

APPROVED  
NOV 02 2011

REPORT OF GENERAL MANAGER

NO. 11-296

DATE November 2, 2011

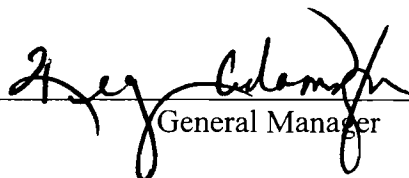
BOARD OF RECREATION  
AND PARK COMMISSIONERS

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PARTNERSHIP DIVISION – NON-PROFIT COOPERATIVE NURSERY,  
HEAD START, PRE-SCHOOL AND CHILD DAY CARE ORGANIZATIONS  
– RESCISSION OF 1974 AND 1984 POLICIES, APPLICATION OF  
PARTNERSHIP POLICY FOR NON-PROFITS, AND CRITERIA FOR NON-  
PROFIT CHILD CARE OPERATORS

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

  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Rescind current policy for non-profit cooperative nursery, Head Start, pre-school and child care organizations, (Report No. 678, approved June 6, 1974) and (Report No. 418-84, approved May 17, 1984);
2. Find that non-profit cooperative nursery, Head Start, pre-school and child care organizations are a recreational use;
3. Recognize that all non-profit cooperative nursery, Head Start, pre-school and child care organizations are similar to other non-profit or for-profit organizations utilizing Department of Recreation and Parks (RAP) facilities and property, and therefore, subject to existing and established policies by the Board;
4. Direct Staff to develop agreements with non-profit cooperative nursery, Head Start, pre-school and child care organizations for the operation of such services on park property in accordance with RAP's Partnership Policy;
5. Direct staff to implement criteria for non-profit cooperative nursery, Head Start, pre-school and child care organizations on RAP property, in accordance with the Partnership policy, as described in the Summary of this Report;

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6. Approve the imposition of cost recovery fees for these organizations in accordance with the Partnership Policy; and
7. Direct the Department's Chief Accounting Employee to establish appropriate accounts and deposit cost recovery fees received from such organizations in accounts established for such purpose and to reimburse expenses incurred by RAP for these organizations, to various funds and accounts.

### SUMMARY:

Currently, various non-profit cooperative nursery groups, pre-school, and Head Start organizations are allowed to utilize RAP facilities or park property by permit without charge during normal park operating hours in accordance with the policy on Non-Profit Pre-School and Parent Participation Nursery School Groups (Report No. 678, approved June 6, 1974), attached hereto as Exhibit A. On May 17, 1984, the Board affirmed such policy in Report No. 418-84 and stated that these organizations providing community-sponsored child care programs should not be charged a fee for the use of RAP facilities, if the use of the facility took place during hours when the park was normally open. Additionally, Report No. 418-84 encouraged public non-profit child care operation in under-utilized facilities and outdoor space and advocated RAP staff to develop and operate such programs if no organizations came forward to provide non-profit pre-school programs.

In 2002, in Report No. 02-349, the Board approved a policy that requires all non-profit organizations operating or providing services using park property or land under RAP control, to pay all utility costs (gas, water, electricity) associated with the use of the facility. For exclusive use of a RAP building by an organization, arrangements were to be made so that utility payments would be paid by the organization directly to the utility provider. In order to recover costs for utilities from organizations using RAP facilities on a shared use basis, the Board on July 13, 2011, approved a utility fee protocol to allow RAP to recover utility costs associated with organization's shared use of certain facility space (Report No. 11-202). Similar analysis is underway for solid resources (trash) fees and staff impact costs, with additional cost recovery fee reports to be scheduled soon for the Board's consideration.

Since its establishment in mid-March 2011, the Partnership Division has taken on the task of updating and/or formalizing agreements with organizations utilizing RAP property for the mutual benefit of the community, RAP, and the organization. Additionally, the Partnership Division is now seeking to implement mechanisms to recover certain costs from those organizations operating on park property, which are not currently paying for their own utilities, trash removal, custodial services, maintenance, and/or other expenses which are fiscally impacting RAP through the organization's operation of public programs.

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It is therefore recommended that the current policy related to non-profit cooperative nursery, Head Start, pre-school and child care organizations operating on park property, as stated in Report No. 678 and Report No. 418-84, be rescinded, so that all such organizations previously covered by said policy, be subject to RAP's Partnership Policy as any other non-profit organization utilizing RAP facilities or RAP property for the benefit of the community.

However, RAP should retain and continue to implement certain criteria for Pre-school, Child Care or similar groups conducting programs on RAP property. These criteria's would be:

- A legal non-profit Organization in good standing
- General purpose of group shall emphasize child development through educational and recreational pre-school experiences
- Organization must prove to be viable with evidence of long-term leadership
- Existing programs of our own department cannot be inhibited
- Organization to obtain adequate liability insurance as deemed necessary by the Office of the City Administrative Officer (CAO), Risk Management Division
- Organization shall maintain area of use
- Organization to provide own storage
- Organization be monitored by RAP staff for compliance

The Partnership Division has preliminarily identified those non-profit cooperative nursery, Head Start, pre-school and child care organizations that are currently operating on RAP property (Exhibit B). The Partnership Division has been working with the City Attorney Office's to establish a child care-related, "template" agreement. Once finalized, this template will be used as the basis for all formal agreements with pre-school, cooperative nursery school, and Head Start related activities/programs operating on RAP property, and shall be presented to the Board for approval on a case-by-case basis.

### FISCAL IMPACT STATEMENT:

The proposed policy rescission has no negative impact to RAP's General Fund. Such rescission will enable RAP to recover certain overhead costs from organizations operating pre-school, child care, cooperative nursery schools, and Head Start pre-schools at RAP facilities.

This Report was prepared by Leslie Richter, Senior Recreation Director, Partnership Division.

School

REPORT OF GENERAL MANAGER

NO. 578

DATE June 6, 1974

BOARD OF RECREATION AND PARK COMMISSIONERS:

SUBJECT: Recommended Policy for Non-Profit Pre-School and Parent Participation Nursery School Groups to Utilize Department Facilities by Permit Without Charge During Normal Operating Hours

JCH	AB
JHW	JB
WMM	SJ

*B. Fredrickson*  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Further Report \_\_\_\_\_

On November 29, 1973, the Board had before it Report #307 dealing with a request for waiver of fees by the Canyon Cooperative Nursery School. In the discussion concerning this matter, a motion was adopted requesting staff to make a complete study of organized pre-school activities at Department facilities. The recommended policy for non-profit pre-school and parent participation nursery school groups to utilize Department facilities by permit without charge during normal operating hours was developed by the lay committee who signed up at the November 29, 1973 Board Meeting and has been reviewed by the Los Angeles Association of Parent Participation Nursery Schools and the Mayor's Advisory Committee on Child Care, which was formerly Councilwoman Russell's Advisory Committee on Child Care.

The final draft of the proposed new policy is attached.

RECOMMENDATION:

That the Board approve the attached policy.

CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS

RECOMMENDED POLICY FOR NON-PROFIT  
PRE-SCHOOL AND PARENT PARTICIPATION  
NURSERY SCHOOL GROUPS TO UTILIZE  
DEPARTMENT FACILITIES BY PERMIT  
WITHOUT CHARGE DURING NORMAL OPERATING HOURS

April 1974

This year, a number of events have combined to establish a new policy concerning the use of Recreation Centers. We have now come to consider the merits of locating well planned and well run non-profit pre-school or Parent Participation Nursery School groups on our facilities, particularly in the inner-city area, which could present very positive and wholesome outdoor child development through educational and recreational pre-school experiences to youngsters in such a manner as to have a long-term bearing upon their lives.

We know that often, within the inner-city communities limitations of housing and other environmental factors create circumstances where the youngsters grow up with little or no exposure to the real beauty of our natural world. For this reason, the following new policy is proposed:

- I. Initial application at a given facility of the Recreation and Parks Department shall be a matter of individual consideration, based on the merits of each case.
- II. No permit shall be granted unless the following criteria are met:
  - A. The group must be a registered non-profit organization with the Los Angeles County Clerks Corporation Division, 111 North Hill Street, Room 106, and licensed by the State of California.

- B. The group must be prepared to furnish its own storage outside of existing buildings, such storage to be in accordance with Department specification and any other capital improvement must receive Department design and construction approval. The local Director-in-Charge, consistent with space availability and utilization, will determine whether and to what extent outside storage will be required.
- C. The group shall furnish normal maintenance within those areas utilized for their activities.
- D. The planned installation and operation is well-defined and appropriate in design context, and there is evidence of sufficient long-term leadership and resources to effectuate the program successfully.
- E. There is no indication that establishing the program will unreasonably inhibit any existing programs of our own Department. Accommodations during school vacation periods or afternoons shall require the approval of the local Center Director-in-Charge.

- F. The group obtain liability insurance as deemed necessary by the City Attorney.
- G. Participation in the program shall be non-discriminatory.
- H. There is an acceptance and understanding that the establishment of such a group shall be for a specific period of time so as to allow for periodic program review and determination of other Departmental program priorities.
- I. The general purpose of the group shall emphasize child development through educational and recreational pre-school experiences.

III. Priority for use shall be based on first-come basis unless there is a conflict. Groups that have met the criteria and are applying for conflicting usage of a facility must be determined at a meeting of representative of all parties concerned plus the representative of the Department of Recreation and Parks. If there is still a lack of agreement, the Department shall make the final determination.



IV. Cancellation or non-renewal of an existing permit group shall require sixty days notice in writing. This notice shall state the basis for cancellation or non-renewal.

The Department's action may be appealed to the Board of Recreation and Park Commissioners in writing within the sixty-day notice period.

DCN/lk  
4/3/74

REPORT OF GENERAL MANAGER

NO. 418-84DATE May 17, 1984C.D. A11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Recommended Child Day-Care Policy

*JB	<u>jb</u>	JKL	_____
SNJ	<u>I</u>	GWR	_____
SEK	_____	JHW	_____



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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Further Report \_\_\_\_\_

RECOMMENDATION:

1. That the Board of Recreation and Park Commissioners find that child day-care, preschool and cooperative nurseries, Head Start, and similar operations are a recreational use of Department facilities; and,
2. That the Board basically reaffirm its position of June 6, 1974 (Report of General Manager No. 678, Department Instruction No. 222) concerning operations of this type, which is that the Department allow public, non-profit child day-care and related operations at Department facilities, providing that these programs do not unreasonably inhibit existing Department programs; and,
3. That the Department encourage such use, particularly at under-used facilities; and,
4. That, if needed within individual communities and where no private organization comes forward to provide such a program, Department staff should develop and operate such a program; and,
5. That community-sponsored programs of this type should not be charged for the use of Department facilities during hours when the facilities are normally open. If the program takes place when the facility is normally closed, the fee should cover costs to this agency.

SUMMARY:

Historically, Department personnel have organized preschool programs that include arts, crafts, music, drama, games, etc., for children two to five years of age. These activities are currently offered at more than 50 facilities. Most of these programs involve a nominal per-child fee to cover such costs as instructor's salaries, the purchase of arts and crafts materials, refreshments, etc.

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In addition, more than 20 non-Department organizations conduct preschool, Head Start or similar programs on Department sites. Several of these groups have been in existence since the late-1950's or early 1960's, operating under year-to-year building or grounds permits. Most of the organizations conduct programs only during school months, though several operate on a year-round basis. The majority of these groups make use of Department buildings and adjacent outdoor areas; several have been permitted to place temporary structures on Department property.

Virtually all of these groups operate under the provisions of Title 22 of the State Health and Safety Code, which sets forth standards for programs of this type (space requirements, staff/children ratios, toilet and basin requirements, permit procedures, etc.).

Basically, the types of organizations that conduct these activities for younger children at Department facilities are in three categories:

Preschool and Cooperative Nursery Schools: These programs are almost always organized within the local community. Typically, leadership is provided by a professional with scheduled assistance by parents of the involved children. A weekly or monthly fee is paid to cover the instructor's salary, equipment and supplies, refreshments, etc. Activities include arts, crafts, music, etc., and supervised free play. Both preschool and cooperative nursery groups tend to use club/crafts rooms in Department buildings, ranging from 300 to 500 square feet in size, and adjacent grounds areas. Two of these groups have been required to finance modifications to Department buildings to meet local or State building codes. Activities are normally conducted during morning hours (9:00 a.m. to Noon, 9:30 a.m. to 12:30 p.m., etc.) during the week days. Both preschools and nurseries tend to operate only during school months (mid-September to mid-June). A representative organization would be the Studio City Preschooler Cooperative Nursery which uses facilities at Studio City Recreation Center.

Head Start: This program is Federally funded, but sometimes also includes the use of State and/or local funds. In Los Angeles the local sponsor is often the Los Angeles County Superintendent of Schools. Head Start operations are almost always located in lower income communities. Leadership is provided by professionals, volunteers and parents. Programs emphasize early educational exposure intended to give youngsters a "head start" when they enter elementary school. Several Head Start groups use Department building space, rooms similar to those used by preschool and nursery organizations, and outdoor park areas. Others have placed temporary buildings, usually several hundred square feet in size, on Department properties. At least three Head Start organizations have been required to modify Department buildings (doors, restroom facilities, etc.) in order to meet codes. Head Start groups normally operate during weekday

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morning hours (8:30 a.m. to 12:30 p.m.), though several groups have added afternoon sessions or are considering afternoon programs. A typical Head Start operation would be that of Azteca Head Start at Garcia Recreation Center.

Day-Care Programs: Day-care centers are primarily intended to benefit working parents, but also serve to prepare preschool children for elementary school. They are operated by professionals and volunteers. Most centers charge a per-child fee, although some fees are waived or reduced for lower income families. The Mar Vista Family Center has placed a building of several thousand square feet at Culver/Slauson Recreation Center. The Hilltop Nursery Day-Care group has placed modular relocatable structures at Bellevue Recreation Center. Most organizations conduct nine-hour day operations on a year-round basis. Lunch is normally provided for youngsters at day-care centers.

On April 12, 1984, the Department conducted a public hearing on this subject. Approximately 50 representatives of preschool nursery groups, Head Start operations and day-care centers were in attendance. Virtually all of the various speakers supported the continued use of Department facilities for preschool, Head Start and day-care purposes.

Staff does not intend to impose additional charges for those groups that use Department facilities during normal operating hours. Only those organizations that make use of Department facilities during hours when the facilities are normally closed would be charged, and the charges would be imposed only to permit the Department to recover the costs of opening and operating facilities during non-business hours.

In several instances the presence of these organizations at Department facilities has resulted in modifications to buildings and grounds, modifications mandated by State or local codes. Staff recommends that these alterations continue to be financed by the various groups. However, staff intends to continue providing technical assistance whenever these modifications are mandated.

May 24, 1984

UNFINISHED BUSINESS - Out of Order

REPORT 418-84 - 5/17/84  
RECOMMENDED CHILD  
DAY-CARE POLICY

Commissioner Benson requested an explanation of Recommendation No. 4. Ms. Rudder stated there may be some locations where there are facilities available and the service is needed. She noted that many of the Department's employees are qualified to be licensed. The cost of such a program would be self-sustaining.

Commissioner Neuschatz suggested that the wording of Recommendation No. 4 be clarified as follows: "That, if needed within individual communities and where no community nonprofit organization is available to provide such a program, Department staff should develop and operate such a program; and,".

Commissioner Benson asked if there were any facilities near elementary schools where after-school care could be provided. She noted that a number of Bills are now being prepared and money may be available to provide after-school care. Ms. Rudder noted that the Department is now providing extended day-care at a number of recreation centers. Staff will look into this matter further.

Commissioner Neuschatz asked whether the Department was looking to use more open space for child-care buildings. Mr. Hadaway stated staff will discourage the location of other small buildings on park property. This policy has to do with existing buildings only. Commissioner Neuschatz suggested that an additional Recommendation No. 6 be included to make a policy statement that only groups will be considered for existing buildings.

It was moved by Commissioner Neuschatz, seconded by Commissioner Zeiger, and unanimously carried, that Report 418-84 be approved with the following amended and additional recommendations:

4. That, if needed within individual communities and where no community nonprofit organization is available to provide such a program, Department staff should develop and operate such a program; and,
6. That all programs of this type take place in existing buildings.

Mr. Robert Revai, from Canyon School, Inc., asked whether this policy includes fees.

May 24, 1984

Mr. Jensen noted that Canyon School is in a building totally separate from the main facility. The Department maintains the building and the grounds they use. It was staff's intention to charge the Department's cost for that maintenance. He noted they have not previously been charged for the 16 years they have been at this location.

Mr. Hadaway noted that what is before the Board is a general policy. He intended to come back to the Board for an interpretation on this particular case. It would be his interpretation that under this policy the school would not be charged rent for the building, but if the Department provided custodial services for them, they would be charged for that service. He would recommend that this particular case be heard at a future meeting.

GENERAL MANAGER'S  
REPORT NO. 446-84 - Out of Order  
ECHO PARK SWIMMING POOL ENCLOSURE;  
CONTRACT NO. 1853; RATIFICATION OF  
FULL RELEASE OF ALL CLAIMS

Deputy City Attorney Kamine noted this assessment of liquidated damages came to the Board on April 26, 1984. The contractor followed the procedures through the City Attorney's Office and the matter has now been resolved.

There being no objections, Report 446-84 was approved.

REPORT 419-84 - 5/17/84  
HANSEN DAM GOLF COURSE  
MANAGEMENT CONCESSION -  
RECOMMENDATION OF AWARD

Mr. Hadaway noted that this proposal has been ongoing for two years, and discussed many times. What is before the Board is a recommendation as to which of the two bids should be accepted.

President Selleck stated the Board has had a lot of input on this issue. The Board spent a lot of time on this issue. There were a number of recommendations submitted to the Board at that time. The Board at that time decided to have a test case, in effect responding to some people that thought that private enterprise could operate a public golf course in a more efficient and cost effective way. This report recommends that the Board award a contract to a specific operator.

LIST OF NON-PROFIT PRE-SCHOOL PROVIDERS

Exhibit B

Non-Profit Pre-School Provider	Years on Park Property	CD	Location	Exclusive Use	Shared Space	Pays Utilities	Trash Removal RAP	Trash Removal Contracted
Canyon Cooperative Nursery School	50 + years	4	Las Palmas Senior Citizens (inside building and patio)	X		X		X
Encino Parents Nursery School	50 + years	5	Encino Community Center (inside old barn in park area)	X			X	
Hilltop Nursery School	40 + years	13	Bellevue Recreation Center (modular buildings adjacent to parking lot)	X		X	X	
Los Feliz Cooperative Nursery School	40 + years	4	Griffith Park Recreation Center (inside building)	X			X	
Rancho Co-Op Nursery School	40 + years	5	Cheviot Hills Recreation Center (inside pool locker rooms)		X		X	
Studio City Cooperative Preschool	40 + years	2	Studio City Recreation Center (outside fenced area on field)	X			X	
Rustic Canyon Co-op Nursery School	30 + years	11	Rustic Canyon Recreation Center (inside adjacent building)	X			X	
VNSO Children's Co-op	20 + years	2	Van Nuys- Sherman Oaks Recreation Center (outside fenced area on field)	X			X	
Mar Vista Family Center	20 + years	11	Culver-Slauson Recreation Center (in building adjacent to Rec. Ctr.)	X		X		X
Foundation for Early Childhood Education Head Start	20 + years	14	Garcia Recreation Center (inside building)		X		X	
Foundation for Early Childhood Education Headstart	20 + years	14	State Street Recreation Center (inside building)		X		X	
Foundation for Early Childhood Education Head Start	20 + years	14	Boyle Heights Sports Center (modular buildings adjacent to Rec. Ctr.)	X		X		X

LIST OF NON-PROFIT PRE-SCHOOL PROVIDERS

Exhibit B

Non-Profit Pre-School Provider	Years on Park Property	CD	Location	Exclusive Use	Shared Space	Pays Utilities	Trash Removal RAP	Trash Removal Contracted
Options Child Development Centers Head Start	20 + years	1	Highland Park Recreation Center (inside pool locker room)		X		X	
Volunteers of America (Little Steps) Head Start	5 + years	2	Valley Plaza Recreation Center (commercial bldg. adjacent to Rec. Ctr)	X		X		X
Pacific Asian Consortium in Employment (PACE) Head Start	less than 1 year	9	Ross Snyder Recreation Center (modular buildings adjacent to field)	X		X		X
Community Development Institute (CDI) Head Start (an interim agency)	less than 1 year	9	Green Meadows Recreation Center (modular buildings adjacent to field)	X		X		X
Community Development Institute (CDI) Head Start (an interim agency)	less than 1 year	8	JT/Harvard Recreation Center (modular buildings adjacent to field)	X		X		X
Community Development Institute (CDI) Head Start (an interim agency)	less than 1 year	8	Algin Sutton Recreation Center (modular buildings adjacent to Rec. Ctr)	X		X		X