

REPORT OF GENERAL MANAGER

NO. 09-241

DATE October 9, 2009

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WEST HILLS SPORTS CENTER - MAINTENANCE AND OPERATION AGREEMENT BETWEEN DEPARTMENT OF RECREATION AND PARKS AND WESTHILLS BASEBALL, INC., FOR CONTINUED USE OF AN EXISTING FACILITY

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

*[Signature]*  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

*OCT 09 2009*

RECOMMENDATION:

That the Board:

1. Approve a proposed Maintenance and Operations Agreement (Agreement), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (Department) and Westhills Baseball, Inc., (WHB), for use of four (4) baseball fields (fields) at the Department's West Hills Sports Center (WHSC), subject to review and approval by the Mayor, and the City Attorney;
2. Direct the Department's Chief Accounting Employee to identify the appropriate fund and account into which to deposit the Forty-Four Thousand Dollars (\$44,000) from WHB in payment of fees for the purpose of funding a portion of the cost of installing a future crosswalk and traffic signal light on Valley Circle Drive, connecting the subject Fields and "Bell Creek" WHSC supplemental parking lot, currently in development West Hill Sports Center - Bell Creek Parking Lot (PRJ1445A) project;
3. 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 as to form; and,
4. Authorize the Board President and Secretary to execute the Agreement upon receipt of necessary approvals.

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### SUMMARY:

WHSC is located at 6900 Valley Circle Drive, West Hills, California 91307, Valley Region, and contains two sections of fields, the subject section of the proposed Maintenance and Operations Agreement consisting of four (4) little league baseball diamonds, a concession stand, and restrooms (collectively referred to herein as "Fields"); and the second section, which is not included in the proposed Agreement, is identified as the Adam Bischoff Soccer Fields, which includes two (2) soccer fields and one (1) T-ball field, which is a ball diamond for the use of children under nine years of age. WHB has operated a youth sports program at the WHSC since 2006, through a Revocable Permit issued by the Valley Region Municipal Sports Section, which expired on July 31, 2009. The proposed Agreement, which is for a three (3) year term, will allow WHB to expand the baseball programming and recreational opportunities they provide to the youth of Los Angeles; and will also provide the Department necessary funding to partially cover the cost of developing a crucially needed crosswalk and traffic signal light on Valley Circle Drive between the subject Fields and WHSC-Bell Creek supplemental parking lot, which is presently in development as the West Hill Sports Center - Bell Creek Parking Lot (PRJ1445A) project.

As a condition of the Agreement, WHB will pay Forty-Four Thousand Dollars (\$44,000) in payment of the fees for the use of the field for the term of the Agreement, pursuant to the terms and conditions of the proposed Agreement. Payment shall be submitted to the Department in three (3) installments in the amounts and on the schedule that follows: Fourteen Thousand Six Hundred Sixty-Six and Sixty-Six Cents (\$14,666.66) as the first payment upon execution of the agreement; Fourteen Thousand Six Hundred Sixty-Six and Sixty-Six Cents (\$14,666.66) as the second payment within sixty (60) days of execution of the agreement; and the balance of Fourteen Thousand Six Hundred Sixty-Six and Sixty-Seven Cents (\$14,666.67) as the third and final payment within one hundred twenty (120) days of the execution of the agreement.

The essential points of the proposed Agreement are summarized as follows:

1. The term of the Agreement will be for a period of three (3) years;
2. WHB shall have the right to use the Fields in accordance with the proposed annual schedules of baseball programming, activities, and fund raising, subject to the approval of the Department;
3. The Fields shall be used for park and recreational purposes only, and more specifically for organized Pony Youth Baseball programs, events, and activities that have Department approval and are consistent with baseball related activities;

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4.        With reasonable prior notice to WHB, the Department shall reserve the right to require modifications to WHB'S schedule of activities should the Fields be required for a Department or City event; and,

The payment of the fees of Forty-four Thousand Dollars (\$44,000) for the use of the field will provide the Department necessary funding to partially cover the cost of developing a crucially needed crosswalk and traffic signal light on Valley Circle Drive between the subject Fields and WHSC-Bell Creek supplemental parking lot. The Department of Public Works, Bureau of Engineering Project Manager has indicated that Proposition K funding is available for this project should the cost exceed \$44,000.

The Department is presently working with the Los Angeles County Flood Control District (LACFCD) to develop the WHSC-Bell Creek Parking Lot on the Los Angeles County flood control property located directly across the street (Valley Circle Drive) from the Fields. The City and LACFCD will be entering into an agreement for the Department's development and use of said property, separate from this proposed Agreement with WHB.

The Department is completely satisfied with WHB'S performance operating youth sports programs and believes the City will be well served by the proposed Agreement.

Staff has determined that the issuance of the proposed Agreement is for the operation and maintenance of an existing park facility and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (14) of the City CEQA Guidelines.

Staff has discussed the proposed Agreement with Ramon Barajas, Acting Superintendent of the Valley Region, and the Office of Councilmember Denise Zine of the Council District Three (3), and they concur with staff recommendations.

### FISCAL IMPACT STATEMENT:

This Maintenance and Operations Agreement will not have any impact on the Department's General Fund, as all associated costs shall be paid by WHB at no cost to the City.

This report was prepared by Gregory Clark, Management Analyst II, Real Estate and Asset Management Section.