

REPORT OF GENERAL MANAGER

NO. 04-46

DATE February 18, 2004


C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: EAST WILMINGTON GREENBELT COMMUNITY CENTER (#1736D) W.O. E170365F - CANCELLATION OF A MEMORADUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE DEPARTMENT OF GENERAL SERVICES; AND

APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE BUREAU OF ENGINEERING OF THE DEPARTMENT OF PUBLIC WORKS, AND THE DEPARTMENT OF GENERAL SERVICES FOR CONSTRUCTION OF THE NEW RECREATION CENTER

J. Combs _____	M. Mariscal _____
H. Fujita _____	*F. Mok _____
J. Kolb _____	K. Regan _____
*B. Lukehart <u>kefuba</u>	G. Stigile _____


 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Cancel the Memorandum of Understanding (MOU) between Recreation and Parks (RAP) and General Services Department (GSD) to provide construction services at the East Wilmington Greenbelt Community Center (#1736D) that was approved by the Board on June 19, 2002 (Board Report No. 02-249);
2. Approve an MOU, substantially in the form attached hereto, between RAP, GSD, and the Bureau of Engineering (BOE) of the Department of Public Works, which includes a revised project scope and MOU amount for construction services at the East Wilmington Greenbelt Community Center (#1736D) at 918 North Sanford Avenue, East Wilmington, subject to the approval of the City Attorney as to form;

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3. Direct the Board Secretary to transmit the proposed MOU to the City Attorney for approval as to form; and,
4. Authorize the General Manager to execute the MOU upon approval by the City Attorney.

SUMMARY:

On June 13, 2001, the Board awarded a construction contract in the amount of \$2,221,000.00 for the construction of a new community center on the greenbelt in East Wilmington (Board Report No. 01-218) at 1102 North Pioneer Avenue. The project is a Proposition K project and was bid with construction permits pending due to the funding requirements of the proposition. The permits had not been issued due to a pending parking variance for the project. Subsequently, the parking variance was appealed and denied due to strong community opposition. The construction contract was then cancelled by the Board on January 23, 2002.

In June 2002, the LA for Kids Steering Committee (Steering Committee) approved the obligation of the Proposition K funds for construction of this project through an MOU with GSD. The MOU was for the construction of a half-size gym to be located at 1102 North Pioneer Avenue.

On January 28, 2003, the parking variance appeal was granted to the petitioner, a local resident, by the Planning and Land Use Management Sub-committee of the City Council. Without approval of the variance, the building could not be constructed at the 1102 North Pioneer location. While the parking variance was at issue for the North Pioneer site, the Department took possession of another site within the East Wilmington Greenbelt at Sanford Avenue and Ott Street. Because the parking variance for the North Pioneer site was at first denied in 2001, the new site at Sanford Avenue and Ott Street was immediately considered as a potential site for relocation of the project.

On January 30, 2003, the Steering Committee authorized BOE to proceed with the required Environmental Quality Act (CEQA) clearance for the site located at 918 North Sanford Avenue, East Wilmington. BOE was also authorized to proceed to adapt the existing design to the new site.

On December 18, 2003, the Steering Committee approved the following recommendations for the new site: (1) Recommend that the City Council review, consider, and adopt the Initial Study/Mitigated Negative Declaration (IS/MND) and the associated Mitigation Monitoring Plan (MMP) and to request the Department's Environmental Group to prepare and file a Notice of Determination with the Los Angeles County Clerk within five (5) days of City Council Approval and (2) Recommend that the City Council find the original project site for the East Wilmington Community Center infeasible and that the new project site in the Greenbelt serves substantially the same community and approve the new site at 918 North Sanford Avenue, East Wilmington for the

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project. The Board approved the same recommendations at its meeting of December 10, 2003 (Board Report No. 03-381). Council adopted the recommendations on February 6, 2004.

On January 29, 2004, the Steering Committee recommended that the Board approve a revised MOU with GSD for the construction of the new community center on the new site at 918 North Sanford Avenue. The MOU has been revised to increase the scope of the project to provide for a new 9,000 square foot community center including a full size gym, parking lot and related park landscape development and increase the amount of the MOU to \$3,300,000 for the construction of the project. The Steering Committee also instructed the Community Development Department (CDD) to submit a revised Proposition 12 application for the new site and to prepare Controller instructions for the reimbursement of eligible Proposition 12 costs to GSD for a not to exceed amount of \$825,000, subject to the approval of the CAO and the Controller.

Funding for the project is as follows:

<u>FUND</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Proposition K4	43L/10/R379	\$1,681,626.81
Sites and Facilities	209/88/S202	\$ 819,172.00
Sub-Total		\$ 2,500,798.81
*Proposition K Inflation		\$ 185,454.00
*Proposition 122/3		\$ 825,000.00
<u>TOTAL</u>		<u>\$ 3,511,252.81</u>

(* Funding approved by the Steering Committee but not allocated at this time.)

Currently, there is \$2,500,798.81 available from Proposition K and Sites and Facilities funds for the MOU. Upon the Board's approval, the MOU will be executed for the amount of funds available at the time of the execution of the agreement. If the City appropriates additional funds, as anticipated, the MOU will be amended to revise the funding availability amount up to the amount appropriated for the project, subject to the terms and conditions of the MOU. GSD will not be required to complete any work in excess of the amount of funds appropriated by the City for the project. Should funds not be made available to complete the entire project, the scope of work will be modified, approved by the Steering Committee and the Board, and the project scope will be reduced to complete as much of the project as funding will allow.

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A copy of the MOU is attached for reference and outlines the scope of work and responsibilities of each Department. Staff recommends entering into the MOU in order to construct the project as quickly as possible.

The CEQA document (IS/MND) for the project was approved by Council on February 6, 2004, and the subsequent Notice of Determination filed with the County on February 11, 2004.

Report prepared by Kathleen Chan, Proposition K Coordinator.