

## AGENDA

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

Wednesday, April 15, 2015 at 9:30 a.m.

EXPO Center, Comrie Hall  
3980 S. Bill Robertson Lane  
Los Angeles, CA 90037

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

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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. APPROVAL OF THE MINUTES:

Approval of the Minutes of the Meeting of April 1, 2015

2. GENERAL MANAGER'S REPORTS:

- |        |   |
|--------|---|
| 15-069 | Various Communications  |
| 15-070 | Pershing Square – Cancellation of Requests for Proposals for Food and Beverage Service Concession and Branded Coffee Concession; Request for Proposals for Pershing Square Café Concession                      |
| 15-071 | El Paseo De Cahuenga Park – Agreement with NBCUniversal Media, LLC for a Donation Consisting of the Construction and Installation of Park Improvements; Exemption from the California Environmental Quality Act |
| 15-072 | Echo Park Bathhouse Café Concession – Request for Proposals   |
| 15-073 | Gladys Jean Wesson Park – Acceptance of Landscape and Recreational Improvements Installed by Los Angeles Neighborhood Initiative  |

April 15, 2015

- 15-074 Mid-Valley Intergenerational Multipurpose Center (W.O. #E170239F); Hollywood Recreation Center – Pool and Pool Building (PRJ1402B) (W.O. #E170344F) – Acceptance and Release of Stop Payment Notices on Construction Contract No. 3442 and 3454
- 15-075 Runyon Canyon Park – Roadway Renovation (PRJ20490) Project – Modification of the Project Scope; Allocation of Quimby Fees
- 15-076 Normandie and Cordova Park – Acceptance of Landscape and Recreational Improvements Installed by Los Angeles Neighborhood Initiative
- 15-077 50 Parks Initiative – Alpine Recreation Center Expansion Project (Ord and Yale Street Park) – Rescission of Approval of Amendment to Purchase and Sale Agreement, Final Authorization to Acquire a Portion of Los Angeles County Assessor’s Parcel Number 5407-025-017; Authority to Grant a Limited Access Easement; Preliminary Authorization to Acquire an Additional Parcels; Exemption from California Environmental Quality Act
- 15-078 Master Agreement for Brush Clearance, Weed, Refuse Abatement, Tree Trimming and Removal Contractors
- 15-079 Whitsett Fields Park – Synthetic Turf Improvements (W.O. #E170150F) Project – Approval of Final Plans
- 15-080 Conceptual Approval for CityLinkLA Fiber hut Placements on Parkland
- 15-081 Amendment to Personnel Resolution No.10411 - Section 1D (As-Needed Positions)
- 15-082 Griffith Park – Operation and Management of the Greek Theatre – Open Venue Model

3. COMMISSION TASK FORCES:

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

4. GENERAL MANAGER’S ORAL REPORT:

Report on Department Activities and Facilities

April 15, 2015

5. PUBLIC COMMENTS:

Any comments that require a response or report by staff will be automatically referred to staff.

6. FUTURE AGENDA ITEMS:

Requests by Commissioners to Schedule Specific Items on Future Agendas

7. NEXT MEETING:

The next scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, May 6, 2015, 9:30 a.m., at EXPO Center, 3980 S. Bill Robertson Lane, Los Angeles, CA 90037.

8. ADJOURNMENT:

Under the California State Ralph M. Brown Act, those wishing to make audio recordings of the Commission Meetings are allowed to bring tape recorders or camcorders in the Meeting.

Sign language interpreters, assistive listening devices, or any auxiliary aides and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For additional information, please contact the Commission Office at (213) 202-2640.

Finalization of Commission Actions: In accordance with City Charter, actions that are subject to Section 245 are not final until the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session and if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Commission Meetings can be heard live over the telephone through the Council Phone system. To listen to a meeting, please call one of the following numbers:

from Downtown Los Angeles	(213) 621-CITY (2489)
from West Los Angeles	(310) 471-CITY (2489)
from San Pedro	(310) 547-CITY (2489)
from Van Nuys	(818) 904-9450

For information, please go to the City's website: <http://ita.lacity.org/ForResidents/CouncilPhone/index.htm>

Information on agenda items may be obtained by calling the Commission Office at (213) 202-2640. Copies of the agenda and reports may be downloaded from the Department's website at [www.laparks.org](http://www.laparks.org).



REPORT OF GENERAL MANAGER

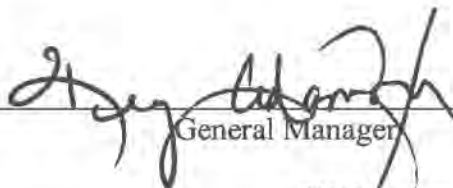
NO. 15-069

DATE April 15, 2015

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VARIOUS COMMUNICATIONS

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

The following communications have been received by the Board and recommended action thereon is presented.

From:

Recommendation:

1) City Clerk, relative to a grant from the California Department of Housing and Community Development Housing-Related Parks Program for the 2014 Designated Program Year for various parks and recreation facilities.

Referred to General Manager.  
(Report No. 15-020)

2) City Clerk, relative to the submission of a State of California Land and Water Conservation Fund grant application for the Runyon Canyon Acquisition Project.

Referred to General Manager.  
(Report No. 15-004)

3) City Clerk, relative to the submittal and acceptance of the LA84 Foundation Spring 2015 Girls Softball Grant to increase participation in girls softball leagues in the Metro and Valley Regions.

Referred to General Manager.  
(Report No. 14-292)

REPORT OF GENERAL MANAGER

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NO. 15-069

- 4) City Clerk, relative to the planting of 100 pomegranate trees at various parks throughout the City in honor of the 100<sup>th</sup> anniversary of the Armenian Genocide. Referred to General Manager.
- 5) City Clerk, relative to the transfer of funds for the provision of youth cooking classes at the Alba Center at the Pueblo Del Rio housing development by RootDown LA and in coordination with the Police Activities League. Referred to General Manager.
- 6) City Clerk, relative to the rezoning and preservation of an open space off Cahuenga Boulevard adjacent to Lake Hollywood in Griffith Park. Note and File.
- 7) Chief Legislative Analyst, forwarding the Legislative Report for the week ending March 6, 2015. Note and File.
- 8) Helen Truong, relative to the Griffith Riverside tennis courts. Referred to General Manager.
- 9) Larry Dudley, relative to the alleged over-use of water at Dearborn Park. Referred to General Manager.
- 10) Bernie Joyce, relative to a proposal to place mulch in Lake Balboa Park. Referred to General Manager.
- 11) One hundred four communications, relative to re-opening Mount Hollywood Drive in Griffith Park to vehicular traffic. Referred to General Manager.
- 12) Los Angeles Dodgers Foundation, relative to building a Universally Accessible Dodgers Dreamfield at Baldwin Hills Recreation Center. Note and File.  
(Report No. 15-057)

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13) Karen Moskowitz, Esq., to Councilmember Krekorian, relative to Studio City Recreation Center.

Referred to General Manager.

14) Anonymous, relative to Jesse Martinez and Venice Beach Skate Park.

Referred to General Manager.

15) Anonymous ("Crane & Sparrow"), relative to safety issues in Palms Recreation Center.

Referred to General Manager.

This report was prepared by Paul Liles, Clerk Typist, Commission Office.





REPORT OF GENERAL MANAGER

NO. 15-070

DATE April 15, 2015

C.D. 14


BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PERSHING SQUARE - CANCELLATION OF REQUESTS FOR PROPOSALS FOR FOOD AND BEVERAGE SERVICE CONCESSION AND BRANDED COFFEE CONCESSION; REQUEST FOR PROPOSALS FOR PERSHING SQUARE CAFÉ CONCESSION

R. Adams \_\_\_\_\_  
R. Barajas \_\_\_\_\_  
H. Fujita \_\_\_\_\_

\*V. Israel \_\_\_\_\_  
K. Regan \_\_\_\_\_  
N. Williams \_\_\_\_\_



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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Cancel the Request for Proposals (RFP) process for the Pershing Square Park Food and Beverage Service Concession approved by the Board on August 11, 2010 (Report No. 10-224);
2. Cancel the RFP process for the Pershing Square Branded Coffee Concession approved by the Board on November 19, 2014 (Report No. 14-288);
3. Approve the Pershing Square Café Concession RFP as described in the Summary of this Report, substantially in the form on file in the Board Office;
4. Direct the Board Secretary to transmit the Pershing Square Café Concession RFP to the City Attorney for review and approval as to form;
5. Direct staff to advertise the Pershing Square Café Concession RFP and conduct the RFP process, subsequent to the City Attorney's review and approval as to form; and
6. Authorize the General Manager, or designee, to make any necessary technical changes and incorporate such changes in the RFP.

## REPORT OF GENERAL MANAGER

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### SUMMARY:

Pershing Square, located at 532 S. Olive Street in Downtown Los Angeles has proven to be a very popular venue with the public. It annually hosts a summer concert series, winter season "Holiday on Ice" ice-skating rink, seasonal movie nights, and other events with each providing temporary food and beverage services. Although Pershing Square is also very popular for daily lunch visits by the surrounding business community, it does not have food or beverage services. The Department of Recreation and Parks (Department) previously explored the potential for providing such services on two (2) occasions.

On August 11, 2010, the Board of Recreation and Park Commissioners (Board) approved a Request for Proposals (RFP) process for the "Pershing Square Park Food and Beverage Service Concession" (Report No. 10-224), but nothing resulted from that effort as no proposals were received. The Nation's economy at that time was in a period of recovery from the financial crisis that impacted many business sectors, and it is believed that this may have contributed to the lack of response to the 2010 Food and Beverage Service RFP.

On November 19, 2014, the Board approved a second RFP process, for the "Pershing Square Branded Coffee" RFP (Report No. 14-288), which was to solicit proposals for a high-quality branded coffee service that would include fast and casual food, such as pastries, pre-packaged salads, sandwiches, and non-alcoholic beverages in addition to coffee.

The minimum acceptable qualifications for prospective proposers under the Branded Coffee RFP were as follows:

- A minimum of five (5) years' experience as an established brand coffee trade name currently operating in at least thirty (30) locations throughout California; or
- A minimum of five (5) years' experience as an established brand coffee trade name currently operating in at least twenty (20) locations in ten (10) states across the Country.

Subsequent to the Board's approval of the Branded Coffee RFP, staff determined that the scope of services should not be limited, and should be expanded to include food and beverage service operators with or without a branded trade name and include more than just coffee to optimize the number of potential proposals which may be received. This decision took into consideration the Board's expressed interest in developing a more robust concessions operation at Pershing Square, to increase potential revenue to the Department while providing top quality service to patrons.

As stated in Report No. 14-288, the Department had previously attempted to solicit proposals for a food and beverage operation at Pershing Square in 2010, but no proposals were received, and

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pursuant to staff's determination that a broader scope of operation for a Pershing Square concession is more favorable to the Department, staff is recommending that the 2010 Food and Beverage Concession RFP (2010 RFP) and 2014 Branded Coffee RFP (2014 RFP) be cancelled, and that a third, revised 2015 "Pershing Square Café Concession" RFP (2015 RFP) be approved and released for processing, as further described below. With the re-stabilized economy and the resurgence of residential and commercial development in the vicinity of Pershing Square, it is anticipated that the 2015 RFP, as proposed herein, will generate more interest among potential proposers, thereby optimizing the Department's revenue generating potential.

It is recommended that the aforementioned language from the 2014 RFP regarding minimum acceptable requirements be excluded from the 2015 RFP, and the scope of operations for the 2015 RFP be for a Café Concession that offers a menu of freshly prepared, hot food items with non-alcoholic and alcoholic beverage selections, in addition to pre-packaged menu items to be sold from mobile carts throughout Pershing Square. Below is the proposed language for the minimum acceptable requirements for the 2015 RFP:

It is the Department's intent to enter into a contractual agreement with a Concessionaire who has a proven track record of operating a successful café business that includes alcoholic and non-alcoholic beverages, freshly prepared hot food items, and mobile food cart service. In order for the submitted proposal to be considered, all proposing entities must clearly demonstrate a minimum of five (5) years' experience in operating a successful business as described in this RFP.

Although many of the general terms and conditions in the previously approved 2014 RFP will remain in the 2015 RFP, staff proposes additional changes beyond the expansion of the scope of services to be provided. Newly added sections and proposed modifications to existing sections of the 2014 RFP, which will be included in the 2015 RFP, are outlined below.

### Modifications to Existing Terms and Provisions

#### Proposal and Contractual Provisions

1. Proposer's and Performance Deposits: The Board approved language in the 2014 RFP that required a proposer's deposit and a performance deposit, each in the amount of Five Thousand Dollars (\$5,000.00), in the form of cashier's checks; the proposer's deposit to be submitted with the proposal and the performance deposit to be provided prior to the execution of the Concession Agreement. It is proposed that the required deposits be increased to Twenty Thousand Dollars (\$20,000) each, to ensure that only serious proposers with sufficient working capital apply for a contract award.

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2. Term: The Board-approved 2014 RFP provided for a term of Ten (10) years, with two (2) five (5) year options to renew at the sole discretion of the General Manager. It is requested that the term be decreased to ten (10) years, with no option to renew. This will allow the Department a greater level of flexibility in making essential changes to the operation of the concession if needed.
3. Hours/Dates of Operation: The Board-approved 2014 RFP states, "The selected contractor will ensure service is provided as follows: Subject to Negotiation. Seven (7) days a week, except for major holidays. Major Holidays will be defined and negotiated upon completion of the RFP process. Hours are subject to change with the prior written approval of the General Manager. The concession will be open, at a minimum, the same hours that the ice skating rink is open to the public during the annual Downtown on Ice event."

Proposed replacement language is as follows: "At a minimum, the Concession shall be open for a minimum of six (6) hours per day, year round. Concessionaire must post the hours of operation in a location visible to the public and must be open for business during the hours posted. Exceptions to the normal operating hours are as follows:

- The Concession's hours of operation will coincide with City or Department sponsored special events. The Concessionaire is responsible for coordinating the hours of operation with the Pershing Square Facility Manager."
4. Payment Terms: The Board-approved 2014 RFP provided for a monthly flat rent of \$7,000.00 per month, at minimum, with a negotiated annual increase beginning in the third contract year.

It is proposed that the language be changed in the 2015 RFP as follows:

The minimum revenue-sharing payment required is the Annual Minimum Revenue-Sharing Guarantee of:

- \$72,000 annually for years one (1) through three (3) of the contract;
- \$108,000 annually for years four (4) through six (6) of the contract;
- \$144,000 annually for years seven (7) through ten (10) of the contract;

or

12% of gross receipts from all sales, whichever is higher.

5. Alcoholic Beverages: The Board-approved 2014 RFP contains language stating that no alcoholic beverages are to be consumed, dispensed, sold, or brought onto Premises.



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Proposed language in the 2015 RFP will state that the purchase of alcoholic beverages will be limited to sales by the Concessionaire or, in the case of a City- or Department-sponsored special event, sales by a Department-approved vendor. Consumption will be limited to designated area(s). Designated area(s) may vary based on whether use is part of daily operation or part of a special event and will be determined on a case by case basis, as appropriate and according to applicable regulations.

### RFP Evaluation Criteria

The Board-approved 2014 RFP included the following four (4) evaluation criteria:

- 1) Business Plan (40 points)
- 2) Sustainability Plan (20 points)
- 3) Rent Payment (20 points)
- 4) Facility Improvements (20 points)

The evaluation criteria have been modified for the 2015 RFP and are as follows:

- 1) Business Plan (including Sustainability Plan) (20 points)
- 2) Proposed Revenue Sharing Payment (60 points)
- 3) Facility Improvements (20 points)

### FISCAL IMPACT STATEMENT:

The Board's approval of, and authorization to release, the 2015 RFP, including proposed changes from the 2014 RFP, as described in this Report, shall have no impact on the Department General Fund.

This Report was prepared by Agnes Ko, Senior Management Analyst II, Concessions Unit and Lisa Shinsato, Management Analyst II, Concessions Unit.



REPORT OF GENERAL MANAGER


NO. 15-071

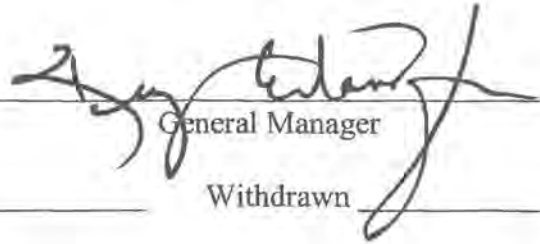
DATE April 15, 2015

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EL PASEO DE CAHUENGA PARK - AGREEMENT WITH NBCUNIVERSAL MEDIA, LLC FOR A DONATION CONSISTING OF THE CONSTRUCTION AND INSTALLATION OF PARK IMPROVEMENTS; EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

  
 General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the final design plans and specifications for the construction and/or installation of park improvements at El Paseo de Cahuenga Park, to be donated by NBCUniversal Media, LLC (NBCU), in accordance with the terms and conditions of a proposed gift agreement;
2. Approve, contingent on approval by the City Attorney, a proposed gift agreement (Agreement) with NBCU, substantially in the form on file in the Board Office, specifying the terms and conditions for the design and construction of various park improvements (collectively, "Improvements") at El Paseo de Cahuenga Park (Park), with an estimated value of up to approximately Six Hundred Thousand Dollars and no cents (\$600,000.00);
3. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form;
4. Authorize the Board President and Secretary to execute the Agreement upon receipt of

## REPORT OF GENERAL MANAGER

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the necessary approvals;

5. Authorize the Planning, Construction and Maintenance Branch (PCM) to issue a Right Of Entry (ROE) permit to NBCU, upon execution of the proposed Agreement, allowing access to the Park for construction and/or installation of the proposed Improvements, pursuant to approved plans and specifications; and,
6. Upon completion of the Improvements, accept such Improvements as a gift to the City of Los Angeles (City) from NBCU, subject to a post-development inspection approval by PCM.

### SUMMARY:

On December 10, 2014, the Board granted conceptual approval of proposed park improvements for El Paseo de Cahuenga Park (Report No. 14-317), to be designed and completed by NBCU at no cost to the City of Los Angeles. El Paseo de Cahuenga Park (Park), located at 3300 Cahuenga Boulevard, is a pocket park located within the community of Cahuenga Pass. As a part of NBCU's long-standing commitment to community participation, NBCU commissioned its architectural team, Rios Clemente Hale Studios, to design a park improvement plan for El Paseo de Cahuenga Park as part of their implementation of several community beautification projects in the Cahuenga Pass area.

Pursuant to the Site Plan and Design Rendering attached hereto as Exhibit-A, the proposed park improvements include, but are not limited to, the installation of new tables and benches, decomposed granite walkways, security lighting, seating areas near existing trees to provide shady places where patrons may eat and relax, and a formal garden entry and other landscaped areas with drought tolerant plants (collectively, Improvements). All seating areas will be accessible per the Americans with Disabilities Act (ADA). In addition, a new ADA accessible drinking fountain, an irrigation system, and a stucco buffer-wall will be constructed along the northernmost portion of the Park to buffer park patrons from the Hollywood (Hwy 101) Freeway and associated pollution and noise. The interior stucco buffer-wall facing the Park will be landscaped with evergreen trees to further help filter out air pollutants generated by the Freeway.

The Board's approval of this Report and the proposed Agreement, and authorization for PCM to issue a ROE, will authorize NBCU to proceed with the construction and/or installation of the proposed Improvements pursuant to technical and engineering designs and specifications



REPORT OF GENERAL MANAGER

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approved by PCM, and provide the same as a gift to the City, subject to the Board's acceptance, contingent upon approval of a post-development inspection by PCM. The proposed Agreement specifies the terms and conditions under which NBCU will construct and install the proposed Improvements, including the stucco buffer-wall, at no cost to the City, and pursuant to the ROE issued by PCM.

NBCU will contract directly with one or more licensed contractor(s) (collectively, "Contractors"), making invoice payments directly to such Contractors. Contractor access to the site will be authorized through the ROE permit issued to NBCU. PCM will remain in communication with NBCU and their Contractors during construction to ensure that the project is being constructed in accordance with approved plans and specifications.

The Assistant General Manager of the Operations Branch and the Superintendent of the Valley Region are aware of the project, and each supports the project and concurs with staff's recommendations, pursuant to PCM's approval of the project's technical and engineering plans and specifications and the completion of the project in accordance with such approved plans and specifications.

ENVIRONMENTAL IMPACT STATEMENT:

Staff has determined that the proposed park improvements will be accessory to the existing park, and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (3), Class 3 (6), Class 4 (3), and Class 11 (3, 6) of the City CEQA Guidelines.

FISCAL IMPACT STATEMENT:

The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by NBCU or funding sources other than the RAP's General Fund. Funds for the maintenance of the proposed park improvements will be requested as part of the annual City budget process. If maintenance funding is not granted, this Park will be included in the existing Valley Region maintenance routes, which would result in reduction in the amount of core maintenance being performed on existing routes.

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NO. 15-071

This report was prepared by Joel Alvarez, Senior Management Analyst, and Chinyere Stoneham, Senior Recreation Director, Partnership Division.





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NO. 15-072

DATE April 15, 2015

C.D. 13

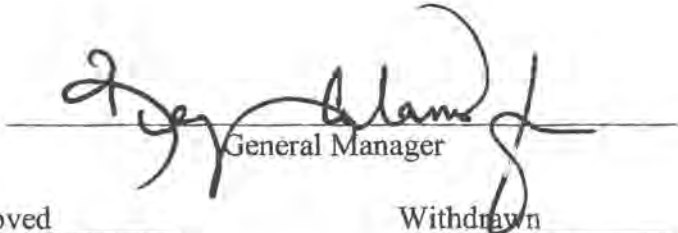
BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ECHO PARK BOATHOUSE CAFÉ CONCESSION – REQUEST FOR PROPOSALS

R. Adams  
H. Fujita  
\*V. Israel



K. Regan  
R. Barajas  
N. Williams

  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the Echo Park Boathouse Café Concession Request for Proposals (RFP) for a three (3) year Concession Agreement (Agreement), substantially in the form on file in the Board Office, subject to review and approval of the City Attorney as to form;
2. Direct the Board of Recreation and Park Commissioners (Board) Secretary to transmit the RFP to the City Attorney for review and approval as to form;
3. Direct staff, subsequent to City Attorney review and approval as to form, to advertise the RFP and conduct the RFP process;
4. Authorize the General Manager, or designee, to make any necessary technical changes and incorporate such changes in the RFP.

SUMMARY:

The Echo Park Boathouse Café Concession (Concession) is in the fifteen hundred (1,500) square foot Echo Park Boathouse (Boathouse), located at 751 N. Echo Park Avenue in Echo Park, Los Angeles, CA 90026, on the east side of Echo Park Lake (Lake). The Boathouse was originally constructed in 1932. The design of the Boathouse is in the Spanish Colonial Revival Style. The Boathouse is a historically significant contributing element to the park surrounding Echo Park Lake (Park). The thirteen (13) acre Lake is surrounded by the Park, with eleven (11) acres of open recreational space. In 2006, the City of Los Angeles (City) designated the Park as Historic-Cultural Monument (HCM) No. LA-836.



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Other amenities located close to the Lake include a baseball diamond, lighted indoor and outdoor basketball courts, a play area for children, a lighted football field, two (2) swimming pools, a soccer field, and lighted tennis courts. Besides offering a variety of recreational activities to be enjoyed by patrons, the historic Park has also long been a popular location for Hollywood filming.

The Boathouse has undergone several aesthetic and building system retrofits throughout the years. Phase I of the most recent rehabilitation effort, the Echo Park Boathouse Rehabilitation Project (Project), was completed in 2007. The Project entailed preserving the existing piles, rehabilitating the dock and providing individuals with disabilities access to the dock.

In July 2012, Phase II of the Project, including the aesthetic, and structural retrofit of the existing building and mechanical systems, was completed. The Boathouse rehabilitation was a small part of the larger Project. Two (2) long-term concessions are to be developed and located in the Boathouse, a café operation and a pedal boat rental operation.

On July 20, 2013, the Café Concession opened for operation on an interim basis, under a ninety (90) day interim permit with Square One Dining and included the exclusive right and obligation to staff, equip and operate the café. The Concession offers food and non-alcoholic beverages to Park patrons and the neighboring community.

On October 2, 2013, the Board approved and awarded Square One Dining a one (1) year concession agreement (Agreement) with two (2), one (1) year options to extend the Agreement at the discretion of the General Manager of the Department of Recreation and Parks (Department) (Board Report No. 13-244), to operate and maintain the Café Concession while an RFP for a three (3) year Agreement is developed for release. The Agreement was reviewed and approved by the Mayor's Office and the City Attorney's Office as to form. The Agreement (Contract Agreement No. 273) was executed on October 4, 2013. Square One Dining is currently operating the Café Concession. From January 2014 through December 2014, Square One Dining generated average monthly gross receipts of Forty-five Thousand Two Hundred and Twenty Dollars (\$45,220.00). An average monthly revenue share of Two Thousand Two Hundred and Sixty Dollars (\$2,260.00) was paid to the Department. The first one-year extension option was exercised. The Agreement will expire on October 10, 2015. The one (1), one (1) year option to extend the Agreement remains.

Staff has developed and is now ready to release, at the direction of the Board, a RFP for the operation and maintenance of the Concession. With this RFP, the Department seeks a qualified, experienced, and financially sound operator who will meet or exceed the Department's expectations in all operational and financial areas, and optimize service to the public and profitability of the Concession.

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NO. 15-072

Proposal and Contractual Provisions

1. Proposal Deposit: A Five Thousand Dollar (\$5,000.00) proposal deposit will be required with the submission of each proposal.
2. Term: Three (3) years.
3. Revenue-Sharing Terms: The Minimum Acceptable percentage for this RFP is nine percent (9%) of gross receipts for all food and beverage sold during the three (3) years. The annual minimum revenue-sharing payment for this Concession per calendar year will be determined by the proposer in the Pro Forma section of the selected proposal or Twenty-seven Thousand One Hundred and Forty Dollars (\$27,140.00), whichever is greater. If the annual minimum revenue-sharing payment is not met by December 31<sup>st</sup> of each calendar year, the difference between the actual revenue-sharing payment received by the Department and the annual minimum revenue-sharing fee will be due to the Department by January 15<sup>th</sup> of the subsequent year, pro-rated as necessary for the first year of operation or fractional part thereof, and pro-rated as necessary for the final year of operation or fractional part thereof.
4. Concession Improvements: No concession improvement proposals are required in the RFP. Physical improvements, repairs or physical alterations to the Boathouse are restricted due to the historical significance of the facility.

The Boathouse is a historically significant contributing element to the Park, which is designated as HCM No. LA-836 in accordance with Chapter 9, Article 1 of the Los Angeles Administrative Code. HCM No. LA-836 is listed in the California Register of Historic Resources as eligible for the National Register of Historic Places. The Boathouse is considered historically significant for California Environmental Quality Act (CEQA) purposes.

In the event improvements, repairs or physical alterations are required for any reason during the term of the Agreement, no improvements, repairs or physical alterations to the Boathouse may be initiated by selected proposer without prior written approval from the General Manager. In addition to written approval from the General Manager, the selected operator must also obtain the prior written approval of the Cultural Heritage Commission for any proposed substantial alterations to the affected area, in accordance with Section 22.171.14 of the Los Angeles Administrative Code.

Any infractions, large or small, will be treated as a material breach of the Agreement and will be subject to all of the applicable laws, fines and penalties imposed by the City's

## REPORT OF GENERAL MANAGER

PG. 4

NO. 15-072

Department of Building and Safety, as well as the Office of Historic Resources. Additional remedies may include the termination of the Agreement, including loss of all financial investment at the time of the breach.

5. **Improvements and Reserve Fund:** The Concessionaire, in addition to submitting a monthly revenue sharing payment, shall also submit to the Department a monthly reserve fund (Fund) payment in the amount of Two Hundred Dollars (\$200.00) for the purpose of repair, refurbishment, or replacement of equipment and capital improvements. This Fund shall not be used for routine repair and maintenance or replacement of equipment. The Fund shall be cumulative and carry-over from year-to-year during the term of the Agreement. In the event of the Agreement termination for any reason, or at the conclusion of the Agreement term, any amount in this Fund account will remain with the Department. Annually in January, the Concessionaire may submit a request for use of the Fund for expenditures in the coming year, for review and the written approval of the General Manager. In the event of emergency, the Concessionaire shall request in writing the use of the Fund for other purposes, or the General Manager may request use of the Fund on a specific repair, refurbishment, or replacement.
6. **Utilities:** The Concessionaire shall be responsible for utility charges associated with the Concession. Charges may include, but are not limited to, deposits, installation costs, meter deposits, and all service charges for water, gas, electricity, heat, air-conditioning, trash pick-up, and other utility services to the premises, and shall be paid by the Concessionaire regardless of whether such utility services are furnished by the City or by other utility service providers. The Concessionaire will pay directly for telephone services, which will be in the name of the Concessionaire. In the event that individual utility meters are not available, the Concessionaire shall remit, on a monthly basis in conjunction with revenue-sharing and monthly reserve fund payments to the Department, the amount of Four Hundred Fifty Dollars (\$450.00) as payment for utilities. Payment of utilities will be subject to increase after the first year of operation to cover increasing utility costs.
7. **Contractual and Financial Terms:** The City will enter into an Agreement whereby the City has no financial responsibility or liability for operation of the Concession and the City will share in profits in the form of a percentage of gross revenue and annual minimum revenue sharing payment in addition to monthly reserve fund payment and utility payments if applicable.
8. **Performance Deposit:** A Performance Deposit (Deposit) will be required to be maintained for the duration of the Agreement in the amount of Five Thousand Dollars (\$5,000.00). The Deposit will be in the form of a cashier's check made out to the City of Los Angeles.



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### Evaluation Process

Proposals will be evaluated in two (2) Levels. Level I will be a check and review by Concessions Unit staff for required compliance to City contracting requirements and submittal documents. Level II will be a comprehensive evaluation of the proposals by a panel comprised of qualified persons not part of the Concessions Unit that may include individuals outside the Department. Proposers must successfully pass Level I to proceed to Level II.

### RFP Evaluation Criteria Areas

For the purposes of evaluation, the proposals that passed Level I will be evaluated on the criteria below (Level II):

- 1) Business Plan (25 points)
- 2) Proposed Revenue-Sharing Payment (75 points)

The RFP documents will be advertised in the Los Angeles Daily Journal; made available on the Department's website; and posted on the Los Angeles Business Assistance Virtual Network (BAVN). A letter inviting bids will be mailed to organizations and individuals from a mailing list maintained by the Concessions Unit. The anticipated time of completion for the RFP process is approximately twelve (12) to eighteen (18) months.

A mandatory Pre-Proposal Conference will be held approximately one (1) month after the release of the RFP in order to provide potential proposers with a review of the submittal documents, compliance documents and requirements for the Business Inclusion Program (BIP) as mandated by the Mayor's Executive Directive No. 14, Villaraigosa Series, and the Board's policy for the adoption and implementation of BIP (Board Report No. 12-050, approved February 15, 2012). Additionally, a mandatory site walk will be conducted after the conference in order for the potential proposers to view the facility to get a better understanding of the operation and maintenance of the Concession.

### FISCAL IMPACT STATEMENT:

Releasing the Request for Proposals will have no impact to the Department's General Fund.

Report prepared by Felice Chen, Management Analyst II, Concessions Unit, Partnerships Division.



REPORT OF GENERAL MANAGER

NO. 15-073

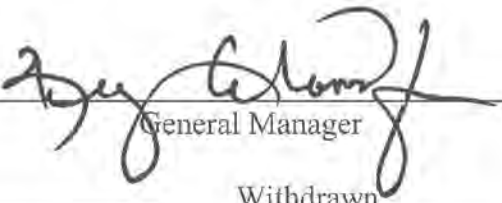
DATE April 15, 2015

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GLADYS JEAN WESSON PARK - ACCEPTANCE OF LANDSCAPE AND RECREATIONAL IMPROVEMENTS INSTALLED BY LOS ANGELES NEIGHBORHOOD INITIATIVE

R. Adams	<u>CSDF</u>	V. Israel	_____
*R. Barajas		K. Regan	_____
H. Fujita		N. Williams	_____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Adopt a resolution, substantially in the form on file in Board Office, and accept landscape and recreational improvements installed at 2440, 2436, 2500, and 2508 South West Boulevard pursuant to the Donation Agreement between the City of Los Angeles (CITY) and the Los Angeles Neighborhood Initiative (LANI) for the acquisition, development, and construction of new parks in Los Angeles as a gift from LANI;
2. Direct the Board Secretary to furnish LANI with a letter of acceptance; and;
3. Authorize the installation of appropriate park signage and acknowledgement signage consistent with Department Policy.

SUMMARY:

On March 2, 2011, the Board of Recreation and Park Commissioners (Board) approved a proposed Donation Agreement (Agreement), between CITY and Los Angeles Neighborhood Initiative (LANI) for the development, and construction of new parks in the City of Los Angeles (Board Report No. 11-071).

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As detailed in the Agreement, CITY and LANI are to collaborate on the preparation and submittal of grant applications and conceptual plans for the prospective park projects identified in Exhibit A of the Agreement. Once funding is successfully identified and awarded to those prospective park projects, LANI is responsible to coordinate the acquisition (where necessary), development, and construction of each park project. LANI is required to develop plans for each park project and present those plans to Department of Recreation and Parks (RAP) for review and approval. Upon completion of construction of each prospective park by LANI, RAP staff will submit the completed project to the Board for final approval and acceptance. If accepted by the Board, RAP will be responsible for long-term maintenance and operation of each park developed and constructed under the terms of the Agreement.

One of the prospective park projects identified in Exhibit A of the Agreement is the West Boulevard Park Project, which proposed the development of a new 0.21 acre public park at 2508, 2500, 2440 and 2436 South West Boulevard in the West Adams area of the City. The project scope of work included the construction of site furnishings, playground equipment, irrigation, landscaping and lighting, and various standard park amenities. It should be noted that, on June 11, 2014, the Board approved the renaming of West Boulevard Park to Gladys Jean Wesson Park (Report No. 14-155).

The total cost of the project was approximately \$518,000.00. Project funding was made available from the Proposition 84 Statewide Park Program.

The project is now complete, and LANI has furnished RAP with the required permits, drawings, operation and maintenance manuals, warranties and guarantees.

Staff has determined that the subject project was previously evaluated for environmental impacts (Board Report No. 11-071) in accordance with California Environmental Quality Act (CEQA) and was determined to be exempt from the provisions of CEQA pursuant to Article III, Section 1, Class 3(6), Class 4(1, 3), Class 11(3) of the City CEQA Guidelines and Article 19, Section 15325(t) of the State CEQA Guidelines. A Notice of Exemption (NOE) was filed with the Los Angeles County Clerk on March 25, 2011. The scope of the project and environmental setting has not changed substantially since the NOE was filed, and therefore, no additional CEQA documentation is required.

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FISCAL IMPACT STATEMENT:

The annual maintenance cost of the park is estimated at \$20,000. Maintenance funds for the new park will be requested as part of the annual City budget process. This budget includes part-time staff, materials and supplies. This will provide maintenance seven days a week, year round.

This report was prepared by Darryl Ford, Principal Project Coordinator, Planning, Construction, and Maintenance Branch.



REPORT OF GENERAL MANAGER

NO. 15-074


DATE April 15, 2015

C.D. 6

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MID-VALLEY INTERGENERATIONAL MULTIPURPOSE CENTER (W.O. #E170239F); HOLLYWOOD RECREATION CENTER – POOL AND POOL BUILDING (PRJ1402B) (W.O. #170344F) – ACCEPTANCE AND RELEASE OF STOP PAYMENT NOTICES ON CONSTRUCTION CONTRACT NO. 3442 AND 3454

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

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

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

SUMMARY:

STOP PAYMENT NOTICE:

The Department is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8044, 9100, 9350, 9352, and 9354 on the following contracts:



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<u>Contract 3442</u>	CD 6	General	Mallcraft, Inc.
Mid-Valley Intergenerational Multipurpose Center (W.O. #E170239F) Project		Contractor:	
Project Status: Complete		Claimant:	I & E Cabinets, Inc.
Project Impact: none		Amount:	\$4,293.00

RELEASE OF STOP PAYMENT NOTICE:

The Department is in receipt of a Release of Stop Payment Notice pursuant to California civil code Section 8128 filed by the claimant below, which releases the Board from any and all liability for withholding funds from the general contractors or the sureties:

<u>Contract 3442</u>	CD 6	General	Mallcraft, Inc.
Mid-Valley Intergenerational Multipurpose Center (W.O. #170239F)		Contractor:	
Project Status: Complete		Claimant:	Dustin Smith Equipment, Inc.
Project Impact: none		Amount:	\$33,494.00

Contract 3454	CD 13	General	Morillo Construction, Inc.
Hollywood Recreation Center – Pool and Pool Building (PRJ140213)		Contractor	
Project Status: Construction		Claimant:	Dancro Crop.
Project Impact: None		Amount:	\$128,154.00

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund, as funds have already been appropriated for this purpose.

This report was prepared by LaTonya D. Dean, Commission Executive Assistant II.



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NO. 15-075

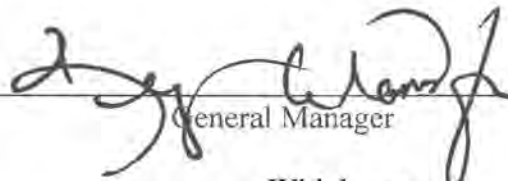
DATE April 15, 2015

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RUNYON CANYON PARK – ROADWAY RENOVATION (PRJ20490)  
PROJECT – MODIFICATION OF THE PROJECT SCOPE; ALLOCATION OF  
QUIMBY FEES

R. Adams	_____	V. Israel	_____
*R. Barajas	<u>CSDf</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the modified scope of the Runyon Canyon Park – Roadway Renovation (PRJ20490) project, as described in the Summary of this Report;
2. Authorize the Department of Recreation and Parks (RAP) Chief Accounting Employee to transfer Quimby Funds in the amount of \$115,688.00 from Quimby Fees Account No. 89460K-00 to Runyon Canyon Park Account No. 89460K-RN;
3. Approve the allocation of \$115,688.00 in Quimby Fees from Runyon Canyon Park Account No. 89460K-RN for the Runyon Canyon Park – Roadway Renovation (PRJ20490) project, as described in the Summary of this Report; and,
4. Authorize the Department’s Chief Accounting Employee to make technical corrections as necessary to carry out the intent of this Report.

## REPORT OF GENERAL MANAGER

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NO. 15-075

### SUMMARY:

Runyon Canyon Park is located at 2000 North Fuller Avenue in the Hollywood community of the City. This 136.76 acre facility provides open space, hiking trails, and an off-leash dog exercise area for the use of the local community. Approximately 8,055 City residents live within a one half mile walking distance of Runyon Canyon Park. Due to the facilities, features, programs, and services it provides, Runyon Canyon Park meets the standard for a Community Park, as defined in the City's Public Recreation Plan.

The Board has approved the allocation of a total of \$264,508.00 in Quimby Fees for the Runyon Canyon Park – Roadway Renovation (PRJ20490) project (Board Report No. 13-043). The scope of the approved project included improvement of the existing paved roadway and associated pedestrian accessibility improvements.

The implementation of the Runyon Canyon Park – Roadway Renovation (PRJ20490) project has been temporarily postponed as RAP is coordinating with the Department of Water and Power (LADWP) on the relocation of an existing LADWP water line, and an associated easement, which is located along the alignment of the existing roadway. It is anticipated that once LADWP completes their plans for the relocation of the water line, and has those plans approved by RAP, the Runyon Canyon Park – Roadway Renovation (PRJ20490) project will be able to move forward. In the interim, RAP staff has identified various slope repair, drainage, and fencing improvements that are necessary at Runyon Canyon Park and recommends that the scope of project be modified to include these additional improvements and that supplemental funding be allocated to the project.

Upon approval of this Report, \$115,688.00 in Quimby Funds can be transferred from the Quimby Fees Account No. 89460K-00 to the Runyon Canyon Park Account No. 89460K-RN and allocated to the Runyon Canyon Park – Roadway Renovation (PRJ20490) project. These Quimby Fees were collected within two (2) miles of Runyon Canyon Park, which is the standard distance for the allocation of the Quimby Fees for community recreational facilities. The total funding available for Runyon Canyon Park – Roadway Renovation (PRJ20490) project, including previously allocated Quimby Funds, would be \$380,196.00.

Staff has determined that the subject project is a continuation of an existing project approved on February 20, 2013 (Board Report No. 13-043) that is exempted from CEQA [Class 1(1,3)]. The work funded by the current Board action will not result in any additional environmental impacts, and therefore, is covered by the existing CEQA exemption. No additional CEQA documentation is required.

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FISCAL IMPACT STATEMENT:

The approval of this allocation of Quimby Fees will have no fiscal impact on the Department.

The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by Quimby Fees or funding sources other than the Department's General fund. The maintenance of the proposed park improvements can be performed by current staff with no overall impact to existing maintenance service at this facility.

This report was prepared by Darryl Ford, Principal Project Coordinator, Planning, Construction, and Maintenance Branch.



REPORT OF GENERAL MANAGER

NO. 15-076

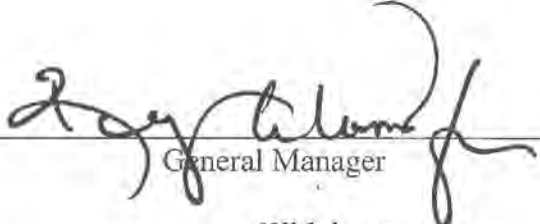
DATE April 15, 2015

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: NORMANDIE AND CORDOVA PARK – ACCEPTANCE OF LANDSCAPE AND RECREATIONAL IMPROVEMENTS INSTALLED BY LOS ANGELES NEIGHBORHOOD INITIATIVE

R. Adams	_____	V. Israel	_____
*R. Barajas	<u>CSDF</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Adopt a resolution, substantially in the form on file in Board Office, and accept landscape and recreational improvements installed at 1903 West Cordova Street pursuant to the Donation Agreement between the City of Los Angeles (City), and the Los Angeles Neighborhood Initiative (LANI) for the acquisition, development, and construction of new parks in Los Angeles as a gift from LANI;
2. Direct the Board Secretary to furnish LANI with a letter of acceptance; and;
3. Authorize the installation of appropriate park signage and acknowledgement signage consistent with Department policy.

SUMMARY:

On March 2, 2011, the Board of Recreation and Park Commissioners (Board) approved a proposed Donation Agreement (Agreement), between the City and LANI for the development and construction of new parks in the City of Los Angeles (Report No. 11-071).



## REPORT OF GENERAL MANAGER

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As detailed in the Agreement, City and LANI are to collaborate on the preparation and submittal of grant applications and conceptual plans for the prospective park projects identified in Exhibit A of the Agreement. Once funding is successfully identified and awarded to those prospective park projects, LANI is responsible to coordinate the acquisition (where necessary), development, and construction of each park project. LANI is required to develop plans for each park project and present those plans to Department of Recreation and Parks (RAP) for review and approval. Upon completion of construction of each prospective park by LANI, RAP staff will submit the completed project to the Board for final approval and acceptance. If accepted by the Board, RAP will be responsible for long-term maintenance and operation of each park developed and constructed under the terms of the Agreement.

One of the prospective park projects identified in Exhibit A of the Agreement is the Normandie and Cordova Park Project, which proposed the development of a new 0.09 acre public park at 1903 West Cordova Street in the West Adams area of the City. The project scope of work included the construction of a children's play area, outdoor fitness equipment, and site amenities such as landscaping, trees, and a decorative gate. It should be noted that Normandie and Cordova Park is also referred to and known as "West Adams Heights Park"; although no formal naming of the park site has yet been approved by the Board.

The total cost of the project was approximately \$760,000.00. Project funding was secured by LANI made available from the Proposition 84 Statewide Park Program.

The project is now complete, and LANI has furnished the RAP with the required permits, drawings, operation and maintenance manuals, warranties and guarantees.

Staff has determined that the subject project was previously evaluated for environmental impacts (Report No. 11-071) in accordance with California Environmental Quality Act (CEQA) and was determined to be exempt from the provisions of CEQA pursuant to Article III, Section 1, Class 3(6), Class 4(1, 3), Class 11(3) of the City CEQA Guidelines and Article 19, Section 15325(t) of the State CEQA Guidelines. A Notice of Exemption (NOE) was filed with the Los Angeles County Clerk on March 25, 2011. The scope of the project and environmental setting has not changed substantially since the NOE was filed, and therefore, no additional CEQA documentation is required.

### FISCAL IMPACT STATEMENT:

The annual maintenance cost of the park is estimated at \$15,000.00. Maintenance funds for the new park will be requested as part of the annual City budget process.

This report was prepared by Darryl Ford, Principal Project Coordinator, Planning, Construction, and Maintenance Branch.

REPORT OF GENERAL MANAGER

NO. 15-077

DATE April 15, 2015

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 50 PARKS INITIATIVE – ALPINE RECREATION CENTER EXPANSION PROJECT (ORD AND YALE STREET PARK) – RESCISSION OF APPROVAL OF AMENDMENT TO PURCHASE AND SALE AGREEMENT, FINAL AUTHORIZATION TO ACQUIRE A PORTION OF LOS ANGELES COUNTY ASSESSOR’S PARCEL NUMBER 5407-025-017; AUTHORITY TO GRANT A LIMITED ACCESS EASEMENT; PRELIMINARY AUTHORIZATION TO ACQUIRE AN ADDITIONAL PARCELS; EXEMPTION FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT

R. Adams	<u>                    </u>	V. Israel	<u>                    </u>
*R. Barajas	<u>CSDF</u>	K. Regan	<u>                    </u>
H. Fujita	<u>                    </u>	N. Williams	<u>                    </u>

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Rescind Recommendation No. 2 of Report No. 14-234, approved by the Board on September 3, 2014 and authorize staff to proceed with acquisition as was approved by the Board on September 18, 2013, through Report No. 13-230;
2. Authorize staff to request the Department of General Services (GSD) to proceed with the acquisition of a portion of a parcel identified by Los Angeles County Assessor’s Parcel Number (APN): 5407-025-017 approved by the Board on September 18, 2013, through Report No. 13-230 and as described in the Legal Description and per the approved and executed Purchase and Sale Agreement (PSA) as recommended by GSD and approved by the City Attorney’s Office;
3. Authorize necessary spending from Proposition K funds for the acquisition of a portion of APN: 5407-025-017 to complete the Alpine Recreation Center Expansion Project (Ord and Yale Street Park), and related pre- acquisition or acquisition costs;

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Funding Sources:

There is sufficient funding available for the acquisition of the portion of the parcel identified by APN: 5407-025-017. It should be noted that Proposition K funds are expected to be used to pay for all acquisition related costs such as appraisals, environmental site assessments costs, and escrow closing costs. Capital B Funds will be used to cash flow as needed, necessary due diligence and pre-acquisition costs and any other acquisition related costs for all related Project acquisitions.

It is estimated that there is currently \$313,500.00 in Proposition K for acquisition and \$4,999,705.00 in Proposition 84 for the development of the Project.

Environmental:

Staff has determined that the Project is a continuation of an existing project approved on September 18, 2013 (Report No. 13-230) that is exempted from CEQA [Class 3(6) of the City CEQA Guidelines, and Article 19, Section 15325, Class 25(f) of the State CEQA Guidelines]. The current Board action will not result in any additional environmental impacts, and therefore, is covered by the existing CEQA exemption. No additional CEQA documentation is required.

In addition to the CD 1, the Assistant General Manager and Superintendent for the Metro Region have been consulted and concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

At this time, the impact to the Department's General Fund is the cost for the acquisition of APN: 5407-025-017, estimated at \$224,745.58, which includes \$10,000.00 in closing costs. As indicated in the Summary of this Report, the final design of the proposed park has not been determined and will be presented to the Board for final approval at a later time. Once the Project is completed, operational maintenance costs will be determined. Upon the Project completion, a request for funding will be submitted in future Department annual budget requests.

This Report was prepared by John Barraza, Management Analyst II of the Real Estate and Asset Management Unit, Planning, Construction and Maintenance Branch.

Attachments: Site Map  
Report No. 13-230  
Report No. 14-234



REPORT OF GENERAL MANAGER

PG. 2

NO. 15-077

4. Authorize Department of Recreation and Parks (Department) to use Capital B Funds (Fund 302, Department 89, Account No. 89270K-(G)) as needed to cash flow necessary due diligence and pre-acquisition costs and any other acquisition related costs for all related Alpine Recreation Center Expansion Project acquisitions;
5. Grant a limited access easement for maintenance purposes to the owner of the parcel identified as APN 5407-025-017. Said easement document is to be prepared by the City Attorney's Office; and,
6. Authorize staff and GSD to begin preliminary acquisition work, due diligence and negotiations on the southeasterly portion of the vacated Teed Street (VAC No. 82-1282467) as part of this acquisition and development project, as described in the Summary of this Report.

SUMMARY:

The Alpine Recreation Center Expansion Project (Project) also known as Ord and Yale Street Park is a Proposition K specified project. The Proposition K line item scope of work states "*property acquisition for park expansion*" for Alpine Recreation Center, which is located at 817 Yale Street in the Chinatown area of the City. Three (3) parcels have already been acquired by the City. The City is now ready to proceed with the acquisition of a portion of a 4th parcel identified as APN 5407-025-017. In addition to acquisition of a portion of APN 5407-025-017, and as discussed later in this Report, there are still other potential acquisitions that are necessary to complete the Project.

A complete Project summary, history and background information regarding the Project is contained in Report No. 13-230 and Report No. 14-234, both are attached hereto for reference purposes. On May 1, 2013, the Board granted final authority to acquire three (3) parcels through Report No. 13-106. Those parcels identified here as APN: 5407-025-009, APN: 5407-025-010 and APN: 5407-025-015. As noted earlier, those three (3) parcels have since been acquired. Parcel described above are now officially identified as: APN: 5407-025-900, APN: 5407-025-902, and APN: 5407-025-901 respectively.

Acquisition of APN: 5407-025-017:

With full support of the Council Office, on September 18, 2013, through Report No. 13-230, the Board approved the acquisition of a portion of a fourth (4<sup>th</sup>) parcel identified by APN: 5407-025-017. The City is proceeding with the acquisition of an irregular shaped portion of this parcel. Acquisition of a portion of APN: 5407-025-017 will also require a lot line adjustment. The owner of said parcel is currently processing the lot line adjustment and addressing outstanding title lien issues which will require more time to resolve. A portion of the required parcel is needed to meet

REPORT OF GENERAL MANAGER

PG. 3

NO. 15-077

the overall Project scope as was presented by the CRA/LA to the State. CRA/LA presented its scope to include the portion of the parcel identified by APN: 5407-025-017.

The Department of Public Works, Bureau of Engineering (BOE), Survey Division surveyed the portion of parcel APN: 5407-025-017 to be 5,140 square feet. The Department will acquire the BOE surveyed parcel portion after the lot line adjustment/certificate of compliance is completed by the owner. The Department acquired said parcel as approved by the Board on September 18, 2013 through Report No. 13-230. As indicated in the approved and executed PSA, the proposed purchase price for the portion of the fourth (4<sup>th</sup>) parcel as recommended by GSD is \$214,745.58.

As noted in Report No. 14-234, at that time, the City desired to purchase a smaller portion of APN: 5407-025-017 based on City Staff recommendations. However, because the acquisition price had already been negotiated and agreed upon by all parties and because the PSA was already executed for a higher purchase price for a larger portion of the land, the City was not able to purchase a smaller portion of land and the seller was not willing to sell a smaller portion of the parcel at a lower negotiated price. Therefore, the City will now proceed with the acquisition for the original purchase price and larger portion of the property as indicated in the executed PSA and as approved on September 18, 2013 by the Board via Report No. 13-230.

The City will also need to provide a limited access easement to the owner of said property in order for the owner to perform maintenance work on his property. Said easement document will be prepared by the City Attorney's Office. The owner of the parcel identified by APN: 5407-025-017 does not have direct access from Ord Street. to a wall area within APN: 5407-025-017. Therefore, the owner has requested access to this wall area to maintain the wall which will require access through RAP's property along Ord Street. Staff recommends granting the owner an easement for this limited purpose based on the recommendations of BOE as to the least intrusive and disruptive route based on the City's/BOE's design plan.

It is estimated that an additional \$10,000.00 is required for payment of closing fees. Therefore, the total property acquisition cost is estimated to be \$224,745.58. Escrow costs and related pre-acquisition costs will initially be funded by Capital B Funds: Fund 302, Department 89, Account No. 89270K-CG and will be reimbursed by Proposition K at a later time if Proposition K funds are not available at the time of acquisition.

Below is a breakdown of all acquisitions to date:

1. APN: 5407-025-009 final price \$432,000.00. Acquired November 7, 2013
2. APN: 5407-025-010 final price \$144,000.00. Acquired November 7, 2013
3. APN: 5407-025-015 final price \$288,000.00. Acquired November 7, 2013
4. Portion of APN: 5407-025-017 estimated price of \$45.71 per square feet for an estimated amount of \$214,745.58. Acquisition Pending.

REPORT OF GENERAL MANAGER

PG. 4

NO. 15-077

Total for three (3) parcels: \$864,000.00

Total for four (4) parcels: \$1,078,745.58

Purchase and Sale Agreement:

The PSA that was approved by the Board through Report No. 13-230 on September 18, 2013, reflects the current purchase value of the parcel identified by APN: 5407-07-5017. Department of Public Works, BOE, Survey Division has identified and surveyed the portion that is to be acquired. The PSA for the acquisition of a portion of APN: 5407-025-017 was executed on September 30, 2013.

Request for Granting of Easement:

Staff is recommending that an easement be granted to the property owner of the parcel identified by APN: 5407-025-017 in order for the owner to perform maintenance work on his wall as needed upon request and approval from the Department. Access will only be granted when requested by the owner and approved by Department staff for maintenance purposes at the discretion of Department staff. The owner of the parcel identified by APN: 5407-025-017 has no access to his property from Ord Street. to perform maintenance work on his wall and thus will require access through Department's property. As stated, City Attorney will draft document language for the easement that will be granted to said owner.

Teed Street Parcel:

As a result of unforeseen title issues due to erroneous recordation of title documents and the CRA's failure to determine site control of the Project site, City Staff discovered, upon extensive research and investigation that the City could potentially have to purchase a 5<sup>th</sup> parcel. This 5<sup>th</sup> parcel was erroneously initially believed to belong to the City's Library Department. City Staff has determined that said parcel which lies in the south easterly portion of the vacated Teed Street is currently owned by a private party and is not under City ownership. In order to complete site assemblage for the Project as was presented by the CRA, the Department will have to acquire/purchase this 5<sup>th</sup> parcel; which is comprised of the southern portion of the vacated street identified by Vacation No. 82.1282467. Please refer to the attached map for location purposes.

GSD staff is currently attempting to contact the current owners of the southern portion of the vacated Teed Street in the hope that an agreement can be reached to transfer said property to the Department/City since it appears that the erroneous recordation of title documents resulted in a failure of the City acquiring title to the vacated portions of Teed Street in addition to the Library property the City acquired at that time. The vacated southern portion of Teed Street identified by

## REPORT OF GENERAL MANAGER

PG. 5

NO. 15-077

Vacation No. 82.1282467 and the City's Parcel Identification Numbers (PIN) PIN: 133-5A213-272 and PIN: 133-5A213-276 should have been transferred to the City when the City Acquired the Library property. Department staff is requesting that the Board grant preliminary authority to proceed with negotiations for these parcels.

### Pending Title Issues:

With regard to the overall Project, there are pending title issues involving encumbrances, street vacations, lot splits/lot adjustments, ownership confirmation and acquisition of additional parcels. These issues could present additional costs and liability for the Department if these issues have a significant impact on the Project site and the development of a park. There is the possibility that additional vacations of parcels and acquiring additional parcels could result in additional costs to the Project. These issues are being analyzed and reviewed, and depending on the findings, additional costs could result. At this time, the Department cannot determine the potential costs related to these and other issues. Council District 1 (CD 1) is aware of these issues and has been informed. CD 1 strongly supports moving forward with the acquisitions and strongly stresses that this site meet all the requirements for a new park in the area, and is part of larger redevelopment plans for Chinatown and connections to the rest of the Downtown area.

As part of its due diligence, the Department has indicated to GSD that all title issues must be resolved prior to acquisition of the parcels and that it should only acquire the portion of APN: 5407-025-017 after all title and lot line adjustment issues have been resolved, approved and cleared. Although the site itself would make for a good park in the area, the environmental and/or title issues are a concern to the Department staff and therefore, staff recommends caution with this acquisition and that all title and acreage issues be resolved and clearly understood prior to the Department acquiring any further parcels. Should other conditions arise beyond those already covered in this Report, the Board's approval will be obtained prior to the close of escrow.

It should be noted that funding for the development of the Project will be provided from Proposition 84. At this time, further study is needed to determine the appropriate development plan for the Project site as the site presents several complex engineering difficulties that will need to be analyzed before the site is developed and that could increase the cost of the development. There is no additional information on development plans or costs. To summarize, this Report addresses the approval of necessary funding to complete the acquisition of the portion of the parcel identified by APN: 5407-025-017, the granting of an access easement and the request to begin preliminary negotiations for acquisition of additional parcels and approval of necessary funds as part of preliminary acquisition costs and due diligence and any other necessary costs associated with this Project.



Alpine Recreation Center Expansion  
(Ord and Yale Street Park)



This map is a vector generated from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.





10/10/2017

San Diego, CA - 92101  
 Ord Street  
 Yale Street





REPORT OF GENERAL MANAGER

NO. 13-230

DATE September 11, 2013

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 50 PARKS INITIATIVE – ALPINE RECREATION CENTER EXPANSION PROJECT (ORD AND YALE STREET PARK) – ACQUISITION OF VARIOUS PARCELS – APPROVAL OF PURCHASE AND SALE AGREEMENTS AND EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

R. Adams  
H. Fujita  
V. Israel

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

K. Regen  
\*M. Shull  
N. Williams

General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Rescind Recommendation No. 1 and Recommendation No. 2, of Board Report No. 13-106 and Resolution No. 10371;
2. Adopt the Resolution, substantially in the form on file in the Board Office, which authorizes staff to request the assistance of the Department of General Services (GSD) and other City entities, per Charter Section 594(a) and (b), in obtaining fee title to three (3) parcels totaling 0.242 acre or 10,570 square feet, located at 524 West Ord Street Los Angeles, California 90012, Los Angeles County Assessor Parcel Numbers (APN) 5407-025-009, APN 5407-025-010, and APN 5407-025-015, with an option to purchase a portion of a fourth Parcel with APN 5407-025-017, to be purchased within a year subject to the owner being able to obtain all approvals and clearances necessary for a lot split or lot line adjustment;
3. Approve the use of Capital Park Development B Account funds (Department No. 89, Fund No. 302, Account No. 89270K-CG) or alternative funding source undetermined as of the drafting of this Report, for the acquisition of three (3) parcels through fee title and the option to purchase a portion of a fourth parcel within a year, all near 524 West Ord Street, Los Angeles, California 90012 identified by APN 5407-025-009, APN 5407-025-010, and

REPORT OF GENERAL MANAGER

PG. 3

NO. 13-230

7. In order to expedite the acquisition of the proposed project, authorize the Board President and Secretary to execute three (3) Purchase and Sale Agreements (PSAs) upon receipt of the necessary approvals, and request and grant authority to GSD and to the City Attorney's Office to review, negotiate, draft, finalize and execute forthwith the three (3) PSAs on behalf of the Board, if necessary, pending final review and approval by GSD Asset Management Division subject to the approval of the City Attorney as to form, and upon completion and approval of all conditions indicated in this Board Report;
8. Authorize GSD, the Department of Public Works, and the Department's Chief Accounting Employee to make technical corrections as necessary to establish the necessary accounts to acquire and or reimburse accounts for the project site, and to accept, and transfer the necessary monies to fund the acquisition to the appropriate City Department accounts or escrow company account in order to expeditiously complete the acquisitions of the Alpine Recreation Center Expansion project (Ord and Yale Street Park); as intended by the City of Los Angeles, City Council; and,
9. Authorize the Board Secretary to execute the escrow instructions and to accept the grant deeds for the subject properties, as approved by the City Attorney, which shall be set apart and dedicated as park properties in perpetuity; and,
10. Direct Staff to file a Notice of Exemption with the Los Angeles County clerk.

SUMMARY:

The Alpine Recreation Center Expansion project (Ord and Yale Street Park) is a Proposition K Specified project. The Proposition K line item scope of work states "property acquisition for park expansion" for Alpine Recreation Center, which is located at 817 Yale Street in the Chinatown Area of the City.

On November 7, 2006, California voters passed the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84), which authorizes \$5.4 billion in general obligation bonds for a number of State grant programs. One of the grant programs created was the Statewide Park Development and Community Revitalization Program. A total of \$368,000,000.00 has been dedicated to this program to make grant awards to projects that demonstrate the creation of new park and recreation facilities in proximity to the most critically underserved communities throughout California on a competitive basis in two (2) rounds (\$184,000,000.00 available each round).



## REPORT OF GENERAL MANAGER

PG. 5                      NO. 13-230

Since that action was approved by RAP Board on May 1, 2013, through Board Report No. 13-106, it has now been determined that the City wishes to also acquire an irregular shaped portion of an existing fourth parcel that will require a lot split or lot line adjustment to meet the overall project scope as was presented by the CRA/LA to the State. A portion of Parcel identified by APN 5407-025-017 has now been added to the list of properties to be acquired as part of this project.

In recognition of the need to develop a coordinated long-term strategy to meet the recreation needs of current and future residents of the City, RAP has launched an initiative to acquire and develop at least fifty (50) sites into new public parks - The 50 Parks Initiative. The primary goal of the initiative is to increase the number of parks and facilities across the City of Los Angeles (CITY) with a specific focus on densely populated neighborhoods and communities that lack sufficient open space and recreational services.

The development of fifty (50) new public parks will provide innumerable physical, social, health, and environmental benefits for local communities. These new parks will help stabilize neighborhoods and property values by providing needed public infrastructure improvements, removing blight caused by abandoned buildings and empty lots, and beautifying underutilized public property.

As part of the 50 Parks Initiative, RAP now is interested in acquiring three (3) parcels and a portion of a fourth parcel all located near 524 West Ord Street in Los Angeles, California 90012. The total lot area for the three (3) parcels is approximately 0.242 acre or 10,570 square feet. Parcel APN 5407-025-009 is approximately 5,193 square feet, parcel APN 5407-025-010 is approximately 1,793 square feet and parcel APN 5407-025-015 is approximately 3,584 square feet. Currently, the parcels identified by APN 5407-025-009, APN 5407-025-010, and APN 5407-025-015 are all vacant lots. The fourth parcel that the RAP is interested in acquiring is a parcel identified by APN 5407-025-017. RAP is interested in acquiring only the vacant portion of parcel APN: 5407-025-017. The parcel has an apartment building on it and the City is required to acquire the vacant portion of APN 5407-025-017 located to the south of the parcel identified by APN 5407-025-015 because this portion is included in the initial project scope that was prepared by the former CRA/LA. The Department of Public Works, Bureau of Engineering, Survey Division has estimated the portion to be approximately 4,769 square feet. RAP will acquire an as yet undetermined portion of APN: 5407-025-017 after a lot split is completed by the owner at no cost to RAP and a legal description is prepared by the owner identifying the exact boundary and area of the fourth parcel that is to be acquired. The proposed purchase price for the portion of the fourth parcel is \$45.71 per square feet for an estimate of \$ 217,990.99. The estimate is based on 4,769 square feet.

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NO. 13-230

Pending title issues involving, encumbrances, vacations, lot splits, and additional parcels could affect cost and liability for RAP if these issues have significant impact on the project site and the development of a park. As of the drafting of this Report, there is the possibility that vacations of existing parcels and acquiring additional parcels could result in additional costs to this project. Also, at this time the projected cost/estimate of a portion of the fourth parcel or option parcel could increase from \$217,990.99 to include unknown title costs. These issues are being analyzed and reviewed, and depending on the findings, additional costs could result. At this time, RAP cannot determine the potential costs related to this and other issues. Council District No. 1 is aware of these issues and has been informed. Nevertheless, Council District No. 1 strongly supports this acquisition and stresses that this site meets all requirements for a new park in the area. As part of its due diligence RAP has indicated to GSD that all title issues must be resolved prior to acquisition of the parcels and that it should only acquire the option parcel after all title and lot split or lot line adjustment issues have been resolved, approved and cleared. Although the site itself would make for a good park in the area, the environmental and/or title issues are a concern to RAP staff and, therefore, staff recommends caution with this acquisition and that all title and acreage issues be resolved and clearly understood prior to RAP acquiring the parcels. Should other conditions arise beyond those already covered in this report, the Board's approval will be obtained prior to the close of escrow.

To determine the fair market value for the above mentioned properties identified by APN 5407-025-009, APN 5407-025-010, APN 5407-025-015, and the option parcel APN 5407-025-017, GSD used Formal Appraisals prepared by an independent appraiser. Appraisals were prepared on July 23, 2012. According to GSD, the estimated values of the appraisals for APN 5407-025-009 and APN 5407-025-015 were determined to be \$325,000.00 and \$215,000.00 respectively as of July 23, 2012. An appraisal for APN 5407-025-010 and a portion of parcel APN 5407-025-017 was prepared on July 23, 2013 with a value of \$195,000.00. GSD had concurred with the appraiser's valuation methodology used to arrive at the value for the subject properties. As of the drafting of this Report, GSD was negotiating a purchase price that is consistent with their professional opinion of market value for the properties. GSD continues to negotiate and has made a new offer to the owners of APN 5407-025-009 and APN 5407-025-015 and to the owners of APN 5407-025-010 and a portion of parcel APN 5407-025-017. These new offers are based on new appraised value estimates that GSD had indicated it has prepared and will provide documentation at a later time. The new appraised values are as follows: \$378,000.00, \$126,000.00, \$252,000.00, for parcels APN 5407-025-009, APN 5407-025-010, APN 5407-025-015. GSD has made new offers to the owners of APN 5407-025-009, APN 5407-025-010, APN 5407-025-015, and APN 5407-025-017 in the amounts of \$432,000, \$144,000, \$288,000, and \$217,990.99. GSD will confirm final price once it is determined and approved by GSD. Expediency is necessary so that RAP will not lose Proposition 84 funding which requires that PSA be executed no later than September 30, 2013. Final acquisition costs will be provided and approved by GSD in the final closing statement.

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Funding for the acquisition will come from Proposition K. Capital B Funds Account No. 89270K-CG will be used if Proposition K funds are not available. Proposition K Funds will be used to reimburse Capital B Funds which will come from the Alpine Recreation Center Expansion project. Escrow costs and related pre-acquisition costs will be funded by Capital B Funds, Account 89270K-CG. All funding used on this acquisition is expected to be reimbursed by Proposition K funds once the funds are made available and will be used to reimburse Capital B funds, if Capital B Funds are used. The Proposition K funds are available for this acquisition, but RAP must still meet all requirements for release of funds, including all environmental issues and related title issues.

Again, it should be noted that Proposition K funds are expected to be used to pay for all acquisition related costs such as appraisals, environmental site assessments costs, escrow closing costs, and site preparation; and that Proposition 84 funds are expected to be used for park development costs, Capital B Funds will be used to cash flow the project acquisition.

Acquisition Cost:

The cost of the proposed Ord and Yale Street Park acquisition, as recommended by GSD and presented to the Board in Board Report No. 13-106 approved on May 1, 2013, was initially estimated to be \$756,000.00 for three (3) parcels. The estimated appraisal value for APN 5407-025-009 and APN 5407-025-015 were \$378,000.00 and \$252,000.00 respectively. The estimated appraisal value of APN 5407-025-010 was \$126,000.00. However, after further review and negotiations, the recommended acquisition price by GSD is \$ 1,081,990.99 for four (4) parcels based on the estimate of \$45.71 per square feet for the acquisition of the option parcel. The updated estimated value of each parcel as presented by GSD is as follows: APN 5407-025-009 - \$432,000.00; APN 5407-025-010 - \$144,000.00; APN 5407-025-015 - \$288,000.00 and APN 5407-025-017 - \$217,990.99. GSD has indicated that as part of its professional expertise that a fair negotiated price for all four (4) parcels would be \$1,081,990.99. GSD recommends and supports the negotiated price. Estimated closing costs are estimated to be approximately \$10,000.00 in total. The closing costs are estimates only and are subject to change and are for reference purposes only. The projected total acquisition cost is estimated at \$1,091,990.99. GSD will confirm final closing costs and review said costs before it approves the acquisition and the associated closing costs and other related costs based on its professional expertise. The City Attorney's Office will draft three (3) Purchase and Sale Agreements based on negotiation points provided by GSD to the City Attorney's Office.

Purchase and Sale Agreement:

The City Attorney office will prepare three (3) Purchase and Sale Agreements that will address and separate the properties by ownership. The parcels that are part of this acquisition are owned by two (2) different owners. One (1) of the PSA that will be prepared will be for parcels APN 5407-025-

REPORT OF GENERAL MANAGER

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In addition to the Office of Council District 1, the Assistant General Manager of the Planning, Construction and Maintenance Branch and Superintendent for the Metro Region have been consulted and concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

As indicated in the Summary of this Report, the design of the proposed park has not been determined and will be presented to the Board for final approval at a later time. At this time, the impact to the RAP's General Fund is the costs for Acquisition which is estimated at \$1,081,990.99 plus \$10,000.00 in closing costs. Once this project is completed, operational maintenance costs will be determined. Upon project completion, a request for funding will be submitted in future Department annual budget requests.

This Report was prepared by the Real Estate and Asset Management, Planning and Construction Branch Staff.





REPORT OF GENERAL MANAGER

PG. 3

NO. 14-234

the lot adjustment and which the owner is processing through the Planning Department and which requires additional time to complete. Originally the Board granted approval to acquire the parcel in question within a year. On September 18, 2014, it will be one year. For this reason, RAP staff is asking for additional time to complete the acquisition. At this time, RAP staff is unaware of how long the lot adjustment will take. As RAP staff was processing the acquisition, staff determined that the value and acreage were incorrect. As part of RAP's staff due diligence, a survey was requested to determine value and acreage and boundary of the parcel in question. The completed survey has provided new estimates for acreage, value and a legal description identifying the boundary of the parcel. The old value and acreage that was provided indicated an amount of \$217,990.99 for an area of 4,769 square feet. The new revised estimated purchase price is \$149,745.96 at \$45.71 per square foot for a parcel estimated to be 3,276 square feet. The owner of said parcel is currently processing the lot line adjustment and addressing outstanding Title Lien issues which will require more time to resolve, going beyond the Board approved timeline for completion of the acquisition of a portion of the parcel identified by APN: 5407-025-017. The portion of the parcel is required to meet the overall project scope as was presented by the CRA/LA to the State. CRA/LA presented its scope to include the portion of parcel identified by APN: 5407-025-017.

RAP has now acquired three (3) parcels as part of the Ord and Yale project and is proceeding with the acquisition of a portion of a fourth parcel located near 524 West Ord Street in Los Angeles, California 90012. The total lot area for the three (3) parcels is approximately 0.242 acre or 10,570 square feet. The fourth parcel is estimated to be 3,276 square feet. Parcel APN: 5407-025-009 is approximately 5,193 square feet, parcel APN: 5407-025-010 is approximately 1,793 square feet and parcel APN: 5407-025-015 is approximately 3,584 square feet. Currently, the parcels identified by APN: 5407-025-009, APN: 5407-025-010, and APN: 5407-025-015 are all vacant lots. The fourth parcel that RAP/City is interested in acquiring is an irregular shaped portion of parcel identified by APN: 5407-025-017. RAP is interested in acquiring only the vacant portion or the irregular shaped portion of parcel identified by APN: 5407-025-017. The portion of the parcel that the City is interested in acquiring is part of a parcel that has an apartment building on it and the City needs to acquire the small vacant portion or the irregular shaped portion of parcel identified by APN: 5407-025-017. The Department of Public Works, Bureau of Engineering, Survey Division has estimated the portion to be approximately 3,276 square feet. RAP will acquire the portion of APN: 5407-025-017 that BOE Survey Division has surveyed and marked after the lot line adjustment/certificate of compliance is completed by the owner at no cost to RAP. The proposed purchase price for the portion of the fourth parcel is \$45.71 per square feet for an estimate of \$149,745.96. The estimate is based on 3,276 square feet.

It is estimated that an additional \$10,000.00 is required for payment of closing fees. Therefore, the total property acquisition is estimated to be \$159,745.96. Escrow costs and related pre-acquisition costs will initially be funded by Capital B Funds: Fund 302, Department 89, Account No. 89270K-CG and will be reimbursed by Proposition K at later time if Proposition K funds are not available at the time of acquisition. Capital B Funds would be used as a cash flow funding source if Proposition

## REPORT OF GENERAL MANAGER

PG. 5

NO. 14-234

parcel after all title and lot line adjustment issues have been resolved, approved and cleared. Although the site itself would make for a good park in the area, the environmental and/or title issues are a concern to RAP staff and, therefore, staff recommends caution with this acquisition and that all title and acreage issues be resolved and clearly understood prior to RAP acquiring the parcels. Should other conditions arise beyond those already covered in this report, the Board's approval will be obtained prior to the close of escrow.

It should be noted that funding for the development of the subject property will be provided from Proposition 84. At this time, further study is needed to determine the appropriate development plan for the project site as the site presents several complex engineering difficulties that will need to be analyzed before the site is developed and that could increase the cost of the development. There is no additional information on development plans or costs. This Report addresses only the request for additional time to complete the acquisition of the portion of parcel identified by APN: 5407-025-017 and the amendment of the PSA to reflect changes in the value and acreage of the acquisition of parcel identified by APN: 5407-025-017.

### Funding Sources

There is sufficient funding available for the acquisition of the portion of the parcel identified by APN: 5407-025-017. It should be noted that Proposition K funds are expected to be used to pay for all acquisition related costs such as appraisals, environmental site assessments costs, escrow closing costs, and site preparation; and Capital B Funds will be used to cash flow the project acquisition if needed.

It is estimated that there is currently \$313,500.00 in Proposition K for acquisition and \$4,686,205.00 in Proposition 84 for the development of the Ord and Yale Park project.

### Purchase and Sale Agreement Amendment:

The Office of the City Attorney is preparing an amendment to the PSA that will reflect the current value and acreage of the parcel. Said values and acreage was obtained and based on the survey prepared by BOE Survey Division. BOE Survey Division identified and surveyed the portion that is to be acquired. The PSA for the acquisition of a portion of APN: 5407-025-017 was executed on September 30, 2013.

### Request for Extension of Time:

If approved by the Board, the extension of time will allow for the completion of the acquisition of the portion of the parcel identified by APN: 5407-025-017. The additional time will allow the owner to complete all required lot line adjustments and clearance of any and all outstanding title and lien issues.



REPORT OF GENERAL MANAGER

PG. 7

NO. 14-234

This Report was prepared by John Barraza, Management Analyst II of Real Estate and Asset Management Unit, Planning, Construction and Maintenance Branch.

REPORT OF GENERAL MANAGER

NO. 15-078

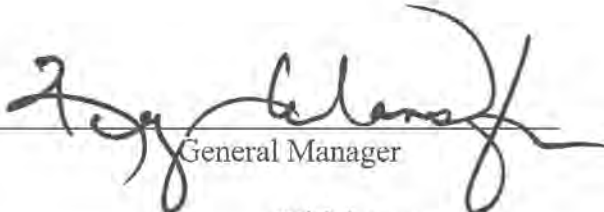
DATE April 15, 2015

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MASTER AGREEMENT FOR BRUSH CLEARANCE, WEED, REFUSE ABATEMENT, TREE TRIMMING AND REMOVAL CONTRACTORS

R. Adams	<u>                    </u>	V. Israel	<u>                    </u>
*R. Barajas	<u>WDF</u>	K. Regan	<u>                    </u>
H. Fujita	<u>                    </u>	N. Williams	<u>                    </u>

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

Approved                     

Disapproved                     

Withdrawn                     

RECOMMENDATIONS:

That the Board:

1. Approve a Master Agreement for Contractors to clear brush, abate refuse, trim and/or remove trees, to be entered into with the list Brush Clearance Contractors (Attachment A) of pre-approved contractors, substantially in the form on file in the Board Office, subject to the approval of the City Attorney;
2. Find as the contract awarding authority that, in accordance with Charter Section 1022, the Department of Recreation and Parks (Department) does not have personnel available in its employ with the necessary expertise to perform these services in a timely manner, and that it is more economical or feasible, as well as in the Department's best interest, to secure several personal service contacts to provide these services on an as needed basis;
3. Find as the contract awarding authority, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that the services to be provided by each of the Contractors are professional, expert, technical and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous;

## REPORT OF GENERAL MANAGER

PG. 2

NO. 15-078

4. Find as the contract awarding authority, in accordance with Charter Section 371(e)(10) and Los Angeles Administrative Code Section 10.15(a)(10), that competitive bidding would be undesirable, impracticable or impossible because several personal services contracts are required to provide the contracted services on an as needed basis;
5. Direct the Board Secretary to transmit the proposed Master Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form; and,
6. Authorize the General Manager to execute agreements for a one (1) year term with provisions to extend the term for two (2) additional years, exercisable in one (1) year increments with each approved Contractors upon receipt of all necessary approvals.

### SUMMARY:

The Department owns, possesses, manages and controls park property for the City of Los Angeles. As such, the Department has a mandatory duty to remove “any hazardous refuse or hazardous weeds, trees or other vegetation which by reason of proximity to a building or structure, constitutes a fire hazard.” (Los Angeles Municipal Code (L.A.M.C.) Section (SEC.) 57.322.1). The phrase “hazardous weeds, trees, or other vegetation” is defined in the City’s Fire Protection and Prevention (Fire Code) as “weeds, trees or other vegetation which are in such condition and location as to provide a ready fuel supply to augment the spread or intensity of a fire.” (L.A.M.C. Sec. 57.322.1 – General Brush Clearance). The applicable Fire Code regulations that pertain to brush clearance are found in L.A.M.C. Sections 57.322.1 through 57.322.1.1.9. These regulations require the Department to abate certain hazardous public nuisances including, but not limited to, brush clearance of weeds, trees and other vegetation. In order to comply with the Municipal Code in a timely fashion, the Department requires the services of pre-qualified brush clearance contractors, each of whom must execute an agreement with the Department.

Each year, Department puts out to bid brush clearance service packages for approximately two hundred ninety-five (295) parcels of varying sizes. A pre-qualified group of brush clearance contractors is contracted to provide the work. The group of contractors has received training and certification through the Los Angeles City Fire Department’s (LAFD) Brush Clearance Unit, and was selected through a Request for Qualification process. Contractors must attend mandatory orientation sessions presented by Department and the LAFD outlining the City and Department’s Brush Clearance policies and compliance needs. All Contractors must comply with the City’s Standard Provisions for Contracts and the Department’s Brush Clearance policies. The majority of the contractors have expert staff to perform the more hazardous projects. Upon contract execution, contractors must possess a C-27 license from the Contractors State License Board (CSLB) if he or she is interested in clearing brush. A CSLB C-61 license with a D-49

REPORT OF GENERAL MANAGER

PG. 3

NO. 15-078

designation is required if he or she is interested in trimming trees above fifteen (15) feet. The list of pre-approved Brush Clearance Contractors is shown on Attachment A.

The Department will compile a number of bid packages for the work required, usually consisting of thirty (30) to fifty (50) hours or more of brush clearance, weed, refuse abatement, tree trimming and removal usual for a typical five (5) person crew. The packages may include multiple parcels to be abated. Work will be awarded to the lowest responsive bidder on the approved list. When the bid package is awarded, the contractor becomes responsible, pursuant to the terms of the master agreement, for completing the work within thirteen (13) calendar days. Since time is of the essence for this work, contractors who fail to meet the deadlines will be assessed liquidated damages in the amount of \$200.00 per day for any package awarded up to \$2,000.00 or a rate of ten-percent (10%) of the awarded amount per day for any packages over \$2,000.00. The contract will be for a one (1) year term with provisions to extend the term for two (2) additional years, exercisable in one (1) year increments, with the same terms and conditions provided that funds are available, at the sole discretion of the Board.

In the 2013-14 Fiscal Year (FY), \$1,485,200.00 (Brush Clearance Account 3040) was provided to fund these contracts. The Department has a balance of approximately \$637,990.00 to initiate the brush clearing season prior to July 2015 when the new budget for 2015-16 FY becomes available. The Department anticipates the 2015-16 FY budget will allocate \$1,485,200.00 for brush clearance. It is estimated that \$1,127,990.00 will be spent during the 2015 summer season, and the remainder to be used next spring for the 2016 fire season.

FISCAL IMPACT STATEMENT:

The Department anticipates the 2015-16 budget will allocate \$1,485,200 for brush clearance in Contractual Services Account 3040. That amount plus the current balance of \$637,990.00 will be sufficient to meet the RAP's required clearance responsibilities for the 2015-16 seasons.

Prepared by Luisa Tovar, Clerk Typist, Grants Administration and Stefanie Smith, Senior Park Maintenance Supervisor.

DEPARTMENT OF RECREATION AND PARKS  
FISCAL YEAR 2015-2016  
BRUSH CLEARANCE CONTRACTORS

1. AVALON LANDSCAPE, INC. – **LUIS CADIZ**
2. BRIAN WALSH BRUSH CLEARANCE – **BRIAN WALSH**
3. CALIFORNIA CUT & CLEAR INC. – **SHENA SETTLE**
4. EQUERY, INC. DBA: ECCONO TREE CARE- **ORI ZAIRI**
5. INTERNATIONAL ENVIRONMENTAL CORPORATION- **JAN CESPEDES**
6. OUTLOOK ZONE, INC. – **YOSEF SHALEV**
7. PAN AMERICAN BRUSH CLEARANCE, INC.- **EDDIE MARTINEZ**
8. PEPO WEED ABATEMENT, INC. – **MIKE PEPO**
9. SILENT FIRE, INC. DBA: MONET WILD FLOWERS- **COURTNEY KITE**
10. THE JUNGLE NURSERY AND LANDSCAPE – **JOHN WN COHN**
11. THE ORIGINAL MOWBRAY'S TREE SERVICE – **ROBIN MOWBRAY**
12. THRIFTY TREE SERVICE, INC. – **DAVE AVIRAM**
13. WASTE UNLIMITED, INC. – **SHANE FONE**



REPORT OF GENERAL MANAGER

NO. 15-079

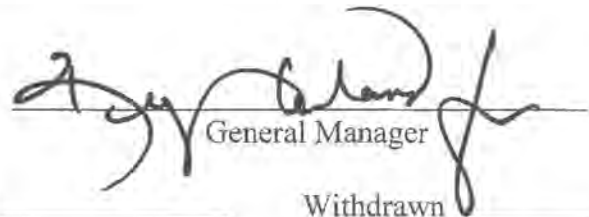
DATE April 15, 2015

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WHITSETT FIELDS PARK -- SYNTHETIC TURF IMPROVEMENTS (W.O. #E170150F) PROJECT -- APPROVAL OF FINAL PLANS

R. Adams	_____	V. Israel	_____
*R. Barajas	<u>CSDA</u>	K. Regan	_____
H. Fujita	_____	N. Williams	_____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board of Recreation and Park Commissioners approve the final plans, substantially in the form on file in the Board Office, for the Whitsett Fields Park -- Synthetic Turf Improvements (W.O. #E170150F) project.

SUMMARY:

The Whitsett Fields Park -- Synthetic Turf Improvements (W.O. #E170150F) project, is located at 6900 Whitsett Street, North Hollywood, California 91606. This project is a Proposition K specified project. The Department of Public Works, Bureau of Engineering (BOE) Architectural Division prepared the plans and specifications, and obtained all the necessary approvals for the project.

A master plan to renovate the existing soccer fields at the Whitsett Fields Park was developed. The project submitted for approval herein consists of renovating one existing soccer field into a synthetic turf field and expanding the existing parking lot at the Whitsett Fields Park. New bleachers, shade structures for the bleachers, walkways servicing the renovated soccer field are also part of the project scope. The remaining fields shown on the master plan for the park will be constructed separately as soon as sufficient funding is identified.

REPORT OF GENERAL MANAGER

PG. 2

NO. 15-079

Funding for this project is available from the following funds and accounts.

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>
Proposition K Community Development Block Grant (CDBG)	43K/10/KM36
Proposition A2	424/22/22K564
Quimby	205/89/89LHC2
TOTAL:	302/89/89460K-VA

This project was previously evaluated for environmental impacts in accordance with California Environmental Quality Act (CEQA) and was determined to be categorically exempt from the provisions of CEQA pursuant to Article III, Section 1c(6) and Section 1k(3) of the City CEQA Guidelines. A Notice of Exemption (NOE) was filed with the Los Angeles City Clerk and the Los Angeles County Clerk on June 20, 2013. It was also determined that this project and the environmental conditions of the site have not substantially changed since the previous evaluation. Therefore, no additional CEQA documentation is required.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department at this time.

This report was prepared by Rebecca Abano, Project Manager, Recreation and Cultural Facilities Program, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Cathie Santo-Domingo, Superintendent, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.



REPORT OF GENERAL MANAGER

NO. 15-080

DATE April 15, 2015

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CONCEPTUAL APPROVAL FOR CITYLINKLA FIBER HUT PLACEMENTS ON  
PARKLAND

R. Adams	_____	V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

\_\_\_\_\_  
The final Report has not yet been received by the Office of the Board of Recreation and Park Commissioners.



REPORT OF GENERAL MANAGER

NO. 15-081

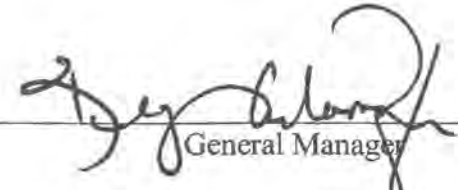
DATE April 15, 2015

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT TO PERSONNEL RESOLUTION NO. 10411 – SECTION 1D (AS-NEEDED POSITIONS)

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

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board amend Personnel Resolution No. 10411 effective immediately as follows:

Section 1D – As-needed Positions:

ADD

<u>No.</u>	<u>Code</u>	<u>Classification</u>
-	0178-1	Gang Reduction and Youth Development Worker I
-	0178-2	Gang Reduction and Youth Development Worker II
-	0178-3	Gang Reduction and Youth Development Worker III
-	0178-4	Gang Reduction and Youth Development Worker IV
-	0178-5	Gang Reduction and Youth Development Worker V
-	0178-6	Gang Reduction and Youth Development Worker VI

SUMMARY:

The Summer Night Lights Program (SNL) was developed and implemented by the Office of the Mayor, Gang Reduction and Youth Development Office. SNL extends operating hours and recreational programming at thirty-two (32) select Department of Recreation and Parks (RAP) recreation centers located in economically disadvantaged communities with high youth gang activity. For ten (10) weeks during the summer, SNL provides enhanced recreational programming for youths and families by keeping the select recreation centers open later and providing additional classes and sports activities.

REPORT OF GENERAL MANAGER

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NO. 5-081

While RAP has supported SNL for several years, a non-profit has acted as “the fiscal agent” for the City and has been responsible for recruiting, screening, hiring, monitoring, supervising, and paying approximately 400-500 seasonal workers. The non-profit has declined to continue in that role and the Mayor’s Office has requested RAP to assume the fiscal agent responsibilities for SNL.

On February 12, 2015, the Board of Civil Service Commissioners established a new classification of Gang Reduction and Youth Development (GRYD) Worker, Code 0178, and exempted it from civil service pursuant to Charter Section 1001(d)(3). This new as-needed classification will be used exclusively by RAP to perform a variety of part-time duties in support of the SNL Program. The City Administrative Officer recommended that six (6) separate pay grades with flat rated salaries be created to differentiate the various levels of responsibilities and corresponding pay. A brief description of the duties for each of the different pay grades is attached. On April 8, 2015, an Ordinance (Ordinance No. 183499) was published to establish the following salaries for the pay grades pursuant to Council and Mayoral direction and approval (Council File No. 15-0335):

GRYD Worker I	\$12.28/hour
GRYD Worker II	\$13.28/hour
GRYD Worker III	\$15.00/hour
GRYD Worker IV	\$17.00/hour
GRYD Worker V	\$18.00/hour
GRYD Worker VI	\$22.00/hour

Upon approval of this Board Report, staff will begin the process of hiring nearly 500 new employees in the classification of GRYD Worker so that RAP can administer the SNL Program this summer. It is anticipated that two-third (2/3) of these employees will be hired at the lower pay grade for the class (i.e., GRYD Worker I).

This report has been reviewed by staff of the Office of the City Administrative Officer.

FISCAL IMPACT STATEMENT:

The Office of the Mayor is working with staff to effect the transfer of \$838,242.59 to RAP Fund 302, Department 88, Appropriation Account 1070 (Salaries As Needed), for the purpose of providing salary funding for GRYD Workers for the remainder of Fiscal Year 2014-15. Therefore, the employment of the GRYD Workers is not anticipated to have a fiscal impact on RAP. It is noted that salary funding needs to be provided each fiscal year in order for RAP to continue carrying out the fiscal agent responsibilities for SNL.

Prepared by Harold T. Fujita, Director, Human Resources Division.

## PAY GRADE DESCRIPTION

UNIT: 000  
CODE: 0178  
CLASS: GRYD WORKER

**GRYD WORKER I**

This is the entry level to this class. Incumbents engage community members and encourage program participation prior to and during programming. Conduct daily outreach to provide program information and promote program offerings in and around the surrounding community. Participate in events related to work readiness, professional development, and educational opportunities. Carry out the logistics of setting up, breaking down, and closing the SNL program nightly, as well as other program-related tasks as needed.

**GRYD WORKER II**

The GRYD Worker II works independently and collaboratively with the GRYD Worker I team and program partners to oversee aspects of SNL program service delivery at one (1) identified site. The GRYD Worker II develops and supervises nightly team assignments, collects and reports program activity information, monitor supplies and maintains adequate inventories, and assist with program implementation and outreach.

Candidates must have previous employment experience with Summer Night Lights as a GRYD Worker I.

**GRYD WORKER III**

The GRYD Worker III oversees all aspects of SNL program service delivery at one (1) identified site. The GRYD Worker III is responsible for implementation of programming, direct supervisions of those in the GRYD Worker I and GRYD Worker II positions, implementation of an outreach plan and program calendar, while overseeing administrative tasks.

Previous work experience with Summer Night Lights preferred. Bachelor's Degree in a related field with a minimum of one (1) year of experience in family, youth, or community based program implementation, or a minimum of 2 years of professional experience working with families, youth, community organizing, or program development, prior experience in a supervisory capacity preferred.

#### **GRYD WORKER IV**

Organizing and oversee one of the core program elements for all 32 SNL sites, i.e., Youth Squad job developer, Art Program Coordinator, and Sports Program Coordinator.

Previous work experience with SNL and/or completion of Bachelor's Degree in human services related field and/or a minimum of two years of professional work experience in a related position.

#### **GRYD WORKER V**

Works independently and collaboratively with GRYD Staff and program partners, with increased responsibility for staff supervision and site programming. Incumbents will focus on the following components: site budgets and contracted services, equipment purchases, work group development, program and outreach plan development, administrative support, participation in SNL hiring, trainings and meetings, point of contact on behalf of the Mayor's Office and implementing staff policies and procedures.

Previous work experience with SNL and/or completion of Bachelor's Degree in human services related field and/or a minimum of two years of professional work experience in a related position.

#### **GRYD WORKER VI**

Performs a variety of professional work for GRYD projects or a program such as planning and implementing the delivery of program services, performing client in-take, compiling data regarding the program, preparing reports, publicizing the program, and other duties associated with GRYD projects and programs. A GRYD Worker VI will monitor and coordinate programs or projects delivered by others in the GRYD Worker classification.

Previous work experience with SNL and/or completion of Bachelor's Degree in human services related field and/or a minimum of two years of professional work experience in a related position.



REPORT OF GENERAL MANAGER

NO. 15-082

DATE April 15, 2015

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK – OPERATION AND MANAGEMENT OF THE GREEK THEATRE – OPEN VENUE MODEL

R. Adams \_\_\_\_\_  
R. Barajas \_\_\_\_\_  
H. Fujita \_\_\_\_\_

\*V. Israel \_\_\_\_\_  
K. Regan \_\_\_\_\_  
N. Williams \_\_\_\_\_

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the proposed open venue operational plan for the Greek Theatre;
2. Amend Personnel Resolution No. 10411 effective immediately as follows:

ADD

<u>No.</u>	<u>Code</u>	<u>Classification &amp; Location</u>
1	9631	Event Services Coordinator – Partnerships
1	3170	Event Services Manager – Partnerships
1	9636	Senior Sales Representative – Partnerships

3. Direct staff to return to the Board no later than November 2016 to review the 2016 open venue operation where consideration can be made whether to release a new Request for Proposals (RFP) for the operation of the Greek Theatre in time for the 2018 season.

SUMMARY:

The Greek Theatre is located at 2700 North Vermont Avenue in Griffith Park and was officially dedicated in 1929. Since that time, it has provided entertainment and cultural events to the general public and residents of Los Angeles. In 2014, the Greek Theatre generated \$27,270,564 in gross receipts; however, the revenue-sharing payments to the City of Los Angeles (City) Department of Recreation and Parks (RAP) totaled only \$1,977,312. This represents the total

## REPORT OF GENERAL MANAGER

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revenue share payment for all revenue categories of the venue including, but not limited to, food and beverage, parking, sponsorships and tickets sold.

This report is presented in direct response to City Council and community concerns regarding maximizing the Greek Theatre's annual revenue. The Department of Recreation and Parks (RAP) recommends operating the Greek Theatre as an open venue for a minimum of two years to evaluate and analyze projected increased annual revenues while providing sufficient time to receive ample and meaningful community input should a decision be made to issue a new request for proposals (RFP).

The current operator's exclusive contract expires on October 31, 2015 with no remaining options to renew or extend its term. In anticipation of the contract's expiration, the Board approved the release of a RFP for operation and management of the Greek Theatre (Board Report No. 14-120, as amended) on May 21, 2014. On August 12, 2014, RAP received two proposals in response to the RFP. On October 23, 2014 following extensive public hearings held by the Board, the recommendation to select Live Nation Worldwide, Inc., a wholly owned subsidiary of Live Nation Entertainment, Inc. as the highest-ranked proposer (Board Report No. 14-258, as amended) was approved and forwarded to the City Council for a pre-contractual, non-binding recommendation to concur or not concur with this selection.(Council File No 14-1500). The recommendation was first rejected by the Arts, Parks, Health, Aging and River Committee (APHAR) on January 26, 2015 by a vote of 4 Yes to 1 No. At the February 11, 2015 City Council meeting, the APHAR committee recommendation was considered and voted on along with an amending motion 10-A where the vote was 11 Yes to 3 No to not to concur with the Board's recommendation along with amending motion 10-A to request the Board to consider preparing, in consultation with the community, a new RFP for concessions and operations of the Greek Theatre to be released after review and approval by the City Council.

In order to have a successful and profitable operation in place for the 2016 season, RAP staff immediately began analyzing all options that considered the following: expiration date of the existing contract; extension of the existing contract; time needed to prepare a new RFP and to receive adequate community input and options to maximize revenue. It is from these considerations that staff concluded there is inadequate time to properly process a new RFP (estimated at 18 months) nor is it in the best interest of the City for RAP to recommend extending the existing contract, while exploring alternative remedies that maximizes the Department's revenue potential at the Greek Theatre venue.

On March 11, 2015, following an extensive review of all available options, the Board approved General Manager's Report No. 15-049 (Report No. 15-049) to cancel the Request for Proposals for the Operation and Maintenance of the Greek Theatre Concession (RFP) (CON-M14-001) pursuant to Charter section 371. Report No. 15-049 proposed operating the Greek Theatre as an open venue model or consider enacting a new RFP. The Board also instructed staff to submit an

## REPORT OF GENERAL MANAGER

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open venue model plan for its consideration. Staff has spent a considerable amount of time researching both revenue potential and the operations needed for an open venue that are discussed in more detail throughout this report. Staff also believes that RAP can successfully put in place all required operations necessary to operate the Greek Theatre as an open venue and therefore, recommends it is in the Department's best interest to operate as an open venue for the 2016 and 2017 seasons to increase maximum revenue potential. Staff will continue to closely evaluate the success of the open venue operation in 2016, and work with the Board to decide whether to recommend releasing a new RFP in 2016 that would allow sufficient time to have an exclusive operator in place for the 2018 season.

### DISCUSSION:

#### **Open Venue Model**

The "open venue" model is one that is run by a public or private operator and which allows for profit entertainment companies, artists, and non-profit cultural organizations to secure programming on a non-exclusive basis. Under this model, the operator is responsible for maintaining the venue and for providing the services needed for successful concerts and events. The intended consequence is the ability to maximize the Department's revenue potential. Under this model, the promoters secure an event date at the Greek Theatre through a standard contract called a User Agreement, while the Department retains control of the venue's calendar. The fees associated with the rental of the facility are fixed in the User Agreement along with the roles and responsibilities of the operator and the promoter. Staff is presently preparing the User Agreement for the Board's anticipated consideration at the May 20, 2015 Board Meeting.

In the open venue model, the Department will not take the risk of the success of a concert or event, but will be paid a fee for the rights to use the venue. The promoter will be responsible for managing and paying for the talent (artists), advertising and promoting the concert, stagehands, load in and out and paying for the security and ushers needed for the event.

The most significant advantage to this model is the high potential for increased revenue. Under the current exclusive operator contract, RAP receives only 8% of tickets sales and 6% of the revenue for the parking, sponsorships, and food and beverage sales (Exhibit A is a 12-year history on breakdown of Department revenues). Under an open venue model, RAP would take 100% of the sponsorships and greater percentages of food and beverage sales, plus rent for the facility.

The largest challenge for RAP will be implementing an aggressive upfront capital campaign as was proposed in the previous RFP process. However, staff will recommend an initial investment to include start-up costs (i.e. leasing the sound system) along with addressing cosmetic and deferred maintenance items and recommendations for establishing an immediate

## REPORT OF GENERAL MANAGER

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capital fund comprised of a percentage of the net revenue to ensure an on-going revenue stream for both short and long term use that should quickly ameliorate the capital challenges.

### Other Successful Open Venue Locations:

The Red Rocks Amphitheatre (Red Rocks) in Denver, Colorado is an example of a highly successful "Open Venue" model. Red Rocks is a City of Denver owned and operated 9,500 seat outdoor venue and is nationally recognized as one of the leading open and profitable models. Red Rocks' concert season is similar to the Greek Theatre where concerts are held between mid-April through the end of October. Red Rocks has established the booking policy to confirm acts and artists on a first come first served basis and has a standard user agreement with promoters to facilitate confirming artists in a timely manner.

The business model utilized by Red Rocks generates strong revenue to the City and County of Denver's Arts and Venue Organization (Organization). The strength of the Red Rocks brand attracts premier artists to perform at the venue which generates significant ancillary revenue to the Organization. The business model balances the economics of promoter profit with the Organization's goal to maximize revenue generation. Revenue from Red Rocks is used to support the venue as well as the four (4) other facilities managed by the Organization. RAP anticipates the open venue model will generate more revenue than in the past, which will enable RAP to properly maintain the venue, invest in capital improvements to keep the Greek Theatre competitive in the amphitheater market, and to supplement RAPs operating budget for improvements within Griffith Park and throughout the park system.

Other examples of successful open venue amphitheaters are The Pavilion at Ravinia Festival in Highland Park, outside Chicago, Illinois and the Filene Center at Wolf Trap in Virginia. The Pavilion at Ravinia Festival is a 3,400 seat venue, with a large lawn area and is owned and operated by a non-profit organization since 1906. They host 130 events annually. The Filene Center at Wolf Trap is a 7,000 seat amphitheater which opened in 1971 and is operated through a public/private partnership between the non-profit Wolf Trap Foundation and the National Park Service.

The research of other open venues has demonstrated the opportunity to generate a significant revenue stream through the combination of rental revenue, facility fees and concession revenues. Preliminary financial analysis of the 2016 Season indicates a conservative range of net revenue to RAP of approximately \$3.0 million at 50 events and approximately \$4.8 million at 70 events.

Assumptions made to achieve the aforementioned pro-forma are as follows:

- 50 - 70 shows
- Season duration unchanged.
- Avg. 75% sell out equiv. to 4,351 tickets sold (5,801 seating capacity)
- \$70 average ticket price



## REPORT OF GENERAL MANAGER

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- o \$12 per cap for food and beverage
- o Greater percentage of Food and Beverage revenue back to RAP (The draft Food and Beverage RFP will be scheduled for the Commission Task Force on Concessions on April 15, 2015 and before the full Board on May 20, 2015).
- o \$7 per cap facility access fee
- o 7% per cap facility improvement fee
- o Rental fee (this will be presented as part of the Board's consideration of the User Agreement at the May 20, 2015 Board meeting)
- o 100% of sponsorship revenue back to RAP

RAP's financial projection at the 50 event level of \$3.0 million is significantly higher than the actual revenue received by RAP from the current contract in 2014 of \$1,977,312 from 73 events.

The financial analysis takes into account a Promoter Incentive Program whereby promoters are encouraged to confirm quality acts at the Greek Theatre. Promoters must earn the incentives by achieving certain number of shows and/or gross ticket revenues at varying levels in one concert season. RAP benefits from higher per show attendance since that drives ancillary revenue such as food and beverage sales. The proposed Promoter Incentive Program will be presented for the Board's consideration at the May 20, 2015 Board Meeting.

Staff is currently working with industry professionals on all operational aspects needed to successfully operate the Greek Theatre as well as gaining the necessary tools, best practices and industry expertise to successfully launch the Greek Theatre as an open venue in the coming months. The following is a description of operational items needed along with implementation strategy either by contracting or performing in-house.

### I. Venue Management Team

The Greek Theatre Manager (GT Manager) will be critical to the ongoing planning and transition to the open venue model. The GT Manager will be responsible for the entire operation and management of the venue. The individual selected for this position must have extensive entertainment industry and venue management experience and the ability to build effective relationships with promoters, artists, labor organizations, community organizations, executive management and staff while working closely with the community on noise, traffic and security issues, in order to be successful.

The Operations Manager will be responsible for coordinating show production with promoters, artists and stagehands from the International Alliance of Theatrical Stage Employees (IATSE), Local 33, to ensure successful execution of each event. The Operations Manager must have strong relationships with Local 33, as well as with promoters and artists.

## REPORT OF GENERAL MANAGER

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The Booking Manager will be responsible for adhering to the policies and procedures established by RAP for managing the venue calendar in scheduling acts, performances and special events. (Note: A Booking Policy will be presented to the Board on May 20, 2015). The Booking Manager must have extensive entertainment industry experience and strong relationships with promoters.

Staff continues to evaluate the best options to quickly bring on board the managerial team necessary to launch the open venue model. There are extensive contracting options available for these professional services which maybe the preferred option. RAP is requesting approval of the personnel resolutions to bring them on as Department staff in the event RAP cannot expeditiously acquire a contract vehicle in a timely manner.

### II. Event Management Services

RAP staff is currently evaluating event management staffing companies which provide “as needed” labor services including but not limited to: ushers, ticket takers, security, box office and other critical staff. Staff will return to the Board with a recommendation on proposed contracts. All event production staff will be paid by the promoter for their respective events. Most concert venues operate utilizing this type of company that provide these services. There are a variety of companies that provide these services. Staff intends to prepare necessary contracting vehicle to bring to the Board for consideration at a later date.

### III. Community Relations

The Greek Theatre under the open venue operation will continue involvement and outreach to the immediate and surrounding communities and to other stakeholders throughout the City of Los Angeles to foster collaboration and open communications.

RAP is committed to ensuring that a strong relationship exists with the community and will dedicate a staff member to the management team as the Greek Theatre Community Liaison. This position will be dedicated to the community and will be in addition to the direct access to the Greek Theatre Manager also afforded to the community. It is envisioned that the liaison would use numerous avenues of communications through email, direct mail, coffee hours, Greek Theatre Advisory Committee (GTAC) and attending the various Neighborhood Councils and Homeowner Association meetings.

### IV. Security Services

There will be a professional contract for this service and will be included in with the services provided under event management services contract previously discussed. The ability to provide appropriate security staffing levels, for crowd management, requires a well-developed security



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plan, and the ability to anticipate a variety of potential security related issues. When managing security operations at a concert venue, it is necessary to utilize a security provider with both expertise and experience in managing large crowds, protecting event activities, and securing the surrounding environment. To provide appropriate levels of security during concerts and events at the Greek Theatre, the Department plans to retain a security company with the requisite experience and skills in managing, and developing security plans for this type of venue. All security companies operating in the State of California are required to have a Private Patrol Operators License issued by the State of California Department of Consumer Affairs. This license allows the company to operate security functions, and provide services to the public.

In a post 9/11 environment, it is important to consider Homeland Security management issues when protecting a venue where large crowds gather. Specialized training and the ability to protect concert participants are required. Part of any security plan will also involve the ability to react to both anticipated and unanticipated issues. As a result, the ratio of security personnel may increase or decrease depending on the size, type, music genre selection, and time of day of the event.

The following areas in and around the Greek Theatre will have an appropriate security presence:

- Parking lot security,
- Perimeter security,
- Security of food and beverage areas,
- Security of cash handling operations,
- Alcohol security, and management,
- Security of entrance, exit, and ticketing locations,
- Staffing of security screening, and article search areas
- Identification checks,
- Security of hospitality areas, back stage areas,
- Security of performers, and VIP management,
- Surrounding streets.

### V. Parking and Traffic Control

RAP staff along with support from the Department of Transportation (DOT) will operate and manage the parking and traffic operations. RAP staff from the Park Services Division will manage the parking operation while DOT through their Traffic Control Officers will effectively manage traffic ingress and egress before and after events. The current parking operation is managed by Standard Parking under contract with the current operator along with DOT support as previously described.

## REPORT OF GENERAL MANAGER

PG. 8

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A primary objective will be to encourage the use of public transportation by providing shuttle services from major transportation hubs to the venue. Elimination of on-site cash transactions is also proposed to speed up traffic flow during preshow parking and reduce congestion within the community.

### VI. Venue Maintenance

RAP will assume responsibility for maintaining the buildings and grounds around the venue. RAP's existing workforce will be supplemented with "as needed" union hall trade positions as well as with additional hiring of part time staff. Supervision will be provided by existing Griffith Park staff. There will be no impact to the current maintenance staff or budget with the addition of hiring hall and part time staff that will be completely funded through Greek Theatre revenues.

The use of hiring hall and part time staff to supplement our workforce is routine protocol that is used throughout the Department when funding is available.

### VII. Food and Beverage Concession

An RFP is required for the Food and Beverage Concession as the current concessionaire is under contract with the current operator. This is a great opportunity to take a fresh look at this operation to improve the fan experience and represents a major area for increasing the Department's revenue. RAP is currently very limited with the 6% the Department receives under the current contract. This concession when placed into a competitive RFP where the Department holds the contract will far exceed the historical revenues and add to the benefits of an open venue format.

There is a great deal of interest from food and beverage operators on this concession. Staff is actively preparing the RFP and plans to bring the draft RFP before the Concession Task Force for discussion on April 15, 2015 and before the full Board on May 20, 2015.

### VIII. House Sound System

RAP plans to lease the house sound equipment for the artists to ensure consistency in sound throughout the season and reduce production labor costs to install and remove the equipment for each show. This will require an annual leasing contract for this equipment. Selection of the system will be vetted with all interested promoters prior to leasing to ensure quality of the system.

## REPORT OF GENERAL MANAGER

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### IX. Sound Level Monitoring

RAP plans to contract with a third party to purchase and install sound level monitoring equipment that can easily be monitored during each show. Technology will allow us to report current sound levels in and around the venue back to the main sound board where it can be adjusted immediately. Staff intends to work with the community to establish a sound monitoring and enforcement policy that will be included in the User Agreement that will be presented to the Board on May 20, 2015.

### X. Employee Retention

The Department desires to retain as many of the current seasonal employees as possible to maintain continuity in the operation. Seasonal employees are a staple in the day to day operational responsibilities of the Department. RAP will conduct open discussions with current staff, including an open house to encourage experienced staff to remain at the venue.

We will designate a single point of contact along with representatives from our Human Resources Division to ensure proper discussions with interested employees.

### XI. Sponsorships

Sponsorships and naming opportunities will be managed through the new management team and follow all City and RAP Commission approved policies. This is a major area that RAP anticipates a significant increase in revenue potential as the Department is currently limited to the 6% revenue share percentage under the exclusive contract with the operator.

The Sponsorship must support the mission of the Greek Theatre and the benefits may be commensurate with the value of the support offered through the Sponsorship/Naming. Sponsorships and Naming opportunities may be subject to amenities within the Greek Theatre, such as, but not limited to, the deck areas, plaza, food & beverage areas, dressing rooms, etc. The positioning of the iconic venue/historic landmark will reflect the financial support and solid presence of the Greek Theatre within Griffith Park.

### XII. Venue Management Software

RAP is in the process of purchasing venue management software (software) in preparation for the 2016 Season. The software will enable RAP to manage the calendar, with multiple holds on any given date, as well as to schedule labor, such as stagehands, ushers, security, etc., and to complete the end of show financial settlement.

## REPORT OF GENERAL MANAGER

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The plan is to open the 2016 Season calendar this summer. Staff will report back at the May 20, 2015 Board meeting on the date in which RAP will be begin accepting applications to rent the venue. In addition, RAP will be presenting the Rent Application for the Board's consideration at the May 20, 2015 meeting.

### XIII. Website

RAP plans to contract out the services for developing and maintaining the official Greek Theatre Website to disseminate information about the venue to the general public as well as facilitate event advertising. The promoter is responsible for marketing their respective events and the Greek Theatre Website is one portal to accomplishing that goal. When a show is contracted to perform at the venue, the promoter will provide the Website administrator the link to the show. Once connected, fans interested in the show can click on the Greek Theatre Website and will be directed to the promoter site for additional information pertaining to the show. Fans would purchase tickets through the promoter's website

### XIV. Deferred Maintenance

Planning and managing the infrastructure needs as well as taking care of deferred maintenance items of a facility such as the Greek Theatre is not by any means out of the norm for the type and scale of projects RAP undertake annually.

The difference in this case is the funding availability and speed at which RAP can move toward the improvements needed for the facility. One advantage to the open venue model is that RAP will be able to prepare an Historic Structures Report to ensure that whatever future improvements are proposed, RAP will be better prepared to address comments and concerns that relate to both the California Environmental Quality Act and Secretary of Interior Guidelines for Historical Restoration.

The following is a list of action items that the Department should undertake for the first year of operation:

1. Prepare Historic Structures Report.
2. Roofing inspection and repair/replacement.
3. Paint and cosmetic repairs throughout.
4. Further evaluation of terrace seating for seismic retrofitting. (A deeper structural analysis is needed to support a recommendation back to the Board which could be expected by late summer).
5. Landscaping mostly in the form of tree planting behind the seating areas as many of the trees have died due to disease and drought. This will also add improvement to the aesthetics of the setting for which the Greek is famous for.

## REPORT OF GENERAL MANAGER

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All of these items are in line with looking at a longer term capital improvement plan which should include a historical restoration of the facility, seating replacement and possibly increasing the stage house dimensions but none will conflict with a long term plan.

RAP will need to invest a significant amount of money in the first two years to address the short-term needs. Under an open venue model, we are recommending that a percentage of the net revenue be placed annually into a Greek Theatre Capital Improvement Account. Depending on the show count, we could expect a \$1M to \$1.5M deposit into that account per year for 50 and 70 shows respectively.

### CONCLUSION

In conclusion, the Department of Recreation and Parks is confident about operating and managing the Greek Theatre as an open venue. This action is consistent with how closely we are looking at all concession operations to ensure we are getting the best public benefit along with maximizing revenue streams. The value of this asset has been made very clear through the recent RFP process and presents us with information to support the recommendations of this report. This Department will always be the caretaker for the Greek Theatre, and RAP takes this responsibility seriously. Accordingly, RAP and the Greek Theatre Management Team will work closely with the community, concert promoters, industry experts and advisory boards to make the Greek Theatre a focal point of Los Angeles civic pride and a model amphitheater for open venue management and operation, while still providing ample time, should a decision be made, to initiate a comprehensive RFP.

### FISCAL IMPACT STATEMENT

Operating the Greek Theatre on the open venue model is projected to bring a net revenue between \$3.0 million and \$4.8 million annually. Approximately \$1M to \$1.5M of these funds would be used/set aside for capital improvements. The remaining funds would be used to support RAP operations. There is no single operation within the Department that can have such a significant impact on increasing RAP's revenue than the proposed plan to operate the Greek Theatre as an open venue model.

This Report was prepared by Michael Shull, General Manager, Executive Office; Vicki Israel, Assistant General Manager, Executive Office; and Agnes Ko, Senior Management Analyst II, Concessions Unit.



DEPARTMENT OF RECREATION AND PARKS  
 THE GREEK THEATRE  
 SUMMARY OF GROSS REVENUE  
 AND RENT PAID TO CITY  
 2003 THROUGH 2014

GROSS REVENUE							
Year	Gate	Parking	Sponsorship	Food/Beverage	Merchandise	Other	TOTAL
2003	\$ 10,778,773	\$ 742,494	\$ 553,000	\$ 1,553,172	\$ 518,216	\$ 1,429,858	\$ 15,575,515
2004	\$ 14,239,106	\$ 830,825	\$ 549,000	\$ 2,200,000	\$ -	\$ 971,000	\$ 18,790,031
2005	\$ 13,728,982	\$ 807,232	\$ 667,500	\$ 2,407,259	\$ 976,178	\$ 1,896,336	\$ 20,573,485
2006	\$ 12,615,764	\$ 842,636	\$ 720,000	\$ 2,301,033	\$ 704,678	\$ 1,959,335	\$ 19,343,443
2007	\$ 14,582,326	\$ 1,478,510	\$ 814,400	\$ 3,757,345	\$ -	\$ 3,915,686	\$ 24,948,267
2008	\$ 14,250,951	\$ 1,211,210	\$ 739,687	\$ 2,591,989	\$ 633,358	\$ 3,323,012	\$ 22,750,207
2009	\$ 11,216,885	\$ 1,002,899	\$ 180,185	\$ 2,158,267	\$ 574,798	\$ 2,660,612	\$ 17,793,445
2010	\$ 9,987,114	\$ 953,234	\$ 281,992	\$ 2,076,510	\$ 454,940	\$ 2,733,818	\$ 16,487,608
2011	\$ 12,249,201	\$ 1,140,231	\$ 665,218	\$ 2,476,979	\$ 648,965	\$ 3,048,141	\$ 20,228,755
2012	\$ 13,236,981	\$ 1,144,182	\$ 475,465	\$ 2,363,180	\$ 723,036	\$ 2,995,966	\$ 20,948,810
2013	\$ 14,291,660	\$ 1,450,860	\$ 506,000	\$ 3,038,879	\$ 878,074	\$ 2,840,927	\$ 22,806,300
2014	\$ 17,053,844	\$ 1,782,534	\$ 547,150	\$ 3,775,076	\$ 1,018,471	\$ 3,093,543	\$ 27,270,618

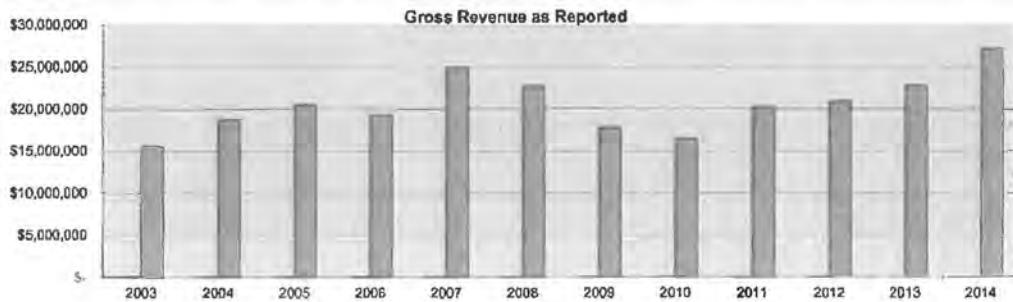
Note: Gross Revenue as reported on Monthly Remittance Advice. P&L Reconciliation is on separate spreadsheet.

12 Year Avg	\$ 13,235,941	\$ 1,123,820	\$ 559,300	\$ 2,599,974	\$ 594,227	\$ 2,564,853	\$ 20,627,124
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RENT PAID TO CITY							
Year	Gate	Parking	Sponsorship	Food/Beverage	Merchandise	Other	TOTAL
2003	\$ 862,302	\$ 44,550	\$ 33,180	\$ 93,190	\$ 31,093	\$ 56,885	\$ 1,163,000
2004	\$ 1,139,128	\$ 50,396	\$ 32,940	\$ 132,000	\$ -	\$ 138,429	\$ 1,492,893
2005	\$ 1,068,319	\$ 53,834	\$ 40,060	\$ 144,436	\$ 58,571	\$ 113,780	\$ 1,508,999
2006	\$ 1,025,261	\$ 50,558	\$ 43,200	\$ 138,062	\$ 42,281	\$ 117,560	\$ 1,416,922
2007	\$ 1,188,588	\$ 68,711	\$ 48,664	\$ 225,441	\$ -	\$ 279,442	\$ 1,841,044
2008	\$ 1,140,076	\$ 72,673	\$ 44,381	\$ 155,819	\$ 38,001	\$ 200,712	\$ 1,651,362
2009	\$ 897,335	\$ 60,174	\$ 10,811	\$ 129,496	\$ 34,488	\$ 159,637	\$ 1,291,940
2010	\$ 798,969	\$ 57,194	\$ 16,920	\$ 124,591	\$ 27,296	\$ 164,029	\$ 1,188,999
2011	\$ 979,630	\$ 68,414	\$ 39,913	\$ 148,619	\$ 38,839	\$ 182,888	\$ 1,458,709
2012	\$ 1,068,958	\$ 68,651	\$ 28,528	\$ 142,891	\$ 43,382	\$ 175,158	\$ 1,521,668
2013	\$ 1,143,325	\$ 87,052	\$ 30,360	\$ 182,333	\$ 52,684	\$ 158,456	\$ 1,654,209
2014	\$ 1,384,308	\$ 105,952	\$ 32,829	\$ 220,605	\$ 61,108	\$ 165,613	\$ 1,977,314

Note: 2010 Rent was \$1,206,583 after reconciliation payment of \$25,767 was received in December 2011 (includes \$19,184.10 rent shortfall paid per Concession Agreement No. 245, Sections 6.B and 6.C) Yearly rent reductions, as applicable, are noted on P&L Reconciliation spreadsheet. Rent reconciliation payments are included in "Other" category. 2009, 2010, 2012, 2013, and 2014 based on year-end reconciliation sheets; all others from rental details + any rent reconciliation payment made that year (except 2003, which shows payments of \$12,894 in excess of calculated rent).

12 Year Avg	\$ 1,058,875	\$ 67,430	\$ 33,498	\$ 153,668	\$ 35,654	\$ 164,866	\$ 1,513,921
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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>
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None

BIDS TO BE RECEIVED:

None

PROPOSALS TO BE RECEIVED:

None

QUALIFICATIONS TO BE RECEIVED:

None