

APPROVED
FEB 17 2010

REPORT OF GENERAL MANAGER

NO. 10-030

DATE February 17, 2010

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEPULVEDA BASIN RECREATION AREA - AMENDMENT TO LEASE AGREEMENT WITH EMEK HEBREW DAY SCHOOL

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<i>ms</i>

[Signature]

General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve a proposed Amendment, substantially in the form on file in the Board Office, to the Lease Agreement between the Department of Recreation and Parks (RAP) and Emek Hebrew Day School modifying the existing date-specific Lease Term commencement date, to commence upon the date of execution of the Lease Agreement, subject to the review and approval of the Mayor, City Council, and the City Attorney;
2. Direct the Board Secretary to transmit the Amendment concurrently to the Mayor in accordance with Executive Directive No. 3 and to the City Attorney for review as to form; and,
3. Authorize the Board President and Secretary to execute the Amendment upon obtaining all necessary approvals.

SUMMARY:

On March 4, 2009, the Board approved a thirty (30) year lease agreement (Lease Agreement) between the Department and Emek Hebrew Day School, a California non-profit corporation (Report No. 09-048), for the joint recreational use of a portion of park property under lease to the Department from the United States Government through the U.S. Army Corps of Engineers (Corps). The subject property includes two parcels totaling 3.2 acres, located in the Sepulveda Flood Control Basin Recreation Area. On June 2, 2009 the City Council adopted a Motion

REPORT OF GENERAL MANAGER

PG. 2 NO. 10-030

(Council File 09-001015) to approve and authorize the President and Secretary of the Board of Recreation and Park Commissioners to execute the Lease Agreement.

The approved Lease Agreement as presently written stipulates a retroactive, date-specific Lease Term commencement date of September 1, 2008 and date-specific expiration date of August 31, 2038. The proposed Amendment No. 1 changes Section 1 of the Lease Agreement (Term of Agreement) to read that the Lease Agreement term shall commence upon execution of the Lease Agreement and expire thirty (30) years from said date of execution. Council approval is required pursuant to City Charter section 373 and Administrative Code section 10.5.

FISCAL IMPACT STATEMENT:

This amendment will have no fiscal impact on the Department's General Fund.

This report was prepared by Gregory Clark, Management Analyst II, Real Estate and Asset Management Section.