

APPROVED

OCT 06 2010

REPORT OF GENERAL MANAGER

NO. 10-265

DATE October 6, 2010

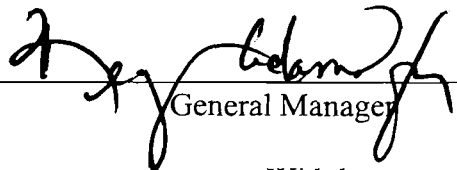
BOARD OF RECREATION and PARK COMMISSIONERS

C.D. 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HELEN BERNSTEIN HIGH SCHOOL – JOINT USE AGREEMENT BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE LOS ANGELES UNIFIED SCHOOL DISTRICT FOR THE SHARED USE OF A SYNTHETIC TURF MULTI-USE SPORTS FIELD AND EXTERIOR RESTROOM DURING SUMMER SEASONS

|            |       |           |           |
|------------|-------|-----------|-----------|
| R. Adams   | _____ | F. Mok    | _____     |
| H. Fujita  | _____ | K. Regan  | _____     |
| S. Huntley | _____ | *M. Shull | <u>ms</u> |
| V. Israel  | _____ |           |           |

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

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a proposed Joint Use Agreement (JUA), substantially in the form on file in the Board Office, between the Department of Recreation and Parks and the Los Angeles Unified School District, specifying the terms and conditions for the shared use of a synthetic turf multi-use sports field at the new Helen Bernstein High School during future summer seasons, subject to the approval of the Mayor and of the City Attorney as to form;
2. Direct the Board Secretary to transmit forthwith the proposed JUA to the Mayor's Office in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
3. Authorize the Board President and Secretary to execute the JUA upon receipt of the necessary approvals.

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### SUMMARY:

On June 4<sup>th</sup> 2008, the Board approved a Memorandum of Understanding (MOU) among the Department of Recreation and Parks (Department), Los Angeles Unified School District (LAUSD), and Community Redevelopment Agency of Los Angeles (CRA/LA) for the cooperative development of a synthetic turf multi-purpose athletic field (Field) at Helen Bernstein High School located at 1309 N. Wilton Place in Council District 13, and the future joint-use thereof. The proposed Joint Use Agreement (JUA) before the Board today is the JUA contemplated in said MOU. Pursuant to the terms and conditions of the MOU and a cooperative development agreement executed between the CRA and LAUSD in 2008, the CRA provided the District with the necessary funding for the Field's development and the District completed the Field as agreed. With the approval of the proposed JUA, the Department will contribute to the project summer programming during specified days and hours.

For more than thirty years the Department and LAUSD have entered into joint-use agreements involving capital improvements at schools and park sites. To date there have been over thirty such agreements ranging in scope from the shared use of pools and gymnasiums to that of fields, courts and tracks. In this particular case, the scope of shared use involves the City's use of only the synthetic turf multi-use field and adjacent exterior restrooms.

The CRA/LA funded half of the estimated \$1.2 million needed for the field improvements. This contribution met the matching requirement of the Board of Education's joint-use policy and reflects the CRA's intent to provide public recreational access on a more regular basis than could be achieved by obtaining temporary permits for the use of the site. The District in turn matched the CRA sum with bond funding to fully fund the Field's development. The Department's contribution to the project is to develop and offer public recreational programming at the site. The Hollywood area is growing rapidly and this site has the ability to fulfill much needed recreational programming for those area residents.

The level of programming that the Department will provide shall be limited to summer periods while school is not in session. The City previously provided shared use programming at the Field and restrooms during the summer of 2009 through a license agreement issued by the District allowing the public access to the Field. However, due to budgetary constraints the Department was unable to program during the 2010 summer. The purpose of the proposed JUA is to ensure the Department's access to the site for public use during future summer periods upon identification of necessary operating funds.

Pursuant to the terms and conditions of the proposed JUA, the maintenance and operations costs will be funded on a pro-rata shared basis between the Department and LAUSD, based on hours of actual use. Each party will be responsible for the cost of maintenance and repair applicable to each party's designated period of use.

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Staff has determined that the activities contemplated in the proposed JUA have been previously evaluated in an Environmental Impact Report (EIR) prepared by the LAUSD for Helen Bernstein High School (Central Los Angeles Area New High School #1) (State Clearing House No. 200101090). The EIR evaluated the environmental effects of the new high school and public use of the facilities during non-school hours. The LAUSD found that all significant environmental impacts could be mitigated to a level less than significant with implementation of the prescribed mitigation measures, except for traffic and parking related impacts. However, these impacts were determined to be associated with regular school hours primarily during the morning peak hours and would not affect after-school activities. Nevertheless, LAUSD determined that the benefits of the project outweighed the significant traffic and parking impacts, and adopted a Statement of Overriding Considerations in compliance with CEQA, when the Final EIR was certified on October 2, 2001. A Notice of Determination (NOD) was filed with both the State Clearing House and the Los Angeles County Clerk on October 10, 2001. Staff has reviewed the EIR and finds that the proposed JUA for use of the facilities at Helen Bernstein High School during summer session will not have a significant impact on the environment or potentially significant environmental effects have been mitigated to a level less than significant, and no further documentation in compliance with CEQA.

The Assistant General Manager of Operations East, the Metro Region and the Office of Council District Thirteen concur with staff's recommendations.

### FISCAL IMPACT STATEMENT:

The Department has allocated operations and maintenance funds to this site for prior shared use activities and shall submit a similar budget request for future summer operations and maintenance.

This report was prepared by Joel Alvarez, Senior Management Analyst, Real Estate and Asset Management.