

APPROVED

REPORT OF GENERAL MANAGER

MAY 02 2007

NO. 07-100

DATE May 2, 2007

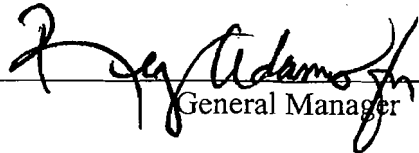
BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LANARK POOL REPLACEMENT AND BATHHOUSE RENOVATION (#1300P)
(W.O. #E170928D) — RELEASE OF FUNDS WITHHELD IN RESPONSE TO A
STOP NOTICE ON CONSTRUCTION CONTRACT

R. Adams	_____	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>MS</u>


General Manager

Approved /

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Acknowledge that the Stop Notice filed by Menashe Braonstiin on July 26, 2006 on the Lanark Pool Replacement and Bathhouse Renovation (#1300P) (W.O. #E170928D) project has been nullified by Court Order; and,
2. Release the funds withheld based upon the nullified Stop Notice as detailed in the Summary of this Report.

SUMMARY:

In a Los Angeles Superior Court hearing on April 2, 2007, pursuant to California Civil Code Section 3197, Judge James A. Kaddo nullified the Stop Notice filed by Menashe Braonstiin on July 26, 2006, and accepted by this Board on September 6, 2006 (Report No. 06-247). The court also ordered the City to release any funds that were withheld pursuant to this Stop Notice to the prime contractor. On advice of the City Attorney, it is now timely for this Board to authorize the release of said funds.

