

APPROVED
OCT 01 2014

BOARD OF RECREATION
AND PARK COMMISSIONERS

REPORT OF GENERAL MANAGER

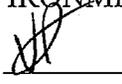
NO. 14-239

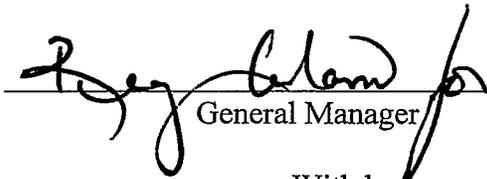
DATE: October 1, 2014

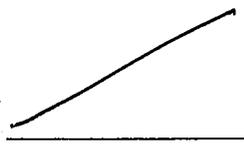
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: VAN NUYS-SHERMAN OAKS PARK - AGREEMENT WITH SAN FERNANDO INTERFAITH COUNCIL FOR THE SHARED USE OF THE SHERMAN OAKS-EAST VALLEY ADULT CENTER TO PROVIDE SENIOR CITIZEN PROGRAMS AND SERVICES; EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

R. Adams	_____	*V. Israel	<u></u>
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	N. Williams	_____


General Manager

Approved 

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed ten (10) year agreement (Agreement), substantially in the form on file in the Board Office, between the Department of Recreation and Parks (RAP) and San Fernando Valley Interfaith Council, Inc. (VIC), a California non-profit organization, setting forth the terms and conditions for VIC's shared use of the Sherman Oaks-East Valley Adult Center at the Van Nuys-Sherman Oaks Park in accordance with RAP's Partnership Policy, to provide Senior Citizen Programs and Services to the surrounding community, subject to the approval of the Mayor, the City Council, 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 subsequent to all necessary approvals;
4. Direct RAP's Chief Accounting Employee to deposit in Fund 302, Department 89, Account 89706H the utility and other cost recovery reimbursements received from VIC under this Agreement; and

REPORT OF GENERAL MANAGER

PG. 2

NO. 14-239

5. Find that the proposed Agreement is exempt from the California Environmental Quality Act.

SUMMARY:

VIC is a non-profit, non-sectarian organization that has been serving older adults in the San Fernando Valley, aged 60 and above, for over 35 years. Through a grant from the Department of Aging and monies generated from public donations and program fees, VIC operates senior citizen programs and services at four RAP senior citizen centers in the San Fernando Valley: Sherman Oaks-East Valley Adult Center (SO-EVAC), Robert M. Wilkinson Multipurpose Center, Bernardi Multipurpose Senior Center, and the Alicia Broadous Duncan Multipurpose Senior Center.

VIC currently operates at SO-EVAC through a Right of Entry Permit (ROE) issued by the Valley Region Headquarters in June 2011. The original term of the ROE was for 6 months, but was amended to allow time for the Partnership Division to formalize an Agreement between VIC and RAP, in accordance with RAP policies. SO-EVAC is located at 5056 Van Nuys Boulevard, Sherman Oaks, CA 91403, and is comprised of three buildings totaling 17,319 square feet situated within the Van Nuys-Sherman Oaks Park (Exhibit A).

The proposed Agreement sets forth the terms and conditions for VIC's occupancy and shared use of the SO-EVAC, for the purpose of providing free or nominal fee senior citizen programming and services such as senior nutrition, senior social services and senior recreational activities. The services provided by VIC will be at no cost to RAP. The proposed Agreement describes the shared use and maintenance of the three buildings at SO-EVAC as follows:

Building "A" (7,707 square feet) - a shared space, mainly used by VIC to provide senior nutrition programming and senior social services, 7:00 a.m. until 5:00 p.m., Monday through Friday. RAP will utilize Building "A" after 5:00 p.m. and all day on weekends for organizations on permit and RAP events. VIC may request and be granted approval by RAP for usage during those periods of non-utilization by RAP, contingent upon availability. Charges are in accord with the Schedule of Rates and Fees. At no cost to RAP, VIC shall be responsible for the building's interior maintenance, cleanliness, and supply replenishment during VIC's specified time of operation, allowing RAP to resume programming activities in the common areas after VIC leaves each day.

Building "B" (5,025 square feet) - primarily used by VIC to house administration staff and records as well as the programming of low impact activities, Monday through Sunday, 7:00 a.m. until 9:00 p.m. At no cost to RAP, VIC shall be responsible for primary functions of building's maintenance and/or repair including the daily custodial maintenance. RAP has no use of Building "B."

REPORT OF GENERAL MANAGER

PG. 3

NO. 14-239

Building "C" (4,587 square feet) is for RAP's primary use for recreational programming and classes. However, Building "C" can be used by VIC after 5:00 p.m., subject to a written request and approval by RAP, contingent upon availability. Charges are in accord with the Schedule of Rates and Fees. At no cost to RAP, VIC shall be responsible for building interior maintenance and cleanliness during VIC's approved time of operation.

The value of VIC's senior program services at SO-EVAC to the public is estimated at \$1,030,000.00 annually based on their annual operating budget. Additionally, VIC serves over 43,000 congregate meals annually to senior citizens at this site. Staff recommends approval of the proposed ten (10) year Agreement, so that VIC may be allowed to continue using park property to operate senior citizen programs and services, which is in the best interest of the community around Van Nuys-Sherman Oaks Park. There will be no religious services performed at SO-EVAC.

Should the proposed Agreement be approved, VIC's 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, VIC will be responsible for building repairs when RAP is unable to fulfill repair requests due to limited resources. In all cases, VIC accepts full liability for their operations at the location and will maintain appropriate insurance coverage listing the City as an additional insured. Additionally, VIC will be responsible for the Cost Recovery Reimbursement Fee in the amount of \$446.00 per month, that is \$5,352.00 per year, covering utilities, solid waste disposal, and staff impact fees.

ENVIRONMENTAL IMPACT STATEMENT:

Staff has determined that the new Sherman Oaks-East Valley Adult Center, which is the underlying project to the proposed Agreement, has previously been evaluated for environmental significance and processed according to the California Environmental Quality Act (CEQA) and the City CEQA Guidelines. A Negative Declaration (ND) was adopted by the Board on May 7, 2008, and a Notice of Determination (NOD) was filed with the Los Angeles City and County Clerks on June 16, 2008. There have been no substantial changes in the project scope or the environmental conditions since the approval of the ND. Therefore, issuance of the proposed Agreement is exempt for CEQA pursuant to Article II, Section 2(i) of the City CEQA Guidelines and no further environmental documentation is required.

Staff has discussed the proposed agreement with the Superintendent of the Valley Region and he supports the Agreement and concurs with staff's recommendations.

FISCAL IMPACT STATEMENT:

The proposed Agreement will have no impact on the RAP's General Fund as Operational and Program costs will be paid for by VIC, at no cost to the City, and incidental costs are covered by

REPORT OF GENERAL MANAGER

PG. 4

NO. 14-239

the Cost Recovery Reimbursement fee.

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