

REPORT OF GENERAL MANAGER

NO. 03-382

DATE December 10, 2003

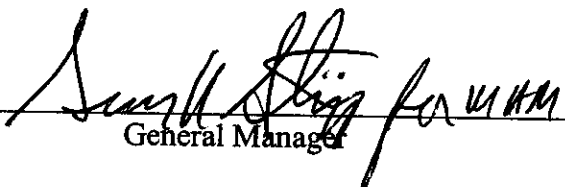
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE
GENERAL SERVICES DEPARTMENT FOR ABOVE-GROUND SECURITY
SERVICES FOR PERSHING SQUARE PARK

L. Barth _____
T. Corrales
H. Fujita _____
G. Stigile _____

J. Kolb _____
B. Lukehart _____
F. Mok _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve the Memorandum of Understanding (MOU) with the Department of General Services (GSD), substantially as on file in the Board office, to provide above-ground security services for Pershing Square Park, twenty-four hours a day, seven days per week for a term of five (5) years, with an option for extension of an additional five (5) years, at the discretion of the Department of Recreation and Parks (RAP), subject to the approval of the Mayor and City Attorney as to form; and
2. Direct the Board Secretary to transmit the attached MOU to the Mayor and the City Attorney; and
3. Authorize the General Manager to execute the MOU upon receipt of approval from the Mayor and the City Attorney.
4. Approve the allocation of up to \$360,000 from the Pershing Square Garage Revenue Municipal Recreation Program Account to fund the annual cost of services under this MOU.
5. Authorize the Chief Accounting Employee to transfer \$360,000 within Fund 301, Department 88, as follows.

FROM: Account 000B
TO: Account V140

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SUMMARY:

On September 22, 2000, the General Services Department (GSD) began operating the Pershing Square Garage under an agreement with the Department of Recreation and Parks (RAP). The security personnel employed through a contractor by the previous garage operator did not maintain a reasonable level of security and control in the garage. Since the new garage operator, GSD, oversees contracted security services for the City of Los Angeles, GSD brought a City contract security provider to the garage, and upgraded the level of safety and security in the garage. However, Pershing Square Park above the garage was likewise in need of more effective security in order to control crime, inappropriate behavior, and non-permitted park activities which were seen as discouraging the general public from visiting the facility and attending events. Department Park Rangers were unable to provide sufficient staff to accommodate the intensive around-the-clock security coverage seven days per week due to limitations in budget available to hire additional Rangers and difficulties in recruiting qualified personnel. The same City contract security provider who was being utilized in the garage by GSD began providing security services on the surface of the Park on December 3, 2000, also under GSD supervision. GSD believed at the time that City security contractors, with GSD oversight, would be able to provide the level of security needed in the Park. Unfortunately, the security service in the Park continue to be inconsistent and unacceptable despite supervision, training, and other efforts on the part of GSD, Pershing Square staff and Park Rangers working with contract security management and staff. The job performance of park level contracted security over time has failed to reach the Department's expectations and those of the local community. Deficiencies include: failure to consistently provide high quality officers who are able to understand and apply the rules of the park, frequent turnover of officers assigned to the facility, inconsistent performance of officers assigned (officers not performing duties as assigned, not maintaining a visible and effective presence), ineffective training and supervision, and inability to correct deficiencies.

The Board authorized staff to determine the feasibility of a potential agreement by which GSD would provide security services at Pershing Square Park. Staff determined the potential agreement is feasible, both in terms of services provided and cost. GSD's Security Officers/Aides, as City staff, receive training and supervision above and beyond that of contracted security staff, and are held directly accountable by GSD for their performance. GSD is committed to providing a stable and consistent security force for the Park, providing close supervision and making necessary adjustments in their security services over time to improve service and to correct any deficiencies. The funds for park security services come from allocated garage revenues. GSD Security Officers'/Aides' will provide security services 24 hours per day and 365(6) days per year. Their performance will be monitored by designated on-site staff, by Park Rangers and by GSD Security Services Supervisory staff. RAP and GSD will meet monthly to review security operations performance and more often if needed. GSD's cost for providing security services is competitive with private security companies and the price quoted by the Downtown Center Business Improvement District (DCBID) for security

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services for the park. Staff is hopeful that GSD, under the terms of the MOU, will be able to effectively address current and ongoing park security issues. Key provisions of the MOU are summarized below:

- Minimum on-site staffing of two uniformed Security Officers/Aides 365(6) days per year, 24 hours per day.
- GSD will provide appropriate training and supervision for Security Officers/Aides.
- GSD will designate Security Services Division Supervisors as liaisons between RAP and GSD, who will address needs, issues and problems that may arise in a timely manner.
- GSD will monitor customer and employee satisfaction quarterly by soliciting input from RAP staff, park users and surrounding businesses and will review the survey results with RAP.
- Security Officers/Aides will address violations of law in a proactive manner, to reduce occurrence of such activity in the park.
- GSD will meet with RAP monthly, or more frequently as needed to discuss GSD performance and park security needs.
- GSD and RAP will meet monthly with DCBID to review park and local area security needs, share information and raise and resolve any issues.
- GSD will work cooperatively with DCBID to provide social services support, as appropriate.
- GSD will work cooperatively with DCBID to provide general customer service and support to the public, as appropriate.
- The proposed cost is \$328,528 per year for regular services, and \$29,693 for contemplated extra special event services, for a total projected \$358,221, or a not-to-exceed of about \$360,000, to be paid from the Pershing Square Garage Revenues.
- RAP may request additional Security Officers/Aides for special events. Any additional GSD staff will be compensated at the standard rate for that classification of employee.
- The MOU utilizes City work forces.
- If RAP is dissatisfied with the services, working with GSD on identified problems, and if GSD cannot provide a cure for deficiencies identified by RAP, RAP has the option of terminating the MOU with or without cause, with 60 days notice to GSD. RAP would then be free to pursue other alternatives. GSD may likewise terminate the MOU on 60 days notice to RAP.
- There is a probationary period of one year, during which, GSD must clearly demonstrate their ability to successfully provide security services for Pershing Square Park as detailed in the MOU.
- The results of the probationary period review will be brought to the Board. Success will be measured based on how well GSD met the terms of the MOU, the Scope of Work, the results of the quarterly GSD customer satisfaction surveys and progress based on numbers reported monthly in a Security Indicators Report (a list of Security Indicators is attached). Security indicators may change over time, as agreed upon by RAP and GSD.

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- GSD will issue a monthly report to RAP Site Supervisor and Rangers, a quarterly report to the General Manager of the Department of Recreation and Parks, and a quarterly report to the Board during the first year, followed thereafter by an annual report to the Board.

Staff prepared the attached MOU containing the negotiated terms and recommends that the Board approve the MOU for a term of five (5) years, with an option for extension of an additional five (5) years, at the sole discretion Recreation and Parks.

This report was prepared by Carol Jacobsen.

**Pershing Square Park
List of Security Indicators**

- A. Arrests for drug use; drug possession and drug sales.
- B. Amount of discarded drug paraphernalia found in the park. This includes but is not limited to needles, syringes, cocaine "crack" pipes and marijuana smoking devices.
- C. Amount of lewd behavior occurring on park property, including in boundary areas, elevators, and restrooms.
- D. Number of citations issued, or incidents of transportation to detox centers, on account of open containers of alcohol, "drunk in public," or other violations of local and state laws regulating the use and possession of alcohol.
- E. Amount of graffiti, defacement, damage to foliage, and other vandalism of park property.
- F. Instances of urination and defecation in park areas.
- G. Quantity of trash and refuse discarded onto park surfaces and amount of citations issued for illegal disposal of trash.
- H. Number of assaults committed upon park users.
- I. Number of non-transient persons who populate the park during noontime hours.
- J. The number of park users who bathe in the park fountain.
- K. The number of persons who remain in the park past the park's official closing time or who enter the park during the park's closed hours.