

APPROVED
MAR 05 2014

REPORT OF GENERAL MANAGER

NO. 14-055

DATE: March 5, 2014

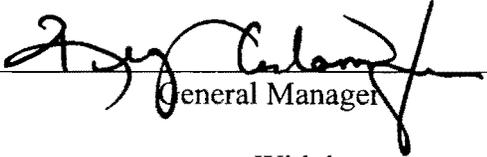
**BOARD OF RECREATION
& PARK COMMISSIONERS**

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK SPORTS COMPLEX – AGREEMENT WITH LOS FELIZ NURSERY SCHOOL, INC. FOR THE OPERATION AND MAINTENANCE OF A CHILD CARE AND DEVELOPMENT PROGRAM ON PARK PROPERTY AND EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

R. Adams	_____	*V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed fifteen (15) year agreement (Agreement), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP) and the Los Feliz Nursery School, Inc. (LFNS), a California 501(c)(3) non-profit corporation, setting forth the terms and conditions for LFNS' use of park property at the Griffith Park Sports Complex in accordance with RAP's Partnership Policy, to provide licensed Child Care and Development Services to the surrounding community, subject to the approval of the Mayor, the City Council, and of 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;
4. Direct RAP's Chief Accounting Employee to deposit in Fund 302 Department 89 Account 89702H the utility and other cost recovery reimbursements received from LFNS under this Agreement; and
5. Find that the proposed Agreement is exempt from the California Environmental Quality Act.

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SUMMARY:

LFNS, a private non-profit corporation, is a cooperative child care and development program provider currently receiving funds through tuition fees, donations, and fundraising events. LFNS' operations are located within the Griffith Park Sports Complex near the Griffith Park Pool Building at 3401 Riverside Drive, Los Angeles, CA 90027. LFNS presently operates the child care and development program through Right Of Entry Permit No. PD-ROE-028 (ROE) expiring December 31, 2014, which has allowed time for the Partnership Division to formalize an Agreement between LFNS and RAP, in accordance with RAP policies.

Pursuant to Report No. 11-296 approved November 2, 2011, the Board made a finding that non-profit cooperative nursery, Head Start, pre-school and child care organizations are a recreational use as these programs provide outdoor child development through recreational and educational pre-school experiences such as game playing, free play, and group sports play. Licensed in 1993, LFNS has been providing a child care and development program to children ages two and a half years (2.5) through five (5) from families within the surrounding community of the Griffith Park Sports Complex. Servicing twenty-eight (28) children daily, this program encourages physical activity, demonstrates healthy lifestyle choices, helps prepare participants enrolled in the programs for success in school, and meets the needs of special populations, including children with disabilities. LFNS is licensed and operates under the California Childcare Center General Licensing requirements.

Incorporated in 1964, LFNS has provided child care and development services since its beginnings in the early 1960's. With the support of the former Councilmember John Ferraro, arrangements were made between RAP and LFNS to allow LFNS a formal space to conduct a cooperative child care and development program within the grounds of the Griffith Park Sports Complex.

Following the traditional school year, Monday through Friday, 9:00 a.m. – 1:00 p.m. LFNS uses a building and outdoor space approximating 5,620 square feet in total. During LFNS' operation times, LFNS shares outdoor sandbox and play equipment with the general public.

The yearly value of LFNS' program services to the public has been determined to be \$90,600.00 based on their annual operating budget. Staff recommends approval of the proposed fifteen (15) year Agreement, so LFNS may be allowed to continue using park property to operate a child care and development program which provides recreational benefits and is in the best interest of the community around the Griffith Park Sports Complex.

Should the proposed Agreement be approved, LFNS' performance will be monitored through an annual performance review to ensure compliance with the terms and conditions of the proposed Agreement. As part of the proposed Agreement, LFNS will be responsible for building repairs

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when RAP is unable to fulfill repair requests due to limited resources. In all cases, LFNS accepts full liability for their operations at the location and will maintain appropriate insurance coverage listing the City as an additional insured. Additionally, LFNS will be responsible for the Cost Recovery Reimbursement Fees in the amount of \$181.00 per month of operation, that is, \$2,172.00 per year, covering utilities, solid waste disposal, and staff impact fees.

ENVIRONMENTAL IMPACT STATEMENT:

Staff has determined that the execution of the proposed Agreement is for the operation of programming at an existing park facility involving negligible or no expansion of use 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 the Superintendent and the Principal Supervisor of the Metro Region and each supports the agreement and concurs with staff's recommendations.

FISCAL IMPACT STATEMENT:

The proposed Agreement will have no adverse impact on RAP's General Fund as operations and program costs associated with LFNS' use of park property will be paid for by LFNS at no cost to the City, and costs impacting RAP shall be compensated through the collection of Board approved Cost Reimbursement Recovery Fees.

This report was prepared by Joel Alvarez, Senior Management Analyst and Leslie Richter, Senior Recreation Director I, Partnership Division.