

**BOARD REPORT**

NO. 23-055

DATE March 16, 2023

C.D. ALL

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: HANSEN DAM RECREATION AREA TRAIL AND FENCING IMPROVEMENTS (PRJ21569) (PRJ21620) PROJECT – ACCEPTANCE OF STOP PAYMENT NOTICE ON CONSTRUCTION CONTRACT NO. 3808 FOR CALIFORNIA LANDSCAPE & DESIGN, INC.

B. Aguirre	_____	M. Rudnick	_____
		<i>for</i> C. Santo Domingo	<u>DF</u>
B. Jackson	_____	N. Williams	_____

General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS

Direct staff to withhold the amounts claimed in the Stop Payment Notice against California Landscape & Design, Inc. as detailed in this Report and as set forth in Attachment 1 to this Report, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available, and to notify contractors, sureties, and other interested parties that the amount of said claims plus 25% will be withheld.

STOP PAYMENT NOTICE

The Department of Recreation and Parks (RAP) is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8044, on the following contract:

Contract 3808                      CD ALL

Hansen Dam Recreation Area Trail and Fencing Improvements (PRJ21569) (PRJ21620) Project	General Contractor:	California Landscape & Design, Inc.
	Claimant:	Urban Design Outdoor Furniture
	Amount:	\$149,053.07

FISCAL IMPACT

Acceptance of Stop Payment Notices has no impact on RAP's General Fund.

BOARD REPORT

PG. 2 NO. 23-055

This Report was prepared by Takisha Sardin, Commission Executive Assistant II.

ATTACHMENT

1. Stop Payment Notice

# CALIFORNIA STOP PAYMENT NOTICE

To: Los Angeles City Recreation & Parks  
Attn: Board of Commissions  
221 N Figueroa Street, Suite 300  
Los Angeles, CA 90012

HOLDER OF THE FUNDS

Certified Mail, Return Receipt Requested No.: 9214 7969 0099 9790 1646 4805 77

**YOU ARE HEREBY NOTIFIED THAT** the undersigned Claimant, Urban Design Outdoor Furniture, whose address is 1044 McCall Drive, Corona, CA 92881, has furnished or has agreed to furnish Recycled plastic lbr & products made from the same for split-rail fencing to California Landscape & Design, Inc. pursuant to that certain contract made between City of Los Angeles Dept of Recreation & Parks and California Landscape & Design, Inc. for that certain public work of improvement consisting of the Hansen Dam - Fencing Repair & Refurbishment Contract #3808 (PJR21569/PRJ21620) located at Hansen Dam Aquatics, 11798 Foothill Blvd., Lake View Terrace, CA 91342, Hansen Dam Sports Complex, 11480 Foothill Blvd., Lake View Terrace, CA 91342, Lakeview Terrace, 11075 Foothill Blvd., Lake View Terrace, CA 91342 **AND** Orcas Park, 11127 Orcas Avenue, Sylmar, CA 91342 and which is and was the whole of said materials/labor agreed to be furnished by Claimant.

The amount in value of the whole of said labor and/or materials agreed to be furnished by Claimant is \$290,277.69 the amount of change orders in the sum of \$0.00; the amount in value of that already done or furnished by Claimant is \$290,277.69 Claimant has been paid the sum of \$141,224.62; and there is now due and owing to Claimant the sum of \$149,053.07 plus interest thereon at the rate of ten percent per annum from December 12, 2022.

**YOU ARE HEREBY NOTIFIED TO WITHHOLD SUFFICIENT FUNDS TO SATISFY THIS CLAIM WITH INTEREST.**

Dated: February 23, 2023

Claimant: Urban Design Outdoor Furniture


Prepared By: 

Salina Morales, Attorney in Fact for  
Urban Design Outdoor Furniture

## VERIFICATION

I declare that I am the attorney in fact for Urban Design Outdoor Furniture, the Claimant named in the foregoing claim. I have read said claim and know the contents thereof and the same are true and contain, among other things, a correct statement of Claimant's demands after deducting all just credits and offsets.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 23, 2023, at Simi Valley, California.

Prepared By: 

Salina Morales, Attorney in Fact for  
Urban Design Outdoor Furniture

**PROOF OF SERVICE AFFIDAVIT**

STATE OF CALIFORNIA, COUNTY OF VENTURA

I am over the age of 18 and now a party to the within action. I am employed in the County of Ventura, State of California; my business address is: 1777 East Los Angeles Avenue, Suite 203 Simi Valley, CA 93065. On February 23, 2023, I served the foregoing document described as: **California Stop Payment Notice** to be served on all interested parties in this action by placing ( ) the original (X) a true copy thereof enclosed in sealed envelopes ( ) addressed as stated on the attached mailing list (X) addressed as follows:

Los Angeles City Recreation & Parks Attn: Board of Commissions, 221 N Figueroa Street, Suite 300  
Los Angeles, CA 90012

**Certified Mail Return Receipt No.: 9214 7969 0099 9790 1646 4805 77**

Dept. of Recreation & Parks, Attn: Jacqueline Lopez & Jimmy Newsom, 6335 Woodley Avenue, Van Nuys, CA 91406

**Certified Mail Return Receipt No.: 9214 7969 0099 9790 1646 4805 91**

California Landscape & Design, Inc., 273 N Benson Avenue, Upland, CA 91786

**Certified Mail Return Receipt No.: 9214 7969 0099 9790 1646 4806 07**

(X) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED:

( ) I deposited such an envelope in the mail in the County of Ventura, State of California. The envelope was mailed with postage thereon fully prepaid.

(X) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Simi Valley, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing the affidavit.

( ) (BY PERSONAL SERVICE) I delivered such envelope by hand to the addressee.

(X) (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on *February 23, 2023*, at Simi Valley, California.



Salina Morales



## Easy Law Construction Notices

*A Division of Easy Law, Inc.*

1777 East Los Angeles Avenue, Suite 203, Simi Valley, CA 93065-2021

Tel (805) 306-0020 · Fax (805) 306-0040 · Toll Free (800) 327-9529

staff@easylawinc.com · www.easylawinc.com

Legal Document Assistant: Registration # 73 · Ventura County, CA · Exp. December 29, 2023

February 23, 2023

Los Angeles City Recreation & Parks  
Attn: Board of Commissions  
221 N Figueroa Street, Suite 300  
Los Angeles, CA 90012

BOARD OF RECREATION  
AND PARK COMMISSIONERS  
2023 FEB 23 PM 12:00

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.: 9214 7969 0099 9790 1646 4805 77**

RE: Urban Design Outdoor Furniture v. California Landscape & Design  
Project: Hansen Dam Multiple Locations - Fencing Repair & Refurbishment –  
Contract #3808 (PJR21569/PRJ21620)  
Hansen Dam Aquatics, 11798 Foothill Blvd., Lake View Terrace, CA 91342  
Hansen Dam Sports Complex, 11480 Foothill Blvd., Lake View Terrace, CA 91342  
Lakeview Terrace, 11075 Foothill Blvd., Lake View Terrace, CA 91342  
Orcas Park, 11127 Orcas Avenue, Sylmar, CA 91342

To Whom It May Concern:

Enclosed please find a Stop Payment Notice to be filed on behalf of our client, Urban Design Outdoor Furniture who was hired by California Landscape & Design, Inc. to work on the above referenced project and has not been paid.

In accordance with Civil Code Section 9362, we request that you notify this office of the time within which an action to enforce payment of the claim stated in the stop payment notice must be commenced. A check in the amount of \$10.00 is enclosed for this purpose.

Please contact Jim Chew with Urban Design Outdoor Furniture at 951-371-5792 for any questions or comments regarding this matter.

Very truly yours,

Salina Morales, Attorney in Fact for  
Urban Design Outdoor Furniture

Enclosure

cc: Client via fax

Dept. of Recreation & Parks, Attn: Jacqueline Lopez & Jimmy Newsom, 6335 Woodley Avenue, Van Nuys,  
CA 91406

California Landscape & Design, Inc., 273 N Benson Avenue, Upland, CA 91786