

APPROVED
DEC 11 2008

REPORT OF GENERAL MANAGER

NO. 08-314

DATE November 19, 2008

C.D. 10

BOARD OF RECREATION
and PARK COMMISSIONERS

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LAFAYETTE PARK - AGREEMENT WITH ROB DYRDEK/DC SHOES SKATE PLAZA FOUNDATION AND DC SHOES, INC., FOR THE INSTALLATION AND DONATION OF SKATE PLAZA IMPROVEMENTS

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


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Accept with gratitude a gift from the Rob Dyrdek/DC Shoes Skate Plaza Foundation (the Foundation) consisting of the design and installation of a street style skate plaza at Lafayette Park, valued at \$300,000;
2. Approve the proposed Gift Agreement, substantially in the form on file in the Board Office, between the Department and the Foundation and DC Shoes, Inc. (DC), specifying the terms and conditions for the installation and operation of the skate plaza, subject to approval of the Mayor and the City Attorney as to form;
3. Direct the Board Secretary to transmit the Gift Agreement to the Mayor, in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
4. Authorize the Board President and Secretary to execute the Gift Agreement upon receipt of the necessary approvals.

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SUMMARY:

The Foundation has offered to donate to the Department a gift consisting of the design and installation of a street style, skate plaza at Lafayette Park (Plaza), located at 625 South Lafayette Park Place. The new skate plaza will provide the community with a modern street-skate venue to satisfy the needs of today's urban-youth, street skater. As demonstrated by the success of a previous skate plaza project on park property, street skating is now a very popular form of skating among urban youth. Street skating has grown so much in popularity over recent years that it is now a professional sport and industry. Street skating grew in popularity among urban youth primarily due to the lack of accessible and/or challenging skate parks within urban neighborhoods, and the abundance of benches, platforms, handrails, and stairways found regularly on the street which serve perfectly as challenging obstacles for the modern young skater to maneuver around, on, and over.

Attached as Exhibit-A is a rendering of the proposed Lafayette Park skate plaza improvements which will be installed pursuant to design plans approved by staff from the Department's Planning and Development section. Also attached as Exhibit-B, is a Site Plan of the Park showing the proposed location of the Plaza within the Park. The Plaza's design and installation will be donated to the Department at no expense to the City. The Foundation has secured funding sufficient to complete the project and will be contracting directly with New Line Skate Parks, Inc., for the design of the Plaza and California Skate Parks for the Plaza's installation. The projected total project cost is approximately \$300,000. The projected time line for installation is approximately thirty (30) days.

The term of the proposed Agreement is three (3) years. The terms of the Agreement include, but are not limited to, the following:

- Plaza shall be officially named after the Foundation, subject to the future approval of the Board and pursuant to Department policy. The approved Plaza name shall be posted in a prominent and conspicuous location (Primary Plaza Signage).
- In addition to the Primary Plaza Signage, the trademarks of other third parties, as requested by the Foundation and approved by Board, may also be placed at an agreed upon number of locations in and around Plaza, and shall be displayed in a size and manner to be agreed upon among Parties, pursuant to Department policy and standards.
- The Foundation shall be entitled to exclusive use of Plaza, a maximum of twenty (20) non-consecutive days per year (DC Use Days), subject to the prior approval of Department. The Foundation and/or DC shall select the DC Use Days and shall inform City at least ninety (90) days in advance prior to event for consideration and approval by Department. Department approval shall not be unreasonably withheld, and Department's determination shall be provided within twenty (20) days from the Department's receipt of the Foundation's notification of proposed DC Use Day event. For each DC Use Day, CITY shall take the

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necessary action to cause Plaza to be closed to the public for the Foundation's and/or DC's exclusive use. If requested by the Foundation and/or DC, and upon prior approval by Department and any other applicable governing agency, DC Use Day hours may be extended beyond Park's normal closing time, but no later than midnight per Municipal Code.

As one of their funding sources for this project, the Foundation has partnered with Carl Karcher Enterprises, Inc., doing business as Carl's Jr. In exchange for their contribution to the project, the Carl's Jr. logo has been incorporated in the Plaza design, as illustrated on the Skate Plaza renderings attached hereto as Exhibit-A. The Department shall have no contractual relationship with Carl's Jr. as they are not a party to the proposed Agreement.

All the Foundation events at the Plaza shall be approved in advanced by the Department, and shall not interfere with the Lafayette Park Recreation Center's normal or planned operations. Upon expiration of the proposed Agreement, the Department and the Foundation will discuss continuing the relationship at the site, and if continuing the relationship is found to be mutually beneficial, a subsequent agreement shall be negotiated, subject to required City approval(s).

ENVIRONMENTAL:

Staff has determined that this project will consist of an Agreement between the Department and the Foundation for the design and installation of a street-skate plaza at Lafayette Park, to compliment the Park's existing recreational amenities offered at the park. The skate plaza will be an accessory facility to the existing recreational uses at the park. Therefore, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1a, Class 1, Category 14; Section 1(d), Class 4, Category 1 and 6; and Section 1k, Class 11, Category 3 of the City CEQA Guidelines.

Staff has discussed the proposed project with the Assistant General Manager of Operations East, the Superintendent of the Metro Region, and the Office of Councilmember Herb J. Wesson Jr. of the Tenth Council District, and each supports the project and concurs with staff's recommendations.

FISCAL IMPACT STATEMENT:

There will be no fiscal impact to the Department's General Fund as the proposed skate plaza will be designed and constructed at no cost to the Department. The DC special events during DC Use Days will be funded entirely by the Foundation.

This report was prepared by Joel Alvarez, Management Analyst II, of the Department's Real Estate and Asset Management Section.

EXHIBIT - A

SKATE PLAZA RENDERINGS

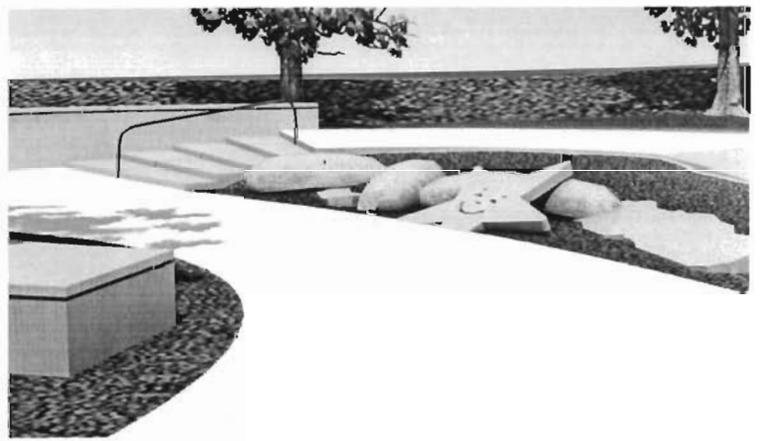
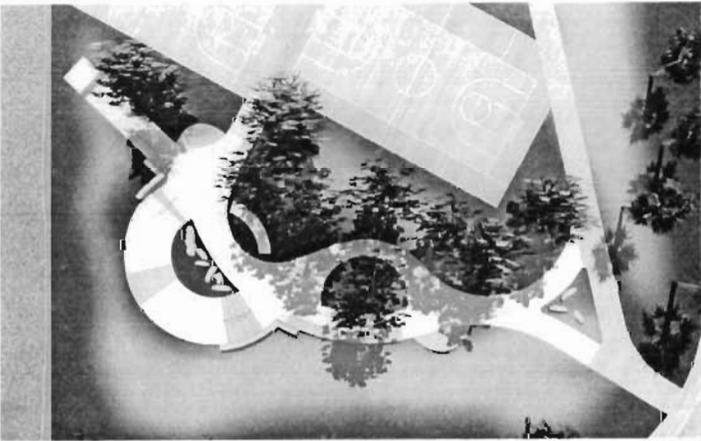
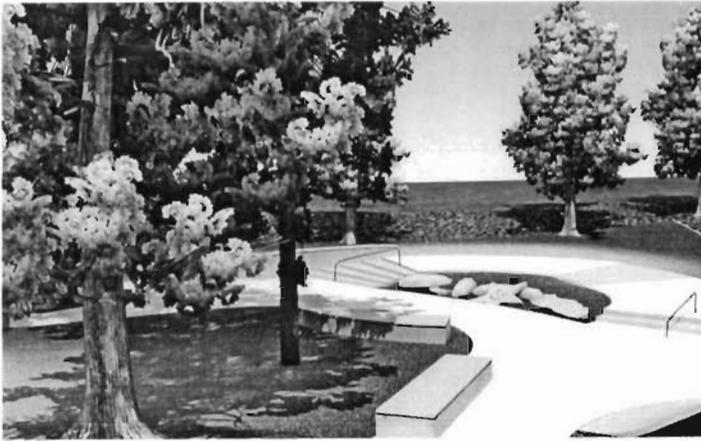


EXHIBIT- B

SKATE PLAZA SITE PLAN



area for proposed skate
plaza. note: all trees will be
protected in place.

Lafayette Skate Plaza: