

APPROVED
JUN 04 2008

REPORT OF GENERAL MANAGER

NO. 08-146

DATE June 4, 2008

**BOARD OF RECREATION
and PARK COMMISSIONERS**

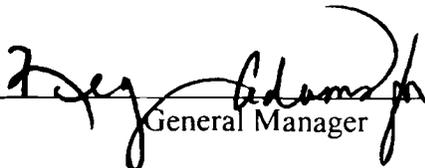
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HELEN BERNSTEIN HIGH SCHOOL - MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE LOS ANGELES UNIFIED SCHOOL DISTRICT AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, FOR INSTALLING SYNTHETIC TURF ON THE MULTI-USE SPORTS FIELD AND FOR THE DEVELOPMENT OF A JOINT-USE AGREEMENT

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	_____

Com. for M.S.


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Los Angeles Unified School District (LAUSD) and the Community Redevelopment Agency (CRA) of the City of Los Angeles, subject to the approval of the Mayor and of the City Attorney as to form, specifying the mutual goals for the enhancement of the multi-use sports field at the new Helen Bernstein High School and for the development of a Joint-Use Agreement (JUA);
2. Direct the Board Secretary to transmit forthwith the proposed MOU to the Mayor's Office in accordance with Executive Directive No. 3 and concurrently to the City Attorney for review as to form; and,
3. Authorize the Board President and Secretary to execute the MOU upon obtaining the required approvals.

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SUMMARY:

For more than thirty years the RAP and the LAUSD have entered into JUAs involving capital improvements at schools and park sites. To date there have been over forty such Agreements. Several Agreements have related to State or City-funded grant programs. One typical grant requirement for the LAUSD is for the general public to have a certain number of years of access to the grant-funded improvements. JUAs, whereby the RAP provides recreational programming for the public, meet this requirement. Most of the shared amenities involve new or improved sports fields, ball courts and gyms although the earliest Agreements concerned the City's construction of swimming pools at three LAUSD high schools.

Over the past year, it has seemed beneficial to enter into a MOU before negotiating a detailed JUA. In the MOUs, the RAP and the LAUSD outline the type of construction or improvement planned for public recreational use. The MOUs alert RAP operation and budget staff to future needs, and through consultation with the LAUSD, offer to the RAP the opportunity to influence design elements so that the physical requirements for effective joint use can be accommodated with minimal difficulty. In turn, the MOUs allow the LAUSD to meet certain requirements for funding the projects' design from their joint-use allocations.

In this report, the Board is asked to approve the proposed MOU concerning the installation of synthetic turf for the multi-use sports field at the new Helen Bernstein High School, located at 1309 North Wilton Place. Ms. Helen Bernstein, who died when struck by a car in 1997, was a LAUSD teacher, president of the United Teachers-L.A. union in the early 1990s and influential in a national organization focused on raising educational standards and student performance in urban schools. She was also an educational advisor to former Mayor Richard Riordan. The school is scheduled to open in the fall of 2008.

The proposed MOU includes participation with the CRA, which intends to fund half of the estimated \$1.2 million needed for the field improvements. It is anticipated that the matter will be considered by the CRA Board on June 19, 2008. If approved, this contribution will meet the matching requirement of the Board of Education's joint-use policy and reflects the CRA's intent to provide public recreational access on a more regular basis than could be achieved by obtaining temporary permits for the use of the site. It is also anticipated that the LAUSD will match the CRA sum with bond funding. If the final cost of the improvements exceeds this estimated total, the LAUSD can adjust the project's scope to stay within budget.

The proposed MOU demonstrates the intent of the RAP to develop and offer public recreational programming at this site. The Hollywood area's population is growing rapidly, and this site has the ability to fulfill much needed recreational programming for the residents. The level of programming will largely depend on the operations and maintenance funding received as part of the RAP's yearly budget submittal. There are many programming scenarios with corresponding associated costs, so

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once the funding is identified, the JUA will be negotiated on those terms. The MOU also indicates that future maintenance and operating costs will be pro-rated among the involved parties. The proposed MOU in itself does not obligate the RAP, the LAUSD or the CRA to the expenditure of funds for the synthetic turf or for subsequent operational costs. These expenditures as well as the times and conditions of public use and other mutual responsibilities will be part of a future JUA involving the Helen Bernstein High School. That document will also be subject to formal approval by the various Boards. While the proposed MOU concerns only the fenced and lighted multi-use field, discussion among the parties and the Council Office indicates that another sports field and LAUSD's gym might also be part of the JUA.

Approving the proposed MOU, which is merely an agreement to further discuss and develop a potential project, does not constitute a project under the California Environmental Quality Act (CEQA); therefore, CEQA does not apply. Should a proposed JUA for the synthetic field and other campus amenities be presented to the Board for consideration, compliance with CEQA will be addressed at that time.

The Assistant General Manager of Operations East, the Superintendent of Metro Region and the LAUSD Office of Council District Thirteen concur with staff's recommendations.

FISCAL IMPACT STATEMENT:

There is no anticipated impact to the Department's General Fund associated with approving the proposed MOU. All future commitments and obligations related to joint-use activity with the LAUSD at the Helen Bernstein High School are subject to future Board approval.

Report prepared by Joan Reitzel, Senior Management Analyst, Real Estate and Asset Management.