SPECIAL AGENDA

BOARD OF RECREATION AND PARK COMMISSIONERS OF THE CITY OF LOS ANGELES

Wednesday, October 20, 2010 at 9:30 a.m.

Westchester Recreation Center 7000 West Manchester Avenue, Los Angeles, CA 90045

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM.

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED, FOR A CUMULATIVE TOTAL OF UP TO FIFTEEN (15) MINUTES FOR EACH ITEM. ALL REQUESTS TO ADDRESS THE BOARD ON PUBLIC HEARING ITEMS MUST BE SUBMITTED PRIOR TO THE BOARD'S CONSIDERATION OF THE ITEM. COMMENTS BY THE PUBLIC ON ALL OTHER MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD WILL BE HEARD DURING THE "PUBLIC COMMENTS" PERIOD OF THE MEETING. EACH SPEAKER WILL BE GRANTED TWO MINUTES, WITH FIFTEEN (15) MINUTES TOTAL ALLOWED FOR PUBLIC PRESENTATION.

1. INTRODUCTIONS:

Special Introduction and Opening Remarks by Councilmember Bill Rosendahl, Council District 11, or His Appointed Representative

Kevin Regan, Assistant General Manager, Operations West, will Introduce the Staff of Westchester Recreation Center

2. APPROVAL OF THE MINUTES:

Approval of the Minutes of the Meeting of October 6, 2010

3. GENERAL MANAGER'S REPORTS:

- 10-275 Van Nuys-Sherman Oaks Recreation Center Universal Access Playground (#1208L) (W.O. #E1904599) and Dearborn Park Universal Access Playground (#1209L) (W.O. #E1904603) Change Orders to Contract No. 3313
- 10-276 5927 Carlton Way Acquisition and Approval of Purchase and Sale Agreement
- 10-277 Hollywood Recreation Center Gym, Pool and Bathhouse (W.O.#E170344) Initial Study/Negative Declaration
- 10-278 Park Property Installation of Telecommunication Equipment
- Orcutt Ranch Refurbishment of Buildings and Grounds,
 Americans with Disabilities Act (ADA) Access
 Improvements (CD3) (PRJ1505A) (W.O.#E170211F);

October 20, 2010

Westchester Recreation Center - Pool and Bathhouse Improvements (CD11) (W.O. #PRJ1508P); and Wilmington Recreation Center - Skate Plaza Renovations (CD15) (W.O. #PRJ1309B) - Rescission of Previous Board Actions Authorizing Allocation of Quimby Funds; Allocation of Proposition 40 Per Capita and Roberti-Z' Berg-Harris Grant Funds

- 10-280 As-Needed Booking Agent Services Award of Personal Service Contracts to David M. Hewitt dba DMH Enterprises, Todd Elliot dba Elliot Management and Entertainment, and Jumbo Shrimp Circus, Inc.
- The City of Los Angeles Broadband Los Angeles Computer Access Network (LA-CAN) Consortium Memorandum of Understanding among Information Technology Agency, Los Angeles Public Library, Community Development Department, and the Department of Recreation and Parks for the American Recovery and Reinvestment Act of 2009 (ARRA) Broadband Grant
- 10-282 Various Communications

4. UNFINISHED BUSINESS:

10-266 Robert F. Kennedy Inspiration Park - Use Agreement between the Department of Recreation and Parks and the Los Angeles Unified School District for the Operation and Maintenance of a New Park on a Portion of School Property

5. COMMISSION TASK FORCES:

- Commission Task Force on Concessions (Commissioners Stanley and Williams)
- Commission Task Force on Facility Repair and Maintenance (Commissioners Sánchez and Werner)

6. GENERAL MANAGER'S ORAL REPORT:

Report on Department Activities and Facilities

7. FUTURE AGENDA ITEMS:

Requests by Commissioners to Schedule Specific Items on Future Agendas

8. PUBLIC COMMENTS:

Any comments which require a response or report by staff will be automatically referred to staff for a report at some subsequent meeting.

9. NEXT MEETING:

The next scheduled meeting of the Board of Recreation and Park Commissioners w ill be held on Wednesday, November 3, 2010 at 9:30 a.m., at EXPO Center, Community Hall Room, 3980 S. Bill Robertson Lane (Formerly Menlo Avenue), Los Angeles, CA 90037

10. ADJOURNMENT:

Under the California State Ralph M. Brown Act, those wishing to make audio recordings of the Commission Meetings are allowed to bring tape recorders or camcorders in the Meeting.

Sign language interpreters, assistive listening devices, or any auxiliary aides and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For additional information, please contact the Commission Office at (213)202-2640.

Finalization of Commission Actions: In accordance with City Charter, actions that are subject to Section 245 are not final until the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session and if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Commission Meetings can be heard live over the telephone through the Council Phone system. To listen to a meeting, please call one of the following numbers:

from Downtown Los Angeles	(213) 621-CITY (2489)
from West Los Angeles	(310) 471-CITY (2489)
from San Pedro	(310) 547-CITY (2489)
from Van Nuys	(818) 904-9450

For information, please go to the City's website: http://ita.lacity.org/Residents/CouncilPhone/index.htm

Information on agenda items may be obtained by calling the Commission Office at (213) 202-2640. Copies of the agenda and reports may be downloaded from the Department's website at www.laparks.org.

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REPORT OF GENER	AL MANA	GER		NO.	10-275
DATE: October	20, 2010	0		C.D.	2, 12
BOARD OF RECREA	ATION AND	PARK COMM	MISSIONERS .		
ACCES - UN	SS PLAYGR IVERSAL	OUND (#1208I	RECREATION L)(W.O. #E190459 YGROUND (#1 ACT NO. 3313	99) AND DE	ARBORN PARK
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Approved		Disapproved	L	eneral Man Witho	- <i>(</i>)

RECOMMENDATION:

That the Board approve two credit Change Orders in the amounts of \$300,988 and \$225,503, for the deletion of work from Contract No. 3313 with Pima Corporation (Pima), as outlined in the Summary of this report.

SUMMARY:

On April 21, 2010, the Board awarded a construction contract (Contract No. 3313) in the amount of \$1,269,105 to Pima, under Board Report No. 10-086 for the Van Nuys-Sherman Oaks Recreation Center - Universal Access Playground (#1208L)(W.O. #E1904599) and Dearborn Park - Universal Access Playground (#1209L)(W.O. #E1904603) projects, located at 14201 Huston Street, Sherman Oaks, CA 91423 and 17141 Nordhoff Street, Northridge, CA 91330, respectively. Contract No. 3313 was executed on June 2, 2010. The projects call for the development of new universally accessible playgrounds (UAP) with playground equipment on rubberized resilient surface, benches, drinking fountains, landscaping, and irrigation.

The construction is being accelerated in order to meet the State Proposition 40 grant deadline. Among all the materials and equipment to be delivered and installed for the projects, the playground equipment requires the longest lead time. Landscape Structures, Inc. (LSI) was approved by the Board (Board Report No. 08-279) as the sole-source manufacturer for the playground equipment. In order to expedite the fabrication and delivery of the playground equipment, LSI requires a deposit

PG. 2 NO. <u>10-275</u>

payment in advance. However, under the terms and provisions of the contract, City cannot make payment to the contractor until after the goods and services are received. Another available option to expedite the delivery of the playground equipment is for the City to purchase it directly from the manufacturer through RecWest Outdoor Products, Inc. (RecWest), who is a local sales representative of LSI products and a contract vendor with the City. By issuing a Contract Purchase Order (CPO) to RecWest, order can be placed with LSI to begin fabrication immediately. RecWest/LSI submitted price quotes to the Department to supply the playground equipment, and Pima has agreed to credit Change Orders in the same amounts. The credit due City is \$300,988 for the Van Nuys-Sherman Oaks Recreation Center UAP, and \$225,503 for the Dearborn Park UAP. Therefore, a total of \$526,491 will be deducted from the awarded contract amount of \$1,269,105 for the material costs of the playground equipment. The cash flow loans from the Public Works Trust Fund (PWTF) Proposition 12/40 cash flow account have been approved to provide funds for the issuance of the CPO's. The City will purchase the playground equipment by issuing CPO's to RecWest. The playground equipment will be fabricated and delivered to the job site by LSI, and will be installed by Pima per contract. The Supplemental Agreement Change Orders and price proposals from RecWest/LSI are attached. The Supplemental Agreement Change Orders will be executed upon the approval of this Board Report.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department as a result of the Change Orders, as these are credit Change Orders. The funds necessary to purchase of the playground equipment are covered by the projects' Proposition 40 funding, and the CPO's are issued by using cash flow loans from the PWTF account.

This report was prepared by Paul Tseng, Bureau of Engineering (BOE) Architectural Division. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program; Deborah Weintraub, AIA, Chief Deputy City Engineer, BOE; and by Mike Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

City of Los Angeles – Department of Public Works – Bureau of Engineering SUPPLEMENTAL AGREEMENT CHANGE ORDER

Project Title	•		Project No.	Chánge Order No.	File No.	Page
Van Nuys-Sherman Oaks Rec Center UAP			G 557	001	8-8-1	1 of 2
Work Order Number	Contract Number	Bid Item No.	Subject			
E1904599	3313	N/A		Play Equipme	nt Procureme	ent
Contractor	'		Plan Reference			
PI	MA Corporatio	n				
[] Changed/Unforeseen Conditions [] Errors and Omissions [] X] Change in Scope		Spediicalion Re	ference			

1. Reason for Change:

Contractor's correspondence on August 18, 2010 indicated that Contractor is not able to meet the down payment request by the play equipment supplier, Landscape Structures (LSI), and therefore may not initiate the order for the play equipments. In response, the Department of Recreation and Parks is purchasing the play equipment from LSI in lieu of the Contractor by making full payment.

2. Description of Change:

Deduct change order shall be issued for the full amount of the material cost for the play equipment. LSI's charge for the play equipment is \$300,987.58 and this shall be the amount of credit to the City. Contractor is to provide installation of the play equipment per original contract.

3. Change in Contract Amount:

CREDIT TO CITY—AGREED PRICE Deduct from contract per item No. 2 above

DEDUCT \$300,988.00

4. Change in Contract Duration:

No Time Extension.

City of Los Angeles - Department of Public Works - Bureau of Engineering SUPPLEMENTAL AGREEMENT CHANGE ORDER

Project:Title			Project No.	Change Order No.	File No.	Page
Van Nuys-Sherman Oaks Rec					0.04	
	Center UAP		G557	001	8-8-1	2 of 2
Work Order Number	Contract Number	Bid Item No.	Subject			
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E1904599	3313	N/A	- 4	Play Equipme	<u>nt Procureme</u>	<u>ent</u>
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THEORY TO BE MADE OUT TO: LANDSCAPE STRUCTURES INC. SDS 12-0395 P.O. BOX 81 MINNEAPOLIS, MN 58486-6395

Proposal

11963

JKLOSA

Date: 8/9/2010

\$301,077.58

Proposal No.

Acct Code:

LANDSCAPE STRUCTURES, INC. 601 7TH ST. SOUTH, **DELANO, MN 55328** Bill To: (Please fill in as necessary)

City of Los Angeles, Facility Repair

Mr. John Kolody

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		CoolTopper, Spr	ing Platform w/Handhold,					
	_	Accessible Super	Scoop, Disc Climbers and					
		Arch Swing Set	with two full bucket seats.					
1	12018-1-11-2	Playbooster Play	structure w/Full Sail	26,833	\$226,101	.00 26,	833	\$226,101.0
		CoolToppers, Sp	lash Circuit, Spring Across,					
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Ship To: (Please fill in as necessary)

City of Los Angeles – Department of Recreation and Parks
SUPPLEMENTAL AGREEMENT CHANGE ORDER

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Project Title			Project No.	Change Order No.	File:No.	Page
Dearborn Park UAP			G548	101	8-8-1	1 of 2
Work Order Number	Contract Number	Bid Item No.	Subject			
E1904603	3313	N/A		Play Equipme	nt Procurem	ent
Contractor			Plan Reference			
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1. Reason for Change:

Contractor's correspondence on August 18, 2010 indicated that Contractor is not able to meet the down payment request by the play equipment supplier, Landscape Structures (LSI), and therefore may not initiate the order for the play equipments. In response, the Department of Recreation and Parks is purchasing the play equipment from LSI in lieu of the Contractor by making full payment.

2. Description of Change:

Deduct change order shall be issued for the full amount of the material cost for the play equipment. LSI's charge for the play equipment is \$225,502.55, and this shall be the amount of credit to the City. Contractor is to provide installation of the play equipment per original contract.

3. Change in Contract Amount:

CREDIT TO CITY—AGREED PRICE Deduct from contract per item No. 2 above

DEDUCT \$225,503.00

4. Change in Contract Duration:

No Time Extension.

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City of Los Angeles – Department of Recreation and Parks SHPPI EMENTAL ACREEMENT CHANGE ORDER

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Project Title			Project No.	Change Order No.	File No.	Page
Dear	born Park U	AP	G548	101	8-8-1	2 of 2
Work Order Number	Contract Number	Bid Item No.	Subject		·	
E1904603	3313	N/A		Play Equipme	nt Procureme	ent
Contractor	33.0		Plan Reference	in adaiping		
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CHECKS TO BE MADE OUT TO: LANDSCAPE STRUCTURES INC. SDS 12-0315 P.O. BOX 88 MINNEAPOLIS, MN \$\$486-0395

Proposal

Acct Code: __IKLOSA

11964

Proposal No.

PURCHASE ORDERS/CONTRACTS TO: LANDSCAPE STRUCTURES, INC. 601 TTH ST. SOUTH, DELANO, MN 55328

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		CoolToppers, Sad	dle Spinner, Disc Climbers,					
		Arch Swing w/two	belt seats, ADD Bay w/					
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1	REFERENCE:	LANDSCAPE ST	TRUCTURES, INC.		-\$17,225.	12	0	-\$17,225.12
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Ship To: (Please fill in as necessary)

This item not included in the package

10-276 5927 Carlton Way - Acquisition and Approval of Purchase and Sale Agreement

REPORT OF GENERAL MANAGER	NO. <u>10-277</u>
DATE: October 20, 2010	C.D13
BOARD OF RECREATION AND PARK COMMISSIONERS	
SUBJECT: HOLLYWOOD RECREATION CENTER – GYM, F (#1402B) (W.O. #E170344) – INITIAL STUDY/NEG	
R. Adams	eneral Majager
Approved Disapproved	Withdrawn

RECOMMENDATIONS:

That the Board:

- 1. Review and consider the Initial Study/Negative Declaration (IS/ND), on file in the Board Office, prepared by the City's Bureau of Engineering for the Hollywood Recreation Center, finding that all potentially significant environmental effects of the project have been properly disclosed and evaluated in compliance with the California Environmental Quality Act (CEQA) and the State and City CEQA Guidelines, and that the IS/ND reflects the Board's independent judgment and analysis;
- 2. Recommend that the City Council review, consider and adopt the IS/ND, with the City Council making the same findings as the Board;
- 3. Direct the Bureau of Engineering to file a Notice of Determination with the Los Angeles City Clerk and the Los Angeles County Clerk within five (5) days of Council's adoption of the IS/ND; and,
- 4. Authorize the Chief Accounting Employee to make a payment in the amount of \$2,085.25, payable to the Los Angeles County Clerk, for the Notice of Determination (NOD) filing fee (\$75) and the California Department of Fish and Game Fee (\$2,010.25).

PG. 2 NO. ____10-277

SUMMARY:

The proposed Hollywood Recreation Center (#1402B)(W.O. #E170344) project, which is currently under design, involves demolishing and reconstructing a pool, bathhouse (pool building), and refurbishing and relocating the water slide. The Recreation Center is located at 1122 Cole Avenue, Los Angeles, CA 90038. The existing facility is obsolete and does not meet the requirements of the Americans with Disability Act (ADA). The new pool will be enlarged and made ADA accessible, with a separate landing area from the water slide, and will conform with the new code requirements. The bathhouse upgrades will include providing a bathing facility according to the latest public health codes; improved natural lighting and ventilation; a new family changing area; and building upgrades to conform to new seismic standards. The old pool equipment will be replaced with more energy efficient units. Six existing trees will have to be removed to allow demolition and reconstruction of the new pool and bathhouse. These types of trees are not considered to be heritage or protected species and will be replaced in accordance with the City's Tree Replacement policy. Funding for this project will be from the Proposition K and Quimby Fees.

In accordance with the requirements of the California Environmental Quality Act (CEQA), a Negative Declaration (ND) was prepared for the entire project based on the Initial Study (IS) dated November 2, 2009, which determined that all potentially significant environmental impacts are less than significant. The ND was circulated to all interested parties and responsible agencies with a 20-day review and comment period from November 5, 2009 to November 24, 2009. During this public review period, one phone call and four emails were received expressing support and requesting ample parking and adequate security measures for the Recreation Center.

Upon adoption by the City Council of the Initial Study/Negative Declaration, staff will proceed with the completion of the construction documents. The completed construction documents will then be presented to the Board for approval and call for bids.

FISCAL IMPACT STATEMENT:

There is no immediate fiscal impact to the Department; however, future operations and maintenance costs will be assessed upon completion of the project.

This report was prepared by Catalina Hernandez, Environmental Specialist, BOE Environmental Management Group and Shashi Bhakta, Project Manager, BOE Recreational and Cultural Facilities Program. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer, Bureau of Engineering and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.

This item not included in the package

10-278 Park Property - Installation of Telecommunication Equipment

DATE: _ October 20, 2010

C.D. <u>3,11,15</u>

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ORCUTT RANCH – REFURBISHMENT OF BUILDINGS AND GROUNDS, AMERICANS WITH DISABILITIES ACT (ADA) ACCESS IMPROVEMENTS (CD3) (PRJ1505A) (W.O. #E170211F); WESTCHESTER RECREATION CENTER - POOL AND BATHHOUSE IMPROVEMENTS (CD 11) (W.O. #PRJ1508P); AND WILMINGTON RECREATION CENTER - SKATE PLAZA RENOVATIONS (CD 15) (W.O. #PRJ1309B); RECISSION OF PREVIOUS BOARD ACTIONS AUTHORIZING ALLOCATION OF QUIMBY FUNDS; ALLOCATION OF PROPOSITION 40 PER CAPITA AND ROBERTI-Z'BERG-HARRIS GRANT FUNDS

R. Adams H. Fujita *S. Huntley V. Israel	<u></u>	F. Mok _ K. Regan _ M. Shull _		2 (1)	
Approved			Disapproved	General Manager Withdrawn	

RECOMMENDATIONS:

That the Board:

- 1. Rescind approval of Recommendation No. 2 of Board Report No. 07-163, approved by the Board at its meeting of July 11, 2007, which allocated and appropriated \$431,644 in Quimby/Park fees for the Orcutt Ranch Refurbishment of Buildings and Grounds, ADA Access Improvements (PRJ1505A) (W.O. #E170211F) project;
- 2. Approve the allocation and appropriation of \$331,644 in Quimby/Park Fees for the Orcutt Ranch Refurbishment of Buildings and Grounds, ADA Access Improvements (W.O. #E170211F) project;
- 3. Approve the allocation of \$100,000 in Proposition 40 Per Capita funds to the Orcutt Ranch Refurbishment of Buildings and Grounds, ADA Access Improvements (W.O. #E170211F) project;

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- 4. Rescind approval of Recommendation No. 31D of Board Report No. 08-198, approved by the Board at its meeting of July 9, 2008, which allocated \$626,646.69 in Subdivision/Quimby Fees for the Westchester Recreation Center Pool and Bathhouse Improvements (W.O. #PRJ1508P) project;
- 5. Approve the allocation of \$55,556.69 in Subdivision/Quimby Fees from the Westchester Recreation Center Account No. 460K-WR for the pool and bathhouse improvements project, as described in the Summary of Board Report No. 08-198;
- 6. Approve the allocation of \$571,090 in Proposition 40 Roberti-Z'Berg-Harris grant funds to the Westchester Recreation Center Pool and Bathhouse Improvements (W.O. #PRJ1508P) project;
- 7. Rescind approval of Recommendation No. 31E of Board Report No. 08-198, approved by the Board at its meeting of July 9, 2008, which allocated \$997,353.31 in Zone Change/Park Fees from the Westchester Recreation Center Account No. 440K-WR for the pool and bathhouse improvement project, as described in the Summary of Board Report No. 08-198;
- 8. Approved the allocation of \$291,848.31 in Zone Change/Park Fees from the Westchester Recreation Center Account No. 440K-WR for the pool and bathhouse improvements project, as described in the Summary of Board Report No. 08-198;
- 9. Approve the allocation of \$705,505 in Proposition 40 Per Capita grant funds to the Westchester Recreation Center Pool and Bathhouse Improvements (W.O. #PRJ1508P) project;
- 10. Rescind the approval of Recommendation No. 4 of Board Report No. 08-190, approved by the Board at its meeting of June 23, 2008, which allocated \$161,182 in Subdivision/Quimby Fees for the Wilmington Recreation Center Skate Plaza Renovations (W.O. #PRJ1309B) project;
- 11. Approve the allocation of \$11,182 in Subdivision/Quimby Fees from the Wilmington Recreation Center Account 460K-WY for the Wilmington Recreation Center Skate Plaza Renovations (W.O. #PRJ1309B) project;
- 12. Approve the allocation of \$150,000 in Proposition 40 Per Capita grant funds to the Wilmington Recreation Center Skate Plaza Renovations (W.O. #PRJ1309B) project;
- 13. Authorize the Department's Chief Accounting Employee to initiate the necessary accounting transactions as a result of the additional funding; and

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14. Authorize the Department's Chief Accounting Employee to transfer the Proposition 40 Per Capita and Roberti-Z'Berg-Harris grant funds upon receipt of reimbursement from the State to the following Subdivision/Quimby Fees Accounts:

FROM:

<u>Project</u>	Fund/Acct
Orcutt Ranch	47T/TBD
Westchester Pool	47T/TBD
Westchester Pool	47W/TBD
Wilmington Recreation Center	47T/TBD

TO:

Project Fund/Acct
Orcutt Ranch 302/460K-OR

Westchester Pool 302/460K-WR & 440K-WR

Wilmington Recreation Center 302/460K-WY

SUMMARY:

In 2003, the City was awarded discretionary grant funds under the State Proposition 40 Per Capita (PC) and Robert-Z'Berg-Harris (RZH) Grant Programs. The purpose of the programs is to fund high priority projects that satisfy the most urgent park and recreational needs in California, with emphasis on unmet needs in heavily populated and most economically disadvantage areas within each jurisdiction.

The Proposition 40 PC and RZH Grant Program contracts are due to expire on June 30, 2011. The State Department of Parks and Recreation encourages the City to complete and submit all close-out packages by March 31, 2011, to ensure the release of payment of all expenditures by June 30, 2011.

In an effort to meet the grant deadline, the Department is making every effort to ensure all Proposition 40 discretionary funds are allocated to eligible projects that will complete by the deadline. Where appropriate, staff has identified projects that were completed within the grant performance period, as in the case of the Orcutt Ranch, Westchester Pool, and Wilmington Recreation Center projects. These recommended funding allocations will be used to reimburse some or all of the project funds used to complete the projects.

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In addition to authorizing the funding allocations, this report authorizes the Chief Accounting Employee to initiate the necessary accounting transactions resulting from the addition of the Proposition 40 PC and RZH funds to the Orcutt Ranch, Westchester Pool and Wilmington Recreation Center projects.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact on the Department's General Fund.

This report was prepared by Leonor Palangio, Management Analyst II, Grants Administration, Department of Recreation and Parks.

DATE October 20, 2010

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT:

AS-NEEDED BOOKING AGENT SERVICES – AWARD OF PERSONAL SERVICE CONTRACTS TO DAVID M. HEWITT DBA DMH ENTERPRISES, TODD ELLIOT DBA ELLIOT MANAGEMENT AND ENTERTAINMENT, AND JUMBO SHRIMP CIRCUS, INC.

R. Adams *F. Mok H. Fujita K. Regan S. Huntley M. Shull V. Israel	<u>now</u>	
	General Manager	<u> </u>
Approved	Disapproved Withdrawn	n

RECOMMENDATIONS:

That the Board:

- 1. Approve a proposed Personal Service Contract between the City of Los Angeles Department of Recreation and Parks and David M. Hewitt dba DMH Enterprises, substantially in the form on file in the Board Office, for as-needed booking agent services, in an amount not to exceed \$33,000 per year, for a term of one year, with two (2) one-year renewal options exercisable at the sole discretion of the General Manager, subject to the approval of the Mayor and of the City Attorney as to form;
- 2. Approve a proposed Personal Service Contract between the City of Los Angeles Department of Recreation and Parks and Todd Elliot dba Elliot Management and Entertainment, substantially in the form on file in the Board Office, for as-needed booking agent services, in an amount not to exceed \$33,000 per year, for a term of one year, with two (2) one-year renewal options exercisable at the sole discretion of the General Manager, subject to the approval of the Mayor and of the City Attorney as to form:
- 3. Approve a proposed Personal Service Contract between the City of Los Angeles Department of Recreation and Parks and Jumbo Shrimp Circus, Inc., substantially in the form on file in the Board Office, for as-needed booking agent services, in an amount not to exceed \$33,000 per year, for a term of one year, with two (2) one-year renewal options exercisable at the sole discretion of the General Manager, subject to the approval of the

PG. 2 NO. 10-280

Mayor and of the City Attorney as to form;

- 4. Find, pursuant to Charter Section 1022, that the Department does not have personnel available in its employ with sufficient time and expertise to undertake these specialized services and that is it is more feasible to secure these services by contract;
- 5. Find, in accordance with Charter Section 371(e)(10) and Los Angeles Administrative Code Section 10.15(a)(10), that the use of competitive bidding would be undesirable, impractical or otherwise excused by the common law and the Charter because, unlike the purchase of a specified product, there is no single criterion, such as price comparison, that will determine which proposer can best provide the services required by the Department for as-needed booking agent services. In order to select the best proposers for this service, the Board finds it is necessary to utilize a standard request for proposals process and to evaluate proposals received based upon the criteria included in the Request for Proposals (RFP). Also, find that the narrower and more specialized competitive sealed proposal process authorized but not required by Charter Section 371, subsection (b), would not meet the Department's needs and therefore opts to utilize the standard request for proposals process;
- 6. Direct the Board Secretary to transmit the proposed Personal Service Contracts to the Mayor in accordance with Executive Directive No. 3 and, concurrently, to the City Attorney for review and approval as to form; and,
- 7. Authorize the Board President and Secretary to execute the Personal Service Contracts upon receipt of the necessary approvals.

SUMMARY:

The Department of Recreation and Parks (Department) provides a variety of musical entertainment acts at various facilities throughout the City and uses experienced booking agents that are able to secure a wide range of musical genres and groups to provide talent at these events. Booking agent services have been utilized year round for many Department sponsored events, including the three day Salute to Recreation Family Festival in the Valley and the popular summer concert series at Pershing Square Park.

On May 20, 2009, the Board approved the release of the As-Needed Booking Agent Services Request for Proposals (RFP) in order to enter into a Personal Service Contract with up to six proposers responding to the RFP to provide as-needed booking agent services to secure musicians and musical groups for family-oriented entertainment at Department sponsored events (Board Report No. 09-129).

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The RFP was released on June 15, 2009 and advertised in the L.A. Daily Journal, made available on the Department's website and posted on the Los Angeles Business Assistance Virtual Network (BAVN). In addition, a letter inviting bids was mailed to over a hundred (100) organizations and individuals from a mailing list maintained by the Service Contracts Group.

On July 21, 2009, a Pre-Proposal Conference was held at the Central Service Yard and attended by four companies. On October 13, 2009, five proposals were received from the following firms:

- David M. Hewitt dba DMH Enterprises
- Todd Elliot dba Elliot Management and Entertainment
- Jumbo Shrimp Circus, Inc.
- La Jolla Booking Agency
- Community Arts Resources, Inc.

As stipulated in the RFP, evaluation of the bid proposals occurred in two levels. Level I was a check and review for required compliance and submittal documents and Level II was a comprehensive evaluation of the proposal by an evaluation panel. Proposers must successfully pass the first level to proceed to the next level.

Level I Evaluation

Staff performed a Level I review of the following required documents:

Compliance Documents:

- 1) Proposer's Signature Declaration and Affidavit
- 2) Disposition of Proposals
- 3) Affirmative Action Plan
- 4) Contractor Responsibility Ordinance Statement
- 5) Equal Benefits Ordinance Statement
- 6) Living Wage Ordinance/Service Contractor Worker Retention Ordinance
- 7) Bidder Certification CEC Form 50

Submittal Documents:

- 1) Cover Letter
- 2) Proposal Deposit
- 3) Experience and Qualifications
- 4) Proposed Services and Products
- 5) Prices of Proposed Services and Products

Proposals are found either Responsive (pass) or Non-Responsive (fail). The following is the complete Level I findings:

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- David M. Hewitt dba DMH Enterprises was found responsive in all seven compliance documents and responsive in all five proposal item submittal requirements (Attachment A).
- Todd Elliot dba Elliot Management and Entertainment was found responsive in all seven compliance documents and responsive in all five proposal item submittal requirements (Attachment B).
- Jumbo Shrimp Circus, Inc., was found responsive in all seven compliance documents and responsive in all five proposal item submittal requirements (Attachment C).
- La Jolla Booking Agency was found responsive in seven compliance documents and non-responsive in one of the five proposal item submittal requirements (Attachment D).
- Community Arts Resources, Inc., was found responsive in all seven compliance documents and non-responsive in two of the five proposal item submittal requirements (Attachment E).

The following three proposals passed the Level I evaluation and were found responsive to the RFP: David M. Hewitt dba DMH Enterprises, Todd Elliot dba Elliot Management and Entertainment, and Jumbo Shrimp Circus, Inc.

Level II Evaluation

On September 2, 2010, an evaluation panel composed of three Department employees with extensive experience with Department sponsored public events evaluated the proposals. The panelists were:

- Louise Capone, Senior Recreation Director
- Robin Smith, Recreation Supervisor
- Gail Okazaki, Senior Recreation Director

Each of the three responsive proposals was reviewed in the areas of Experience and Qualifications, Proposed Services and Products, and Prices of Proposed Services and Products, in order to determine if the responsive proposers would be able to meet the needs of the Department at a reasonable price.

Background

David M. Hewitt dba DMH Enterprises has been booking live music since 1997. Mr. Hewitt has provided booking agent services securing a variety of specialty bands to the Department since 1998. Mr. Hewitt has also provided services to the cities of Santa Clarita, Camarillo and Valencia.

PG. 5 NO. 10-280

Todd Elliot dba Elliot Management and Entertainment has been in business booking entertainment services since 1991. Mr. Elliot has provided professional bands and dancers to the Department since 2002, as well as, to Culver City and other large organizations in the greater Los Angeles County area.

Jumbo Shrimp Circus, Inc. began operating in 1994 and has been providing exclusive booking agent services for the Walt Disney Film Division since 1999. They have also provided family oriented entertainment to the Department since 2006, and to the cities of Oxnard, Burbank, Beverly Hills and Fontana.

Staff has reviewed the proposals and finds that David Hewitt dba DMH Enterprises, Todd Elliot dba Elliot Management and Entertainment, and Jumbo Shrimp Circus, Inc., are responsible and capable companies whose proposals meet the needs of the Department. The three companies have provided booking agent services to the City of Los Angeles or other municipalities and large organizations.

It is recommended that contracts to provide as-needed booking agent services be awarded to David M. Hewitt dba DMH Enterprises, Todd Elliot dba Elliot Management and Entertainment, and Jumbo Shrimp Circus, Inc., in an amount not to exceed \$33,000 per year, for a term of one year with two (2) one-year options to renew, exercisable at the sole discretion of the General Manager.

Charter Section 1022

Los Angeles City Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical and/or feasible to contract out the service.

On January 23, 2008, the Personnel Department completed a Charter Section 1022 review (Attachment F) and determined that no City employees can perform the as-needed booking agent services. It is therefore more feasible to secure these services through an independent contractor.

FISCAL IMPACT STATEMENT:

There is no impact to the Department's General Fund as the services will be funded from various Municipal Recreation Program Fund accounts.

This report was prepared by Mark Stipanovich, Management Analyst II, Finance Division, Administrative Resources Section.

NO.	10-281
C.D.	9

DATE October 20, 2010

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS THE CITY OF ANGELES BROADBAND LOS ANGELES ACCESS CONSORTIUM COMPUTER NETWORK (LA-CAN) OF UNDERSTANDING MEMORANDUM AMONG INFORMATION TECHNOLOGY AGENCY. LOS ANGELES PUBLIC LIBRARY. COMMUNITY DEVELOPMENT DEPARTMENT, AND THE DEPARTMENT OF RECREATION AND PARKS FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) BROADBAND GRANT

R. Adams H. Fujita S. Huntley V. Israel	*F. Mok K. Regan M. Shull	<u></u>	
		- Ary	General Manager
Approved		Disapproved	${\cal U}_{ m Withdrawn}$

RECOMMENDATION:

That the Board:

- 1. Approve a proposed City of Los Angeles Broadband Los Angeles Computer Access Network (LA-CAN) Consortium Memorandum of Understanding (MOU) Regarding the ARRA Broadband Grant substantially in the form on file in the Board Office; subject to the approval of the City Attorney as to form;
- 2. Direct the Board Secretary to transmit forthwith the proposed MOU, subsequent to approval of the City Attorney as to form; and,
- 3. Authorize the General Manager to execute the MOU, subsequent to approval of the City Attorney as to form.

BACKGROUND:

The Broadband Technologies Opportunities Program (BTOP) was established by Congress as part of the American Recovery and Reinvestment Act in 2009. Pursuant to the ARRA guidelines, the City of Los Angeles Information Technology Agency (ITA) submitted an application for a BTOP grant for a Public Computer Center (PCC) project in the State of California. A grant totaling \$7,496,157 was awarded on January 13, 2010 to the City of Los

PG. 2 NO. 10–281

Angeles (City) for the PCC project entitled LA-CAN. The grant award was subsequently approved and accepted by the City Council and the Mayor on February 9, 2010 (CF# 090648-S17).

SUMMARY:

The City of Los Angeles Broadband LA-CAN Consortium will obtain, allocate, and manage the BTOP grant funds as provided in the attached Memorandum of Understanding (MOU). The Consortium consists of Information Technology Agency (ITA), Department of Recreation and Parks (RAP), Los Angeles Public Library (LAPL), and Community Development Department (CDD). ITA is the lead agency for the LA-CAN project.

Based on its submittal, RAP was awarded \$858,560 of the BTOP grant. These funds will allow RAP the opportunity to implement the broadband technology, wireless internet access, and training software at 72 of its Public Computer Centers. Implementation of these programs will enable City residents, who otherwise would not have internet access, to have broadband/wireless internet service available to them at RAP's PCCs. The MOU formalizes the administrative responsibilities of the grant between ITA, RAP, CDD and LAPL.

FISCAL IMPACT STATEMENT:

There is no negative fiscal impact as a result of this recommendation. In approving this MOU, the Department will be able to obtain the required funds to implement RAP's portion of the LA-CAN project.

This report was prepared by Linh Vo, Acting Director of Systems and approved by Noel D. Williams, Chief Management Analyst, Finance Division.

DATE October 20, 2010

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VARIOUS COMMUNICATIONS

	70	ea Calamos
Approved	Disapproved	General Manager Withdrawn

The following communications have been received by the Board and recommended action thereon is presented.

From:

Recommendation:

1) Chief Legislative Analyst, forwarding the Legislative Report for the weeks ending September 3, and September 17, 2010

Note and file.

2) Six Communications relative to Oakwood Recreation Center and its environs.

Note and file.

3) Michael Hudson-Medina, relative to heroes at Pershing Square.

Note and file.

4) Keith Johnson, Falcons Youth & Family Services, Southern California Falcons, two communications relative to their program at Jackie Tatum Recreation Center.

Note and file.

5) Michael Bernback, President, Ready Golf, relative to the Electric Golf Cart Concession.

Note and file.

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6) James Lim, Board Member, Los Angeles Badminton Club, relative to the use of Queen Anne Recreation Center.

Refer to General Manager.

7) Randy Jacobson, relative to a fire road near Griffith Park.

Refer to General Manager.

8) Margarita A. Fernández, proposing a Senior Center in the Echo Park area.

Refer to General Manager.

9) Susie Parker, relative to the Sepulveda Basin Model Airplane Field.

Refer to General Manager.

10) Jon Tollestrup, City Council's Office, Salt Lake City, relative to dogs in parks.

Refer to General Manager.

11) Nine Communications, relative to a permit granted for an event in Griffith Park called Los Angeles Haunted Hayride.

Refer to General Manager.

12) Léopold Lucas, relative to a research project.

Refer to General Manager.

13) Pete Thottam, Venice Neighborhood Council, relative to various neighborhood issues.

Note and file.

This report was prepared by Paul Liles, Clerk Typist, Commission Office.

MATTERS PENDING

Matters Pending will be carried for a maximum of six months, after which time they will be deemed withdrawn and rescheduled whenever a new staff report is received.

GENERAL MANAGER'S REPORTS:

ORIGINALLY PLACED

PLACED ON ON MATTERS DEEMED

BOARD AGENDA PENDING WITHDRAWN

None

BIDS TO BE RECEIVED:

10/26/10 Tierra De La Culebra - Outdoor Improvements (W.O.#E170925F)

10/26/10 Hansen Dam - Skate Plaza (PRJ1237A) - REBID

PROPOSALS TO BE RECEIVED:

11/09/10 Bar and Beverage Services

TBD Film Production Instruction (CLASS Parks)

ON HOLD Hansen Dam Golf Course Professional Concession

ON HOLD Hansen Dam Golf Course Restaurant Concession

ON HOLD Woodley Lakes Golf Course Restaurant Concession

ON HOLD Woodley Lakes Golf Course Professional Concession