

APPROVED
MAR 23 2011

REPORT OF GENERAL MANAGER

NO. 11-090

DATE March 23, 2011

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 10 and 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BENNY H. POTTER WEST ADAMS AVENUE MEMORIAL PARK - UNIVERSAL ACCESS PLAYGROUND - AMERICANS WITH DISABILITIES ACT RESTROOMS (PRJ#20228) (W.O. #E1907214) AND KEN MALLOY HARBOR REGIONAL PARK - UNIVERSAL ACCESS PLAYGROUND - AMERICANS WITH DISABILITIES ACT RESTROOM (PRJ#20227) (W.O. #E1907213) - AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF RECREATION AND PARKS, THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF ENGINEERING, AND DEPARTMENT OF GENERAL SERVICES AND AUTHORIZATION TO TRANSFER FUNDS

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

[Signature]

 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Amendment to the Memorandum of Understanding (MOU), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP), the Department of Public Works, Bureau of Engineering (BOE), and the Department of General Services (GSD), to increase the total construction funding for the Benny H. Potter West Adams Avenue Memorial Park (Benny Potter) - Universal Access Playground (UAP) - Americans With Disabilities Act (ADA) Restrooms (PRJ#20228) (W.O. #E1907214) Project by \$18,501.68, for a total construction cost of \$468,501.68, subject to the approval of the City Attorney as to form;
2. Authorize the Department's Chief Accounting Employee, subject to the approval of the City Council and the Mayor, to request the City Administrative Officer to take the necessary action to transfer funds in the amount of \$18,501.68 for the Benny Potter UAP ADA

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Restroom Project (PRJ#20228) (W.O. #E1907214), from the following fund number and account number:

From:

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>AMOUNT</u>
Proposition 40 Specified	205/89/WU06	\$18,501.68

To:

The appropriate GSD account in Fund 100, Department 40, as follows:
1097 – Construction Forces Overtime \$18,501.68

and, transfer cash on an as-needed-basis, upon review and approval of expenditure reports submitted by GSD and approval of these reports by the BOE Project Manager;

3. Direct the Board Secretary to transmit the Amendment to the MOU to the City Attorney for review and approval as to form; and,
4. Authorize the General Manager to execute the Amendment to the MOU, subsequent to the approval of the City Attorney as to form.

SUMMARY:

The Benny Potter UAP is located at 2413 Second Avenue, Los Angeles, California 90018 in Council District 10; and the Ken Malloy UAP is located at 25820 S. Vermont Avenue, Harbor City, California 90710 in Council District 15. The newly completed ADA restrooms replaced the existing aging and non-ADA compliant ones at each of the facilities, and will compliment and serve the adjacent universally accessible playgrounds. The Benny Potter ADA restroom is 320 square feet in size, and consists of three stalls and a storage room. The Ken Malloy ADA restroom is 700 square feet in size, and consists of four stalls and a storage room/garage.

On July 14, 2010 the Board (Board Report No. 10-193) approved an MOU to establish responsibilities between RAP, BOE and GSD for the construction of the ADA restrooms at Benny Potter UAP and Ken Malloy UAP. Per Council File No. 09-1425-S2, an appropriation in the amount of \$450,000 and \$600,000 was transferred to GSD for the Benny Potter ADA restroom and the Ken Malloy ADA restroom, respectively.

The construction is 100% complete. During construction it was discovered that a section of the existing sewer at Benny Potter was leaking (due to aging) and had to be replaced. As a result, an additional \$18,501.68 is required and GSD's final expenditure increased from \$450,000 to

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\$468,501.68 for the complete construction of the Benny Potter ADA restroom project (itemized on the Third FY 2010-2011 Construction Projects Report to be approved by the City Council).

It is recommended that the Amendment to the MOU, reflecting the full construction funding amount of \$468,501.68, be approved and that authority be given to transfer the additional \$18,501.68 to the appropriate GSD account, for the complete construction of Benny Potter ADA restroom.

In compliance with the California Environmental Quality Act (CEQA), staff has determined that the proposed improvements are accessory park features, and therefore, are categorically exempt from the provisions of the CEQA pursuant to Article III, Section 1, Class 2 (1) and Class 11 (3, 7) of the City CEQA Guidelines. Notices of Exemption were filed with the Los Angeles City Clerk on December 27, 2006, and the Los Angeles County Clerk on December 28, 2006, for both ADA restroom projects.

FISCAL IMPACT STATEMENT:

There are adequate funds for the additional work included in the Amendment to the MOU. Therefore, there is no anticipated fiscal impact on the Department's General Fund. The assessment of the operations and maintenance costs has yet to be determined.

This Report was prepared by Paul Tseng, Project Manager, BOE Architectural Division. Reviewed by Neil Drucker, Program Manager, BOE Recreational and Cultural Facilities Program; Deborah Weintraub, Chief Deputy City Engineer; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.