

REPORT OF GENERAL MANAGER

NO. 04-323

DATE October 20, 2004

C.D. 04

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MID-VALLEY SENIOR CITIZEN CENTER – AUTHORIZATION TO EXECUTE REVERSE RIGHT OF ENTRY PERMIT FOR THE CONTINUED USE OF THE KNIGHTS OF COLUMBUS HALL

* K. Chan	<u><i>[Signature]</i></u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	G. Stigile	_____

[Signature]
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Authorize staff to execute the reverse Right-of-Entry Permit, substantially as attached, that provides for continuation of the monthly rental payment of \$3,500 from Dept. 88, Fund 302, Account No. 6030 (leasing expense) for the use of the Knights of Columbus Hall as the Mid-Valley Senior Citizen Center, subject to approval of City Attorney; and,
2. Direct staff to work with the City Attorney's Office to enter into negotiations with the Valley Columbus Corporation for the completion of a three-year Lease Agreement to be presented for Board approval.

SUMMARY:

On July 11, 2001, the Board of Recreation and Park Commissioners through Report No. 01-259 approved Amendment No. 2 extending the term of Lease No. 248 for an additional three years, through August 31, 2004. The original lease had a two-year term. The subsequent amendments allowed for the continued use of the Knights of Columbus Hall, located at 14450 Valerio Street in the Van Nuys area of Los Angeles, for senior citizen programming.

At the time of entering into the original lease agreement, it was hoped that by the end of the term, the site planned for a permanent inter-generational multipurpose center would be ready to open. However, unanticipated problems with the physical deterioration of the proposed site, located at 9540 Van Nuys Boulevard, have disrupted development plans. It is becoming more likely that a new site will need to be selected.

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The existing Mid-Valley Senior Citizen Center operated by the Department at the Knights of Columbus Hall offers the following programs and services under three broad categories: (1) leisure activities such as games, exercise classes, dancing, arts and crafts; (2) health and nutrition education and blood pressure testing; (3) advocacy services such as taxi vouchers, assistance with income taxes and health insurance as well as information on housing and other social services. There are no other facilities in the immediate area providing all of this programming for senior citizens.

By authorizing the Department to execute the proposed reverse right of entry permit, the Department will be able to continue to operate its Mid-Valley Senior Citizens Center at the Knights of Columbus Hall, while staff works with the Office of the City Attorney to draft a new Lease Agreement. It is estimated that the draft Agreement can be completed within a year, after which it will be presented to the Board for approval. It should be noted that the reverse right of entry permit has a term of not to exceed one year and provides that the Department pay a monthly rent of \$3,500.00.

The Superintendent of Operations West concurs with staff's recommendations.

This Board Report was prepared by John Barraza, Management Analyst II, Real Estate and Asset Management.

CITY RIGHT OF ENTRY ONTO PRIVATE PROPERTY

The undersigned (Grantor) hereby grants to the City of Los Angeles, its officers, agents, employees, contractors and licensees (City) a temporary right of ingress and egress over, upon and through certain premises owned or controlled by Grantor commonly known or described as:

Property Owner: Valley Columbus Corporation
Premises: Knights of Columbus Hall
Premises' Address: 14450 Valerio Street, Los Angeles, CA 91405
APN: 2217-002-035

For the following purpose:

Continued operation of the Mid-Valley Senior Citizen Center

This Permit is subject to the following conditions and limitations:

1. **Waiver of Damages.** City hereby assumes all risk of injury, loss or damage which may result from any defective conditions of the premises or which may otherwise arise by reason of the City's use of the Grantor's property pursuant to this Permit.
2. **Indemnification.** City hereby agrees to indemnify and hold harmless Grantor from loss or liability for bodily injury, death or property damage which may arise from the City's exercise of this Permit. This agreement, however, excludes claims arising from the tortious conduct of the indemnitees or from the acts or omissions of third parties who are not under the direct supervision or control of City or from indirect or consequential loss from Acts of God.
3. **Self-insurance.** The City of Los Angeles is permissively self-insured for Worker's Compensation under California law. The City self administers, defends, settles and pays third party claims for injury, death or property damage. Protection under this program is warranted to meet or exceed \$1 million per occurrence.
4. **Restoration.** Upon termination of this Permit, City will have removed all its equipment and materials from the working area and will have restored the premises to its original condition unless a successor agreement has been negotiated between the Grantor and the City.
5. **Other conditions.** City may use the main meeting room, entry vestibule, stage, office, restrooms, kitchen, recreation room, card room and parking area. Hours of operation will normally be between 8:00 a.m. and 4:00 p.m., Monday through Friday, namely five days a week. Valley of Columbus Corporation will be responsible for utility costs accruing from the Department of Recreation of Parks' Department) use of the premises, including but not limited to, water, electricity, gas, and waste disposal. Department will be responsible for telephone costs incurred from the phone used exclusively by the Department.
6. **Term.** This authorization will commence on the date of execution of this Permit and will terminate on the first year anniversary of the execution of this Permit.

IN WITNESS WHEREOF, the parties hereto have executed this Permit on the dates set forth below.

FOR THE CITY OF LOS ANGELES:
A MUNICIPAL CORPORATION

FOR THE GRANTOR:
VALLEY COLUMBUS CORPORATION
A California Corporation

By: Kathleen Chan, Acting Superintendent
Planning and Development Division
Department of Recreation and Parks

By: _____
James De Geeter, President

(Please refer questions to: John Barraza at
(213) 928-9103)

By: _____
George Cordero, Treasurer

Dated this _____ day of October 2004

Dated this _____ day of October 2004