

APPROVED

REPORT OF GENERAL MANAGER

NO. 14-160

DATE June 26, 2014

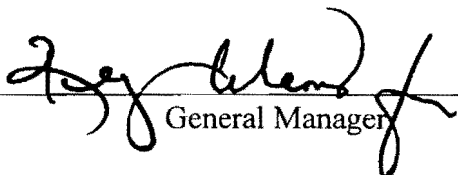
JUN 26 2014
BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES CENTER FOR ENRICHED STUDIES – FACILITY USE PERMIT FOR JOINT USE OF RECREATIONAL FACILITIES FROM JULY 2014 THROUGH JUNE 2015

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



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Facility Use Permit (FUP), substantially in the form on file in the Board Office, issued by the Los Angeles Unified School District (LAUSD), defining details of the Department of Recreation and Parks (RAP) joint use of aquatic and athletic facilities at the Los Angeles Center for Enriched Studies (LACES) from July 1, 2014, through June 30, 2015;
2. Direct the Board Secretary to transmit the proposed FUP to the City Attorney for review as to form;
3. Authorize RAP's General Manager to execute the FUP upon receipt of the City Attorney's approval; and
4. Authorize RAP's Chief Accounting Employee to make payment to LAUSD for reimbursement of maintenance-related services upon the receipt of invoices for periods between July 1, 2014, and June 30, 2015, from Fund 302, Department 88, Appropriation Account 3040, Contractual Services.

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SUMMARY:

LACES is a LAUSD magnet middle school and high school, enrolling students in grades 6 through 12, located at 5931 West 18th Street in Council District 10. The campus encompasses a comprehensive athletic complex with an aquatics facility, a sports field, basketball courts, tennis courts, and an indoor gymnasium, a dance room, and a weight room, collectively called the Recreational Facilities. The Recreational Facilities in place today are the result of a significant capital improvement project funded in part by the City's Proposition K grant funds. Because of the Proposition K grant, a Joint Use Agreement was executed on June 4, 1998, between the City, acting through RAP, and LAUSD. This Joint Use Agreement for LACES was substantially similar to other agreements executed at the time. The term of the joint use is for 15 years after completion of the improvements, which occurred in 2005; joint use of LACES began in 2006. The Joint Use Agreement terminates in June of 2020 unless extended by the parties.

The joint use activity at LACES is different from any other joint use relationship between RAP and LAUSD for a number of reasons:

- The mix of facilities is unusual as it includes a swimming pool, outdoor sports fields and courts, and indoor athletic spaces, while typically Proposition K joint use agreements cover only one of those amenity groups.
- The operation of the pool is in itself also different from the typical joint use arrangement, in which RAP owns the pool on school property and operates it for both students and the public; at LACES, while RAP's Aquatics staff provides lifeguard services for classes and school activities as well as the public, LAUSD owns the LACES pool, not RAP.
- Also at LACES, a long tradition of public access to the facilities on weekends and other non-school days has established a pattern of public use by families for un-structured recreation, which differs from other joint use situations where access is strictly LAUSD students or RAP program participants.
- LACES has extensive and well-regarded athletic programs, requiring more school use of the Recreation Facilities and diminished RAP time for programming than contemplated in the original Joint Use Agreement.
- Finally, the Joint Use Agreement for LACES stipulates that RAP should handle maintenance during public use time, while LAUSD handles maintenance during school time; however LAUSD has required RAP to pay school staff to perform all maintenance because of the integration of the facilities and overlap of use at the school.

Managing these joint use circumstances which are unique to LACES creates some challenges from

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time to time for both RAP and school staff in coordinating activities and ensuring that recreation program participants and students all have balanced access to the facilities. There is also the unusual mutual payment situation, in which because of the various revenue sources tapped by our two agencies, RAP reimburses LAUSD for maintenance while LAUSD separately reimburses RAP for lifeguarding services. Ultimately, the parties agreed on using an LAUSD annual Facilities Use Permit (FUP) to capture the unique specifics of joint use at this site, an action acceptable under the 1998 Joint Use Agreement. The most recent FUP approved by the Board covered the period of January 1, 2013 through June 30, 2014 (Board Report No. 13-242, approved on September 18, 2013) and covering 18 months in order to adjust the annual FUP to a fiscal year basis.

The proposed FUP is materially comparable to the most recent, current FUP, which had incorporated two important negotiated changes from the past, one to clarify the lines of communication between the school and RAP staff for daily operations, and the other, as mentioned, to adjust from calendar to fiscal year terms.

This 2014-15 FUP continues the limited weekday operations for RAP during the school year, in which public programming cannot begin until 6:00 p.m., and it continues the lifeguard services provided to LACES by RAP for physical education classes and athletic competition and events. The estimated cost for RAP to provide this service to LAUSD at LACES for the 12-month term of this FUP is \$59,465.36, and will be billed for this location as part of the annual RAP billing to LAUSD for all lifeguard services citywide.

With approval of this FUP, staff also requests Board authorization for the Chief Accounting Employee to pay LAUSD on invoices received for reimbursement of LAUSD maintenance costs for July 1, 2014 through June 30, 2015, with a not-to-exceed estimate of \$107,805.72. When receiving the invoices at the end of the fiscal year, RAP staff will ensure that they reflect actual times used for RAP programs at LACES and that there is no overlap between maintenance costs reimbursed by RAP with those funded annually by Proposition K maintenance funds.

The Assistant General Manager, Operations Branch, the Superintendent of the Pacific Region and the Office of Council District 10 support continued joint use at LACES under these terms.

ENVIRONMENTAL IMPACT STATEMENT

RAP's staff determined that the approval of the proposed FUP is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article El, Section 1, Class 1 (14) of the City CEQA Guidelines; this exemption allows for the use of existing school facilities involving a negligible or no expansion of use.

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FISCAL IMPACT STATEMENT:

RAP's obligations related to public operations and reimbursement for maintenance at LACES are funded through RAP's regular budget approval process. LAUSD has estimated annual maintenance reimbursement costs to be \$107,805.72; the estimate for reimbursement of maintenance for the term of the July 1, 2014 to June 30, 2015 FUP will be adjusted with refinements to the line items billed and final bills will be reconciled with RAP records of actual use. The estimate for lifeguard services for which LAUSD will be charged for the same July 1, 2014 to June 30, 2015 term is \$59,465.36.

This report was prepared by Joel Alvarez, Senior Management Analyst I, Partnership Division.