

REPORT OF GENERAL MANAGER

**APPROVED**  
APR 16 2008

NO. 08-103

DATE: April 16, 2008

C.D. 11

**BOARD OF RECREATION  
and PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VENICE BEACH – GIFT AGREEMENTS WITH HEADBLADE, INC. AND BODYBUILDING.COM, LLC FOR MUSCLE BEACH WEIGHT PEN IMPROVEMENTS

*K. Regan <u><i>[Signature]</i></u>	F. Mok _____
V. Israel _____	S. Huntley _____
R. Adams _____	H. Fujita _____
M. Shull _____	J. Kolb _____

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a 10-year agreement, substantially in the form on file in the Board Office, accepting a conditional gift from HeadBlade, Inc. of the purchase and installation by Miami Fitness of new flooring valued up to \$17,500 at the Muscle Beach Weight Pen at Venice Beach;
2. Approve a 10-year agreement, substantially in the form on file in the Board Office, accepting a conditional gift from Bodybuilding.com, LLC of the purchase and installation by Star Trac of new weight equipment at the Muscle Beach Weight Pen at Venice Beach and for a five-year maintenance agreement from Star Trac;
3. Direct the Board Secretary to transmit the proposed Gift Agreements to the Mayor in accordance with Executive Directive No. 3, and to the City Attorney for review and approval as to form;
4. Authorize the Board President and Secretary to execute the Gift Agreements, subject to the necessary approvals; and,
5. Authorize Department staff to issue the necessary Right of Entry permits to Miami Fitness and to Star Trac.

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### SUMMARY:

In 1991, TuffStuff of Task Industries, Inc., donated weight equipment to the Muscle Beach Weight Pen at the Venice Beach Recreation Center. In exchange for this equipment, signage was posted on the fences surrounding the weight pen acknowledging TuffStuff. At the request of TuffStuff, a Right of Entry Agreement for the maintenance and replacement of the equipment was canceled in 2007. As a result, the weight equipment is now in immediate need of replacement. Additionally, the flooring in the weight pen needs replacing as a result of erosion.

Joe Wheatley Productions, the event coordinator who produces the major body building events at Muscle Beach via permit, in cooperation with Venice Beach Recreation Center staff, successfully procured gifts from HeadBlade, Inc. and Bodybuilding.com, LLC to replace the weight pen flooring and equipment.

The gift from HeadBlade, Inc., valued up to \$17,500, consists of replacing the weight pen flooring including, but not limited to:

1. Removal and disposal of old weight equipment by Miami Fitness.
2. Removal and disposal of the old flooring by Miami Fitness.
3. Purchase of new rubber flooring with a ten (10) year warranty from Miami Fitness.
4. Installation of new flooring by Miami Fitness.
5. Installation of new weight equipment by Miami Fitness.

The gift from Bodybuilding.com, LLC, valued up to \$45,000, consists of replacing the weight equipment, including but not limited to:

1. Purchase and delivery of new equipment from Star Trac, with a ten (10) year warranty on the equipment.
2. A five (5) year maintenance service from Star Trac on the new equipment.

The specifications for all components of the project will conform to the requirements and approval of the Department. The estimated project time is up to one month, during which the weight pen will be closed.

Each of the Gift Agreements is for a ten-year term. Each donor will supply signage (24" x 36") to be posted for the duration of the term, with three signs for the inside of the weight pen and three signs for the outside.

The Department will issue Right of Entry permits to Miami Fitness and to Star Trac to authorize the performance of the agreements. Joe Wheatley is the designated point of contact and will

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have oversight of the project in coordination with Department staff.

This donation provides an important service to Venice Beach. The climate and salt air make the weight equipment vulnerable to excessive wear and tear, necessitating daily maintenance and a six-month replacement cycle. The substantial tourist interest and the world-wide reputation of Muscle Beach Venice necessitate that the weight pen be kept in quality condition.

Department staff has determined that the proposed project will consist of the approval of two Gift Agreements for the replacement of the rubber flooring and weight equipment within the Muscle Beach Weight Pen at Venice Beach. Therefore, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (1, 14) of the City CEQA Guidelines. Because the project site is located within the coastal zone, appropriate City and State approvals will have to be obtained prior to any installation work.

Department staff has discussed this project with the Office of Councilmember Bill Rosendahl and he supports the project.

### FISCAL IMPACT STATEMENT:

These gifts will result in a savings to the Department for replacing the floors and equipment and will relieve the Department from the cost of maintenance for five years. After the five year period, the Department will resume the responsibility for maintenance or continue to seek support through donations.

This report was prepared by Sophia Piña-Cortez, Superintendent of the West Region.