

APPROVED
NOV 07 2008

REPORT OF GENERAL MANAGER

NO. 08-304

DATE November 7, 2008

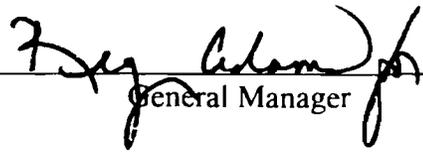
**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

**SUBJECT: VARIOUS FACILITIES – DONATION AGREEMENT WITH NIKE USA, INC.,
AND THE LA84 FOUNDATION FOR THE REFURBISHMENT OF VARIOUS
INDOOR BASKETBALL COURT FLOORS**

R. Adams	_____	J. Kolb	_____
V. Israel	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>Call for MS.</u>



General Manager

Approved also amended on Exhibit A _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Agreement, substantially in the form on file in the Board Office, with NIKE USA, Inc. (Nike) and the LA84 Foundation (LA84 Foundation) for the donation of at least four (4) refurbished (resurfaced and/or refinished) indoor basketball court floors, subject to the approval of the Mayor and the City Attorney as to form;
2. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form;
3. Authorize the Board President and Secretary to execute the Agreement upon receipt of the necessary approvals; and,

SUMMARY:

As a gift to the City of Los Angeles (City), Nike and LA84 Foundation (collectively referred to as Donors) have offered to refurbish (resurface and/or refinish) at least four (4) indoor basketball courts (Courts), at the Department of Recreation and Park's (Department), Lincoln Park Recreation Center (3501 Valley Boulevard Lincoln Heights, CA 90031), Central Recreation Center (1357 E 22nd Street, Los Angeles, CA 90011), Ramona Gardens Recreation Center (2830 Lancaster Avenue, Los Angeles, CA 90033), and Harbor City Recreation Center (24901 Frampton Avenue, Harbor City,

REPORT OF GENERAL MANAGER

PG. 2 NO. 08-304

CA 90710). Donors may seek to refurbish or replace more courts in the future. As these additional sites are identified and mutually agreed to by the Department and Donors, they shall be considered separate from this Agreement.

The Courts shall be refurbished by Nike through Nike's "Let Me Play" program. The Let Me Play program provides grants to community groups and government entities to support the promotion of sport in an effort to get youth active and to promote positive social change. The project shall be completed at no cost to the City. LA84 Foundation shall contract with TD Sports Inc., for the refurbishment of the Courts by a Nike-authorized surface installer, at a total value of \$57,161. The value of each court's refurbishment is shown below:

• Lincoln Park Recreation Center	\$15,800
• Harbor City Recreation Center	\$10,960
• Ramona Gardens Recreation Center	\$15,085
• Central Recreation Center	<u>\$15,316</u>
Total:	\$57,161

Under the proposed Agreement, Donors shall be responsible for the Court refurbishment and ensuring the completion of the Courts, pursuant to a right-of-entry permit issued by the Department.

The plans and specifications for the proposed Courts will be reviewed and approved by staff from the Department's Planning and Development Division. The Department shall assist the contractor, TD Sports Inc., in obtaining all necessary permits, authorizations and consents, as well as right of entry to the project location to perform the necessary work. Nike and its affiliated vendors have worked successfully with City staff in the past on similar projects, such as the installations of synthetic soccer fields at Glassell, Algin Sutton, and Lafayette Recreation Centers, as well as with the installation of a synthetic basketball court at Green Meadows Recreation Center.

In exchange for this generous gift and with the understanding that the term of the proposed agreement is three (3) years from the date of its execution, the Department will agree to terms and conditions including, but not limited to, the following:

1. Maintaining the Courts in a safe and attractive manner consistent with the Donors' image and reputation, the terms and conditions of the product warranty, and appropriate industry and community standards;
2. Acknowledging Nike and LA84 Foundation as Donors on applicable Department written materials, news releases, and related marketing or publicity including, but not limited to, a "kick-off" press conference and/ or Court dedication ceremony;

REPORT OF GENERAL MANAGER

PG. 3 NO. 08-304

3. Assisting and cooperating in mutually acceptable dedication events at the Courts;
4. Allowing Nike and LA84 Foundation the right to publicize, show photographs, and use the name of the fields and otherwise promote the Donors' contribution;
5. Allowing Nike and LA84 Foundation the right to use the Courts from time to time for sports events, upon reasonable notice and subject to the approval of the Department;
6. Allowing Nike and LA84 Foundation the right to place and remove its logo(s) or trademark(s) on the Courts, pursuant to the rendering attached hereto as Exhibit-A, subject to the Department's prior review and approval.
7. Allowing Nike and LA84 Foundation the right (but not the obligation) to place and remove, on or around the Courts, their logo(s), trademark(s), and other signage, marks and/or insignia as related to events held at the Courts, subject to the reasonable approval of the Department; and,
8. Allow Nike and LA84 Foundation to operate a booth or similar area for strictly promotional purposes at Nike and/or LA84 Foundation events at the Courts.

The performance of the above requirements shall not interfere with Department programming and prescheduled events. Donors will coordinate with the Department prior to committing the Courts to any events not operated by the Department.

Staff has determined that this project will be realized through the provisions of an agreement between the Department and the partnership of Nike, Inc., and LA84 Foundation, which will consist of the refurbishment of four (4) basketball courts, referred to as "Courts," at the facilities listed above. The Courts are accessories to the existing park facilities and their refurbishment will result in negligible or no expansion of use. Therefore, the project at each of the facilities has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (1) of the City CEQA Guidelines.

Staff has discussed the proposed projects with the Assistant General Manager of Operations East, the Superintendent of the Metro Region, and the Superintendent of the Pacific Region, and all support the recommendations contained in this report.

REPORT OF GENERAL MANAGER

PG. 4 NO. 08-304

FISCAL IMPACT STATEMENT:

This project should not have any impact on the Department's General Fund, as the costs of refurbishment of at least four (4) indoor basketball courts will be funded and contracted entirely by Nike and LA84 Foundation at their sole expense. There are no immediate maintenance costs for these improvements.

Report prepared by Planning and Development staff: Joel Alvarez, Senior Management Analyst I, and Darryl Ford, Management Analyst II.

EXHIBIT-A

NIKE – LA84 FOUNDATION GYM FLOOR REFURBISHMENTS

