

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

Wednesday, July 11, 2001 - 9:30 a.m.  
200 North Main Street, 13<sup>th</sup> Floor, Room 1325  
Los Angeles, California 90012

PURSUANT TO COMMISSION POLICY, COMMENTS BY THE PUBLIC ON AGENDA ITEMS WILL BE HEARD ONLY AT THE TIME THE RESPECTIVE ITEM IS CONSIDERED. COMMENTS BY THE PUBLIC ON ALL OTHER MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD WILL BE HEARD DURING THE "PUBLIC COMMENTS" PERIOD DESIGNATED AT THE END OF THE SPECIAL MEETING. EACH SPEAKER WILL BE GRANTED TWO MINUTES.

1. GENERAL MANAGER'S REPORTS:

01-270      Amendment No. 4 to Consultant Contract No. 2675 with Calvin R. Abe & Associates, Inc. for As-Needed Landscape Architectural Design Services

2. NEW BUSINESS:

Memorandum:      Supplemental Memo - Rates & Fees Board Report 01-241

3. NEXT MEETING:

The next regularly scheduled meeting of the Board of Recreation and Park Commissioners will be held on Wednesday, August 8, 2001 at 9:30 a.m., City Hall East, 200 North Main Street, Room 1325, Los Angeles, CA 90012.

4. 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.

5. 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) 473-5888.

Finalization of Commission Actions: In accordance with City Charter Section 32.3, actions of the Board of Recreation and Park Commissioners shall become final at the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session.

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REPORT OF GENERAL MANAGER

NO. 01-270

DATE July 11, 2001

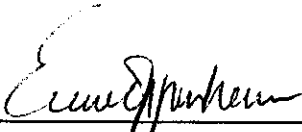
C.D. \_\_\_\_\_

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 4 TO CONSULTANT CONTRACT NO. 2675 WITH CALVIN R. ABE & ASSOCIATES, INC. FOR AS-NEEDED LANDSCAPE ARCHITECTURAL DESIGN SERVICES

J. Combs \_\_\_\_\_  
A. Corrales \_\_\_\_\_  
J. Duggan \_\_\_\_\_  
J. Kolb \_\_\_\_\_

H. Fujita \_\_\_\_\_  
M. Tamari \_\_\_\_\_  
M. Matthews \_\_\_\_\_

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

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

It is recommended that the Board:

1. Approve Amendment No. 4 increasing the amount of the contract by \$100,000.00 for a new total of \$800,000.00; and,
2. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 16, concurrently to the City Attorney for review as to form, and upon the Mayor's and City Attorney's approval, authorize the President and Secretary of the Board to execute the Agreement.

SUMMARY:

On August 2, 1995, the Department entered into a personal services contract with Calvin R. Abe & Associates, Inc. for as-needed landscape architectural services. The Contract was for a term of three (3) years, with maximum compensation to the consultant of \$300,000.00.

On January 6, 1999, the contract was amended extending the term for an additional two (2) years for a new term of five (5) years and increasing the amount by \$300,000.00 for a new total amount of \$600,000.00.

On January 17, 2001, the contract was again amended extending the contract for Two (2) years for a new term of seven (7) years, and increasing the amount by \$100,000.00 for a new total amount of \$700,000.00.

REPORT OF GENERAL MANGER

PG. 2

NO. 01-270

During the term of the contract twelve (12) projects were assigned to Calvin R. Abe & Associates, Inc. Because of unforeseen circumstances, a number of additional tasks were required for previously assigned projects, resulting in consulting fees exceeding the \$700,000.00 contract amount. The consultant is currently owed \$19,445.00 for work done on the Del Rey Lagoon - Outdoor Improvements (#1272B) project.

These fees cannot be paid until the contract is amended increasing the contract amount. Also, staff anticipates that additional work will be required on at least one project, necessitating further expenditures. Increasing the contract amount will also insure that the consultant's services are available during the construction phase of the project.

The Board should note that Calvin R. Abe & Associates, Inc. is a MBE-WBE firm, and they have agreed to conduct an outreach effort if the services of a sub-consultant are required. Also, nine (9) of the firm's eleven (11) employees live in the City of Los Angeles.

The firm is already in compliance with the policies and ordinances listed below, as outlined in the OARS "Analysis of Proposed Contract" form:

- Childcare and Child Support Declaration Statements
- Affirmative Action Program
- Business Tax Registration Certificate
- Equal Benefits Ordinance
- MBE/WBE Policy
- Living Wage, Service Worker Retention Ordinance
- Insurance Requirements

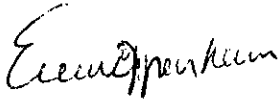
This Agreement is recommended in compliance with all Department and City procedures, policies and laws applicable to the award of contracts. Principals of the firm are not employees or officials of the City; are free to make recommendation or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contract.

All compensation to the consultant is provided in the funding of each individual project that the firm works on; therefore, there will be no decrease in revenue or increase in costs to the City.

Prepared by Jess Miller, Contract Administration.

CITY OF LOS ANGELES  
Department of Recreation and Parks

TO: BOARD OF RECREATION AND PARK COMMISSIONERS

FROM: ELLEN OPPENHEIM   
General Manager

SUBJECT: SUPPLEMENTAL MEMO - RATES & FEES BOARD REPORT 01-241

Included in the recommendations for amending the Schedule of Rates and Fees (Board Report 01-241) is deletion of references to the Boy Scouts (BSA) as a "character building" or "community based" organization. Staff has stated in the body of the report that this action would not preclude the use of Department facilities by this or other organizations or change any existing fee requirements.

As point of clarification, inasmuch as the City is mandated by law to adhere to all nondiscrimination policies, staff is recommending that privileges and accommodations to community based organizations, specifically reductions or exemptions to the Schedule of Rates and Fees, not be extended to BSA because of its discriminatory policies, or any group or organization that discriminates on the basis of race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, marital status or medical condition.

As discussed in City Council File 00-1590-S, BSA enforces discriminatory policies inasmuch as it excludes potential members and has expelled current members who are homosexual. On 2-15-99 the BSA national office issued a "Position statement on homosexuality and the BSA" which stated: "We believe that homosexual conduct is inconsistent with the requirements in the Scout Oath that a Scout be morally straight and in the Scout law that a Scout be clean in word and deed, and that homosexuals do not prove a desirable role model for Scouts." BSA also enforces policies that exclude individuals who are agnostics and/or atheists. BSA bylaws contain the following statement: "The Boy Scouts of America maintain that no member can grow into the best kind of citizen without recognizing his obligation to God...The Boy Scouts of America, therefore, recognizes the religious element in the training of the member but it is absolutely nonsectarian in its attitude toward that religious training."

Therefore, BSA, being an organization which has discriminatory policies both in employment and criteria for program participation, will be subject to the standard fee based structure and policies covered under the Schedule of Rate and Fees. Further, staff will make similar recommendations for any group or organization that are found, in the future, to practice policies that discriminate on the basis of race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, marital status or medical condition.