REPORT OF GENERAL MANAGER

DATE September 20, 2006

BOARD OF RECREATION AND PARK COMMISSIONERS

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

J. Combs J. Kolb
H. Fujita F. Mok
S. Huntley K. Regan
B. Jensen M. Shull

RECOMMENDATION:

That the Board:

1. Conceptually approve a proposed gift from The Friends of the Levitt Pavilion at MacArthur Park ("TFLP"), consisting of in-kind design assistance and improvements to the MacArthur Park Band Shell, valued up to $250,000, pending approval of final plans and specifications, and conditioned upon the negotiation and execution of an agreement between the City of Los Angeles ("City") and TFLP for the proposed construction of band shell improvements and the operation of a summer concert series commencing upon completion of said improvements, all subject to the Board’s final approval at a later date;

2. Authorize the Department and Bureau of Engineering to work with TFLP to prepare final plans and specifications for the proposed band shell renovation, based on the conceptual plans attached hereto as Exhibit-A, pursuant to City standards, procedures, and requirements, and subject to the Board’s final approval at a later date;

3. Conceptually approve the Department’s removal of existing seating and the performance of landscape improvements within the area surrounding the band shell, as part of the proposed band shell improvement project; and,
4. Authorize the Department to work with the City Attorney to negotiate and prepare an agreement between the City and TFLP, specifying the terms and conditions associated with the proposed Gift and the proposed programming of an annual summer concert series to be provided each summer by TFLP for a period of fifty years (50), subject to the Board’s final approval at a later date.

SUMMARY:

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

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

TFLP is offering to contribute to the proposed improvement project with in-kind services for the design of the project and by providing funding for and constructing the proposed improvements to the Band Shell, which are estimated to be valued in excess of $250,000. The Band Shell renovation project includes improvements to the exterior and interior of the building, as well as improvements to the surrounding landscaping. The improvements to be constructed and/or funded by TFLP will consist primarily of work performed to the interior of the Band Shell. The exterior work will be performed by City forces (Recreation and Parks, General Services, and the Bureau of Engineering).
Upon completion of construction, TFLP will have access to the Band Shell during specified periods for the operation of an annual, free to the public, summer concert series for a period of fifty (50) years ("Term"), subject to the final approval of the Board and City Council. Following the completion of the proposed Band Shell improvements, the proposed series of concerts would first occur June 5, 2007, through August 26, 2007, with a subsequent concert series continuing each year thereafter during the months of June through August, until the Term expires in August of the year 2056. While negotiations are on-going, it has been discussed that the City would provide some support services before, during, and after each summer evening concert, but that TFLP will bear the primary responsibility for funding and producing the concert series. As long as TFLP is able to fund and produce a high quality summer concert series for the City, the agreement would remain effective for the full fifty (50) year term. The Levitt Foundation will also provide TFLP with a $500,000.00 grant to support the first five (5) years of concert production, subsidizing TFLP’s initial efforts to fund the concert series with $100,000 per year during that period.

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

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

Environmental Management Staff has determined that the proposed renovation of the MacArthur Park Band Shell may result in potentially significant impacts to the environment that could be feasibly mitigated, and has retained a consultant for the preparation of a Mitigated Negative Declaration (MND) in compliance with the California Environmental Quality Act (CEQA). When the MND has been completed and reviewed by appropriate agencies and the general public in accordance with CEQA, it will be brought to the Board for consideration and adoption in conjunction with formal approval of the project.
Staff has discussed the proposed project with the Assistant General Manager of Operations East, Superintendent of the Metro Region, and the Office of Councilmember Ed Reyes of the First Council District, and each supports the project and concurs with staff's recommendations.

**FISCAL IMPACT STATEMENT:**

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

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

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

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

PROPOSED BAND SHELL DESIGN
EXHIBIT-B

Scope of Work

Mac Arthur Park Band Shell Renovation Project

1. Renovation of the Band Shell Building, including new ADA accessible bathrooms, interior, mechanical, electrical, and plumbing upgrades.

2. Renovations of the Glu-Lam beam and sub-floor replacements.

3. A concrete ADA ramp with handrails to be installed along the south side of the Band Shell, allowing for disabled access to the stage from the rear of the facility.

4. The scope of work will impact approximately 8,500 square feet of lawn and paving, and the concrete extension of the existing stage.

5. The existing stage extension will be demolished along with the paved area in front of the stage. The benches will be removed and will be replaced with lawn.

6. The existing walkway and adjacent concrete paving which currently cuts across the lawn in front of the bowl will be removed and replaced with paving of an enhanced nature. The new configuration will make the lawn "bowl" more apparent while still maintaining an ADA conforming access-way through the park. The enhanced paving will give the area an identity relating to the Band Shell as well as maintaining a natural circulation path.

7. A low stone curb will be installed at grade along a portion of the walk.

8. All areas not paved will require irrigation modification and reinstallation of the lawn.

9. Costs for Furniture, Fixtures, & Equipments, ie: audio/visual, are not included.

10. Costs to permanently and/or temporarily relocate various operations are not included.

11. Costs to perform major seismic upgrade of the Band Shell structure are not included.

12. An allowance is included in the estimate to handle standard site conditions issues during construction ie: contaminated soil, over-saturated soil, uncertified fill, hazardous material mitigation, environmental issues, historical issues, major replacement and relocation of existing utilities, etc. Additional funds would be needed should these issues be discovered to be extraordinary and beyond the allowance costs.

13. The estimate includes costs for construction escalation, estimated at 10% per year for one year.
EXHIBIT-C

THE LEVITT PAVILION
FOR THE PERFORMING ARTS
MEMORIAL PARK, PASADENA

2006 SUMMER CONCERT SERIES EVENT CALENDAR
After the summer concerts

JOIN US for two special events

A Night in Havana featuring Pancho Sanchez

Come support the Friends of the Levitt Pavilion and their Annual Fundraising Event, “A Night in Havana.” Celebrate the beauty of old Cuba in the heart of Los Angeles, right here in this very special extravaganza.

Sunday, September 24th, 7:00pm.

Tickets can be purchased at the Levitt Pavilion Information Booth, or by going online to the Levitt Pavilion website.

Shakespeare in the Park Returns with Hamlet

Performed by the renowned Crown City Theatre Company, September 8th, 9th, 10th, 11th, 12th, 13th, 15th & 16th, 7:30pm. For more information visit the Levitt Pavilion website.

Music for Everyone

Wednesday is Children’s Night, 7:00pm.

Bring the whole family and especially the little ones for an evening of music, songs, and storytelling as we present the very best in children’s entertainment.

Thursday is World Rhythms 7:00pm.

Bring the whole family and especially the little ones for an evening of music, songs, and storytelling as we present the very best in children’s entertainment.

Friday is Dance Beat 8:00pm.

From Swing to Salsa, Afro-Cuban to good old West Coast Jive, the night is yours to dance the night away in a delightful mix of music and rhythm.

Sunday is Jazz Night, 7:00pm.

Close your eyes and enjoy the jazz. Soothing sounds of the sax and the piano stir your emotions and make the night even sweeter.

Levitt Loves Kids is Back

The Levitt Pavilion announces the return of the Levitt Loves Kids program, a huge success in the past. This year, the program runs on Wednesday, Sunday at 6:30 for a glimpse into the world of jazz. The music is soothing, the atmosphere is calm and relaxed, and the kids love it.

Levitt Loves Kids Back

The Friends of the Levitt Pavilion are proud participants in Pasadena’s 10 year program to promote and integrate fine arts and culture into our community. To learn more about this exciting program or learn how you can become a part of the Nexus Team go to www.library.pasadenaca.us/levittlovekids or call 626.744.8399.

Levitt Pavilion Bandshell is Memorial Park

The Levitt Pavilion is located in Memorial Park at the corner of Waverly and Raymond in Old Town Pasadena. Enjoy access from the Metroline Goldline Memorial Park Station.
The 2006 Levitt Pavilion Summer Concert Series.
50 Performances under the Stars.
Free admission.

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

World Rhythms
7:00pm

Dance Beat
8:00pm

Musica Latina
8:00pm
With special Levitt Loves Kids performance at 6:30pm

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

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June 20th
Paradise Express
Award-winning Children's group is back for their third season of music and fun.

July 5th
Annie Hart
Annie Hart returns bring her award-winning performance that has delighted thousands of children around the world.

July 12th
Brass Pacific
Explore the world of classical music as this group performs and teaches this rich tradition in a fun and educational way.

July 19th
Annie Hart
Annie Hart returns bringing the magic of classical music to life with music and dance.

August 2nd
Chinesenight
The "Big Top" comes to the Levitt as world class jugglers and stilt walkers perform alongside two world-class acrobats.

August 9th
Limpopo
African blend of rich, energetic Russian folk music, with a touch of African beats.

August 16th
The Omnis
Welcome to a magical world where the imagination of children rules.

August 23rd
Peter Allen
Peter Allen's "Reef" tour.

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June 21st
Karl's Dance
Dynamic dance and music brings the excitement of Hollywood to Southern California.

July 6th
Eileen Ivers
Eileen Ivers departs on a Celtic odyssey, bringing together the sounds of Scotland and Ireland.

July 21st
Nico Kay
Nico Kay's musical journey continues as he explores the rich heritage of Southern California.

July 28th
Rinat-Eli Aviles
A night of pure Latin rhythm performed by the world-renowned clarinetist.

August 4th
Rolando Morales
Latino jazz, flamenco, salsa, and rock, all in one unforgettable performance.

August 11th
Eva James
Eva James and her band create an unforgettable night of Latin music.

August 18th
Princelike
A vibrant, colorful blend of traditional and modern Latin rhythms.

August 25th
Myrna Santamaria
Myrna Santamaria's unique style of Latin music.

September 1st
Kaz Man
Kaz Man, the king of Latin percussion, takes the stage.

September 8th
Carlos Sanchez
Carlos Sanchez returns with his amazing group of vocalists.

September 15th
Kaz Man
Kaz Man's magical night of Latin music.

September 22nd
Carlos Sanchez
Carlos Sanchez performs to the pinnacle of Latin music.

September 29th
Kaz Man
Kaz Man's final performance of the season.

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