

APPROVED
DEC 12 2007

REPORT OF GENERAL MANAGER

NO. 07-293

DATE December 12, 2007

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 12

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PEDLOW SKATEPARK PHASE II (ALSO KNOWN AS PHASE IIB) - STAFF OFFICE BUILDING AND RESTROOMS (W.O. #E170457F) - AMENDMENT TO THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, BUREAU OF ENGINEERING, AND DEPARTMENT OF GENERAL SERVICES

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

[Signature]

 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Amendment to the Amended and Restated (A and R) Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Bureau of Engineering (BOE) of the Department of Public Works and the Department of General Services (GSD), to increase the total construction funding for the project by \$145,500, for a total construction cost of \$1,830,500 for the Pedlow Skate Park Phase II (also known as Phase IIB) – Staff Office Building and Restrooms (W.O. #E170457F) project, subject to the approval of the City Attorney as to form;
2. Authorize the Department’s Chief Accounting Employee to transfer funds to GSD on an as-needed basis, upon review and approval of the expenditure reports submitted by GSD;
3. Direct the Board Secretary to transmit the Amendment to the City Attorney for review and approval as to form; and,
4. Authorize the General Manager to execute the proposed Amendment, subject to approval as to form by the City Attorney.

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SUMMARY:

The Pedlow Skate Park Expansion Project is a Proposition K specified project funded by Proposition K Years 6 and 7, Proposition 12 1/3, Proposition 12 Roberti Z-Berg Harris (RZH), Proposition 40 Per Capita (PC), and Proposition 40 RZH. The project proceeded in phases and components to allow for phased construction of stand alone features of the project and to address funding deadlines and shortfalls. The first component of Phase II (W.O. #E170400F) realized the successful completion of the expansion of the existing skate park from 10,000 square feet to 40,000 square feet. The Department of General Services (GSD) constructed the skate park under the Memorandum of Understanding (Board Report No. 04-200) and its subsequent amendment and restatement (Board Report No.06-37). The first component of Phase II project was accepted by the Board on August 14, 2007 (Board Report No. 07-175).

The second component, now known as Phase IIB (W.O. #E170457F), will construct a 600 square-foot staff office, equipment storage, ticket sales, and restroom facility at the Pedlow Skate Park to replace the existing mobile-mini temporary building. BOE's Proposition K staff has provided a set of plans for this project to GSD's Construction Forces staff and GSD staff has indicated that the project scope is one they can successfully construct. GSD has completed a cost estimate in the amount of \$375,482, without contingency. An additional \$30,752.25 in contingency funds will be included for a total construction cost of \$406,234.25. Advance written approval in the form of an executed change order by the BOE Project Manager will be required for any use of the contingency funds by GSD.

Funding is provided by Proposition K Year 7 (\$260,734.25) and Proposition 40 RZH (\$145,500) for a total funding amount of \$406,234.25. The Proposition K Year 7 funds have already been appropriated for GSD under the Amended and Restated MOU. Appropriation of the Proposition 40 2/3 RZH funds to GSD was approved by Council/Mayor through the 2007-2008 First Quarterly Construction Projects Report (CPR) in the amount of \$194,363 (Council File No. 07-2877). The amount is being corrected to \$145,500 in the 2007-2008 Second Quarterly CPR which is expected to be approved by Council/Mayor no later than December 19, 2007.

BOE therefore recommends that the Board approve the Amendment to the A and R MOU and upon its execution, with the assistance of the City Administrative Officer (CAO), facilitate the necessary Council approval to appropriate the Proposition 40 RZH in the amount of \$145,500 into GSD accounts.

GSD has indicated that they can complete all required construction within 360 calendar days after the transfer of funds to GSD or execution of the Amendment to the A and R MOU, whichever occurs last, as follows:

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<u>Funding Source</u>	<u>Fund/Dept/Acct No.</u>	<u>Funding for Initial and Amended And Restated MOU</u>	<u>Requested Funding for Proposed MOU Amendment</u>	<u>GSD Expenditures (as of 8/4/2007)</u>	<u>Remaining Available GSD Balance</u>
Proposition K-7	43K/10/V248	\$379,000		\$379,000.00	
Proposition K-7	43L/10/V248	\$253,000		\$32,265.75	\$220,734.25
Proposition K-7	43M/10/V248	\$40,000			\$40,000.00
Proposition 12 1/3	45W/22/V431	\$448,000		\$448,000.00	
Proposition 12 RZH	46L/22/Y610	\$332,040		\$332,040.00	
Proposition 40 2/3 PC	47T/22/A808	\$116,278		\$116,278.00	
Proposition 40 2/3 RZH	47W/22/Y906	\$116,682		\$116,682.00	
Proposition 40 2/3 RZH	205/88/TBD		\$145,500		\$145,500.00*
TOTAL		\$1,685,000	\$145,500	\$1,424,265.75	\$406,234.25

* These funds will be cash-flowed from the Public Works Trust Fund Proposition 12/40 Cash Flow account and will be repaid upon reimbursement from the State.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements will not have a significant impact on the environment. This project has been determined to be statutorily exempt per City CEQA guidelines Article III, Section 2i. A Notice of Exemption was filed with the Los Angeles City Clerk's Office on June 24, 2002, and posted by the Los Angeles County Clerk's Office on June 25, 2002.

FISCAL IMPACT STATEMENT:

There is no anticipated fiscal impact to the Department's budget. All funds are provided by the above-listed State funding sources as specifically identified and approved for use on this project. The future operation and maintenance costs as a result of the completion of this project have yet to be determined.

Prepared by Gary Lam, Project Manager, Bureau of Engineering. Reviewed by Neil Drucker, Program Manager, Bureau of Engineering, Recreational and Cultural Facilities Program; Bradley M. Smith, P.E., Chief Deputy City Engineer, Bureau of Engineering; and Michael A. Shull, Superintendent, Planning and Development, Department of Recreation and Parks.