

REPORT OF GENERAL MANAGER

NO. 05-35

DATE: February 2, 2005

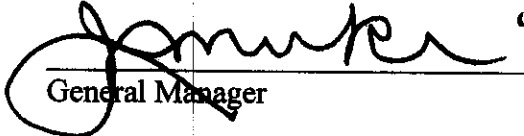
CD 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BANDINI CANYON AGREEMENT WITH LOS ANGELES  
NEIGHBORHOOD INITIATIVE FOR THE DESIGN OF THE TRAIL  
PROJECT

K.Chan \_\_\_\_\_  
J. Combs \_\_\_\_\_  
H. Fujita \_\_\_\_\_

J. Kolb \_\_\_\_\_  
F. Mok \_\_\_\_\_  
G. Stigile \_\_\_\_\_

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve the proposed agreement, substantially in the form on file in the Board Office, between the Department of Recreation and Parks and the Los Angeles Neighborhood Initiative (LANI) for the design and project management of the Bandini Canyon Trail project, subject to approval of the Mayor in accordance with the Executive Directive No. 16 and review and approval of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have the available personnel, nor personnel with the appropriate expertise and history of working closely with the local community members to manage the community-driven design process of the Bandini Canyon Trail project;
3. Authorize the Department's Chief Accounting employee to request the Community Development Department to process a transfer of the Community Development Block Grant funds in the amount of \$72,056.00 from Department 22, Fund 424, Account W450, to Department of Recreation and Parks, Department 88, Fund 205, Account WC06, to process payments from this account for the purposes stated in the agreement;
4. Approve the appropriation of \$81,000.00 from Quimby fees, sub-account 460K BN to fund the Trail project at Bandini Canyon;
5. Authorize the Department's Chief Accounting employee to process the payments from Quimby funds in the amount of \$81,000.00 from Department 88, Fund 302, Account 460K, Sub-account BN, for the purposes stated in the agreement;
6. Direct the Board Secretary to transmit the proposed agreement to the Mayor and City Attorney for review; and,

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7. Authorize the Board President and Secretary to execute the agreement upon receipt of necessary approvals.

### SUMMARY:

Since 1994, the Los Angeles Neighborhood Initiative (LANI), a nonprofit organization has served as a partner to numerous City departments, developing a proven track record in expediting public improvement projects throughout the City of Los Angeles. In 2003, at the request of the Mayor's Office and Councilmember Janice Hahn, LANI facilitated the development of a community-driven conceptual plan for Bandini Canyon. Utilizing its nationally recognized community engagement process, LANI worked closely with a steering committee of local stakeholders and the community at-large for a period of nine months to reach consensus on a development plan in a once divided community. Due to its expertise and knowledge of the project, LANI served as the grant writer for the Department's Proposition 40 Urban Park Act application for the Bandini Canyon Trail. The application resulted in the City being awarded funding in the amount \$1.5 million for construction to develop a nature trail project including scenic native landscaping and permanent play structures in a presently underutilized, blighted natural canyon.

In addition to the Proposition 40 funding, LANI has been awarded \$72,056.00 Community Development Block Grant (CDBG) funding for the 30<sup>th</sup> Year Consolidated Plan, which is a substantial portion of what is required for design of the project. This report is requesting approval to add \$81,000.00 in Quimby fees to LANI's CDBG funds to allow LANI to complete the design phase. LANI will also secure \$10,000.00 from the Central San Pedro Neighborhood Council for a total estimated design phase cost of \$163,056.

On June 16, 2004, the Board approved the Park Fees Project and Expenditure Program for Fiscal Years 1999-2003 (Board Report 04-216). The Expenditure Program specifies 641 projects at 210 facilities, including this Urban Park project at Bandini Canyon. As the Board has approved funding for all potential projects listed in the Expenditure Program, there are sufficient funds available for this proposed project. Department forces along with existing Citywide vendors will be responsible for completing this project. Currently, Quimby fees (sub-account 460K BN) in the amount of \$85,369.43 are available to fund this eligible project. The fees were collected within a mile and a half of Bandini Canyon, which is the standard distance for the allocation of Park/Quimby fees. The remaining funds, in excess of the \$81,000 requested to be allocated to LANI's design contract, will be used for future eligible park improvements.

The City Charter requires that any contract with a service or labor component must comply with Charter Section 1022. Before a contract can be awarded to an independent contractor, the Board of Commissioners must find that it is more economical or feasible to contract with an independent contractor than for the work to be done by a current City employee. For the last 12 months, LANI has conducted and facilitated extensive community outreach to mobilize and empower local stakeholders and oversee the development of a conceptual plan document that has already garnered

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the overwhelming support of the community. In addition, LANI was also awarded the funding from CDBG to complete this project, thus eliminating the expense of the bid and award process. In addition, LANI was also awarded the funding from CDBG to design this project, thus eliminating the expense of the bid and award process, and will secure \$10,000.00 from the Central San Pedro Neighborhood Council. Therefore, it will be far more economical to the City for LANI to complete the design work for the project than for anyone else to undertake the task.

The total project construction cost for the Bandini Canyon Trail is estimated at \$1.5 million. Prior to the start of construction, the Board will be requested to award the construction contract to LANI and approve the associated contract amendment. As the project manager, LANI will go out to bid to solicit contractors for the construction of the improvements. LANI will develop a bid package that will include all requirements stipulated by the funding sources in compliance with all applicable laws and regulations including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, the American with Disabilities Act of 1990, and other laws and codes pertaining to individuals with disabilities.

In February 2005, it is anticipated that the Proposition 40 Urban Park Act grant award will be presented by the L.A. for Kids Steering Committee to Council for acceptance. Upon acceptance and execution of the contract agreement, the Department will request the funds from the State and that the funds will be received by the end of May 2005. It is anticipated that the construction will be completed within nine months from the time Proposition Urban Park Act funding is available for charging expenditures. The new facility will require \$112,000.00 in annual trail maintenance funding to operate the facility. The Department of Recreation and Parks will be responsible for the project upon its completion.

Department Environmental staff has determined that the subject project will consist of the construction of a new small facilities and accessory structures in Bandini Canyon, and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3(6) and Class 4(3, 12) of the City CEQA Guidelines.

This report was prepared by Evangeline Carlos, Grants Administration.