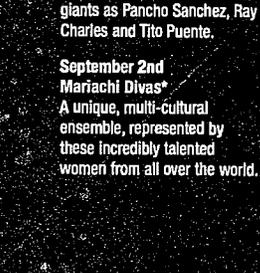
Bob Baker
The legendary marionetteeer returns with his magical marionettes.



Eileen Ivers
The pre-eminent pioneer of the Celtic fiddle in a special California appearance.



noJazz
Direct from Paris its breathtaking, exciting "groove-elektronika" at its best.



Katia Moraes and Sambaguru
Carnival and the spirit of Brazil come alive with this amazing group of world musicians.



Barbara Morrison
The First Lady of the Levitt returns for another breath taking performance.

Levitt Pavilion for the Performing Arts

www.levittpavilionpasadena.org • 626.683.3230 • info@levittpavilionpasadena.org

* This concert is sponsored by the Los Angeles County Arts Commission and the Recording Industries' Music Performance Fund through the assistance of the Professional Musicians Union Local 47.
**This concert is sponsored by the generous support of The Pasadena Showcase House for the Arts.