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REPORT O	F GENER	AL MANAC	GER IN MAY	0 2 2007	NO	07-100
DATE	May 2.	2007	GQARC	) OF RECREATION	C.D	3
BOARD OF	RECREA	TION AND	PARK COMM	ISSIONERS		
SUBJECT:	(W.O.#	E170928D)		OF FUNDS WI	OUSE RENOVA THHELD IN RE CT	
R. Adams J. Combs H. Fujita S. Huntley		J. Kolb F. Mok K. Regan *M. Shull		2	. 1 l.	)/
Approved _		<b>,</b> 	Disapproved		General Mana Withdi	

#### 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.

# REPORT OF GENERAL MANAGER

PG. 2 NO. <u>07–100</u>

Contract 3186

CD 3

Lanark Pool Replacement and Bathhouse

Renovation (#1300P) (W.O. #E170928D)

Project Status: 83%

Claimant:

Menashe Braonstiin (aka)

MoShe

General Contractor: Western Group, Inc.

Project Impact: None

Amount:

\$67,500

## **FISCAL IMPACT STATEMENT**:

There is no fiscal impact as the money being paid out has already been appropriated for this purpose.

Prepared by Paul Liles, Clerk Typist, Commission Office.