

APPROVED

08-10-2016

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 16-183

DATE August 10, 2016

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RUNYON CANYON PARK - BASKETBALL COURT IMPROVEMENT SETTLEMENT PROJECT - AUTHORIZATION OF REIMBURSEMENT TO PINK DOLPHIN CLOTHING, LLC FOR DESIGN SERVICES, COMPLETED WORK AND PURCHASED MATERIALS

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



 General Manager

Approved

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee to allocate One Hundred Seventy Two Thousand One Hundred Two Dollars and Sixty-nine Cents (\$172,102.69) to the Runyon Canyon Park - Basketball Court Improvement Settlement Project;
2. Approve the reimbursement of One Hundred Seventy Two Thousand One Hundred Two Dollars and Sixty-nine Cents (\$172,102.69) to Pink Dolphin Clothing, LLC (Pink Dolphin) from Runyon Canyon Park Fund 302, Department 88, Contractual Services Account 3040 for completed work and purchased materials related to the repair and restoration of an existing retaining wall and installation of basketball improvements with ancillary park amenities at the site of an existing concrete court within Runyon Canyon Park, as outlined in the Summary of this Report;
3. Authorize RAP's Chief Accounting Employee to encumber One Hundred Seventy Two Thousand One Hundred Two Dollars and Sixty-nine Cents (\$172,102.69) from Runyon Canyon Park Fund 302, Department 88, Contractual Services Account 3040 for payment to Pink Dolphin Clothing, LLC for completed work and purchased materials related to the repair and restoration of an existing retaining wall and installation of basketball improvements with ancillary park amenities at the site of an existing concrete court within Runyon Canyon Park; and,
4. Authorize RAP's Chief Accounting Employee to make technical corrections as necessary to carry out the intent of this Report

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SUMMARY

Runyon Canyon Park is located at 2000 North Fuller Avenue in the Hollywood community of the City. This 136.76 acre facility provides open space, hiking trails, and an off-leash dog exercise area for the use of the local community. Approximately 8,055 City residents live within a one half mile walking distance of Runyon Canyon Park. Due to the facilities, features, programs, and services it provides, Runyon Canyon Park meets the standard for a Community Park, as defined in the City's Public Recreation Plan

On November 4, 2015, the Board of Recreation and Park Commissioners (Board) approved a project consisting of the repair and restoration of an existing retaining wall and installation of basketball improvements with ancillary park amenities at the site of an existing concrete court (Project) within Runyon Canyon Park (Report No. 15-223). The Project was originally approved to be funded through a charitable contribution from Pink Dolphin Clothing, LLC (Pink Dolphin) to the Friends of Runyon Canyon Foundation (FORC), at no cost to the Department of Recreation and Parks (RAP) or the City of Los Angeles (City). The Project was to be implemented through a contract between FORC and B&H Holdings, Inc., (dba, Digital Interiors) and through a temporary, revocable Right of Entry Permit (No. 766) issued by RAP.

On June 1, 2016, the Board rescinded its prior approval of the Project, with the exception of work related to the restoration and repair of an existing retaining wall as those repairs were independent from the proposed basketball court project and were needed in order to safely reopen adjacent hiking trails and fire service road (Report No. 16-127).

As was discussed in Report No. 16-127, RAP has been evaluating and reviewing cost estimates and plans for completing the repair of the existing retaining wall. RAP has completed its review and is now requesting approval of a proposed settlement to Pink Dolphin to reimburse them for the geotechnical report, engineering design services, permit activities, partially completed construction work, and purchased materials, and approval of various funding allocations necessary to reimburse Pink Dolphin.

REIMBURSEMENT TO PINK DOLPHIN

In an effort by RAP to reimburse Pink Dolphin for their expenditures, RAP met with Pink Dolphin and Digital Interiors, the project contractor, and reviewed all documents including the initial and revised project proposals, invoices, and proof of expenditures.

Based on the documents provided by Pink Dolphin, RAP reviewed and evaluated the project deliverables and the percentage of completed construction work for the proposed improvements and amenities performed by the Digital Interiors.

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Based on our review, RAP acknowledges the expenditure of One Hundred Twelve Thousand Three Hundred Forty-Seven Dollars and Fifty-Five Cents (\$112,347.55) for various geotechnical, engineering design and permit activities which will be turned over for RAP use.

In addition, Digital Interior completed approximately 25% of the construction work consisting of demolition, material purchases and partial completion of the retaining wall. Prior to payment to Pink Dolphin, Digital Interiors shall deliver the following material purchases to RAP:

- 10 Foot Chain Link Material for the Perimeter of the Facility; and
- Basketball Court Materials including Poles and Backboards.

These materials will be used at other RAP facilities. The estimated value of the completed construction work plus the identified materials above is Fifty Nine Thousand Seven Hundred Fifty-Five Dollars and Fourteen cents (\$59,755.14).

RAP and Pink Dolphin are in agreement for the total payment of One Hundred Seventy-Two Thousand One Hundred Two Dollars and Sixty-Nine Cents (\$172,102.69) contingent upon the Board's approval

TREES AND SHADE

The approval of this project will have no impact on existing trees or shade at Runyon Canyon Park, and no new trees or new shade are proposed to be added to Runyon Canyon Park as a part of this project.

ENVIRONMENTAL IMPACT STATEMENT

Staff has determined that the subject project is a continuation of an existing project approved on November 4, 2015 (Report No. 15-223) that is exempted from the California Environmental Quality Act (CEQA) [Article III, Section 1(y), Class 11, Category(s) 3 and 6 of the City's CEQA Guidelines]. The work funded by the current Board action will not result in any additional environmental impacts, and therefore, is covered by the existing CEQA exemption. No additional CEQA documentation is required.

FISCAL IMPACT STATEMENT

Approval of this Report will have negative impact on the RAP's General Fund.

The maintenance of the proposed park improvements can be performed by current staff with no overall impact to existing maintenance service at this facility.

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This Report was prepared by Cathie Santo Domingo, Superintendent, and Darryl Ford, Senior Management Analyst I, Planning, Construction and Maintenance Branch, Department of Recreation and Parks.

LIST OF ATTACHMENTS

1. Report No. 15-223
2. Report No. 16-127

APPROVED
NOV 04 2015

CITY OF PASADENA
STREET LIGHTING DIVISION

REPORT OF GENERAL MANAGER

NO 15-223

DATE November 04, 2015

C.D. 4

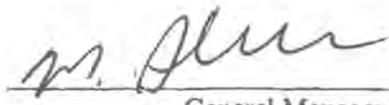
BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RUNYON CANYON PARK – CONDITIONAL PROJECT APPROVAL FOR THE REFURBISHMENT OF AN EXISTING CONCRETE COURT; EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

R. Barajas
H. Fujita
*V. Israel



K. Regan
N. Williams



General Manager

Approved _____ Disapproved _____ Withdrawn _____
As Amended _____

RECOMMENDATIONS:

That the Board:

1. Approve the proposed project to refurbish the existing concrete court (Court) at Runyon Canyon Park (Park);
2. Approve the inclusion of the Donor's corporate logo on the Court, and the installation of recognition signage as described and illustrated in the Summary of this Report, in accordance with the Department of Recreation and Parks (RAP) Sponsorship Recognition Policy;
3. Authorize Staff to issue a temporary, revocable Right Of Entry Permit (ROE) to Friends of Runyon Canyon Foundation (FORC) and their general contractor, B&H Holdings, LLC, dba, Digital Interiors (Contractor), authorizing access to the Court for the installation of the Court Improvements, conditioned upon the Contractor providing RAP's Planning, Construction, and Maintenance Branch (PCM) with proof of all required project approvals, including but not limited to, Building & Safety plan-check approvals and applicable permits; and,
4. Find that the project is exempt from the California Environmental Quality Act.

REPORT OF GENERAL MANAGER

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NO. 15-223SUMMARY:

In July of 2014, RAP received an unsolicited proposal from Mr. Neima Khaila, CEO of Pink Dolphin Clothing, LLC (Donor), a Southern California based clothing manufacturer and distributor with retail stores in Los Angeles and San Francisco, for the proposed refurbishment of the existing concrete court (Court) at Runyon Canyon Park (Park) as an outdoor basketball court, at no cost to the City of Los Angeles (City). The Park, located at 2000 N. Fuller Avenue, Los Angeles 90046, in the community of Hollywood, is an un-staffed, 136.76 acre rural, park with a 90 acre off-leash dog park, an open space turf-area, and hiking trails.

The subject concrete court was not constructed by the City or RAP, but rather was developed by one of the private property owners, and used as a tennis court. In 1984, the property was acquired by the Santa Monica Mountains Conservancy and the City for park purposes.

Following RAP's receipt of the Donor's proposal, staff initiated discussions with the Fourth Council District office (CD-4), and the Friends of Runyon Canyon Foundation (FORC) who presently have a Memorandum of Understanding (MOU) with RAP for fundraising, project proposals, and community surveys. Staff received positive support from FORC and the current and prior CD-4 administration. This was followed by the Partnership Division and the Planning, Construction and Maintenance Branch (PCM) having discussions with FORC, the Donor, and the Donor's geo-technical consultant and design consultant, regarding project design, logistics and planning. Upon determining that the project would be feasible, the proposed project was presented to the Board's Facility Maintenance and Repair Task Force on March 4, 2015, which also generated positive feedback and support for further evaluation.

The proposed Court refurbishment includes the replacement of an existing retaining wall which is currently leaning and failing, leveling and resurfacing of the concrete court with non-slip material and court lines; demolition and removal of existing, fallen chain-link fencing, replacement of fencing with the installation of new ten (10) foot high, coated fencing around the perimeter of the Court; installation of basketball equipment consisting of two (2) eight (8) inch (7 gauge) regulation height poles with overhang fixtures, tempered-glass backboards and heavy duty goals; installation of a new drinking fountain with related plumbing and connections which will serve both people and dogs; all collectively referred to in this report as "Court Improvements" and valued up to approximately \$252,708.00. The proposed Court Improvements described by the project specifications, dated July 28, 2015, and attached to this report as Exhibit A, are to be installed at no direct cost to the City, pursuant to Plans approved by PCM, and funded by the Donor. The value of the Donor's donation to FORC includes the cost of the drinking fountain which is \$9,800.00. The funding to purchase the drinking fountain is being provided to the Donor by AQUAhydrate, Inc. ("Aquahydrate"). Aquahydrate is a Los Angeles based health & fitness company that produces an alkaline and electrolyte mineral water

REPORT OF GENERAL MANAGER

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product. Aquahydrate's contribution to the proposed project was made possible through the Donor's working relationship with Aquahydrate.

In addition to the proposed Court Improvements, the Donor has also offered to provide RAP with maintenance funding on an annual basis for a period of ten (10) years, in an amount to be determined by RAP Maintenance staff. The terms and conditions under which the maintenance funds will be provided to RAP will be stipulated in a maintenance agreement between RAP and the Donor, subject to the approval of the Board. RAP Maintenance staff are supportive of this offer, as the proposed maintenance funds will help to ensure the continued upkeep of the Court Improvements.

To convey RAP's appreciation for the Donor's contribution and proposed future support of the Court through annual maintenance funds, staff recommends that the Pink Dolphin corporate logo be authorized to be included on the Court, and that appropriate recognition signage be included as part of the Court's design in appreciation of Pink Dolphin and Aquahydrate; in accordance with the RAP Sponsorship Recognition Policy which allows for the placement of sponsor logos at center-court. Attached as Exhibit B is a Concept Design Rendering illustrating the proposed Court Improvements, and attached as Exhibit C are the proposed the sponsorship recognition signs in accordance with the RAP Sponsorship Recognition Policy, recognizing the Donor and Aquahydrate for their project contributions.

As part of RAP's due diligence in further evaluating the proposed project's feasibility, staff requested that the Donor contract the services of a certified geotechnical consultant at the Donor's sole expense, to perform a geo-technical soils study and report for the retaining wall portion of the project. The report was performed and completed in May 2015, and reviewed by PCM. The Geology and Soils Report was approved by the Department of Building and Safety Grading Division, with a copy of the report approval letter (dated July 20, 2015) and full report subsequently provided to PCM for review and consideration.

With the Board's approval of the project as described in this Report, FORC will proceed to contract directly with B&H Holdings, LLC, dba "Digital Interiors" (Contractor) for the implementation of the Court Improvements and making invoice payments directly to the Contractor with funds provided by the Donor's charitable contribution. The project will commence in coordination with, and under the oversight of PCM, contingent upon Contractor securing all necessary project approvals and permits. Upon PCM's receipt of Contractor's proof of such approvals and/or permits, RAP will issue a Right of Entry Permit (ROE) to FORC and the Contractor, stipulating the requirements and instructions, including hours of operation, insurance, and indemnification of the City, for Contractor's access to the Court and certain areas of the Park required for ingress-egress and staging (See project area attached as Exhibit D). The ROE will stipulate that any project change-orders will require review and approval by PCM prior to implementation, and any funding shortfalls shall be the responsibility of the Donor. Following

REPORT OF GENERAL MANAGER

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the completion of the Court Improvements, PCM shall perform a post-development inspection to ensure the acceptability of the completed Court Improvements. Upon confirmation from PCM that the Court Improvements were satisfactorily completed, a gift agreement (Agreement) will be provided for the Board's approval and acceptance of the completed project will be requested.

ENVIRONMENTAL IMPACT STATEMENT:

The proposed Court Improvements at Runyon Canyon Park will consist of the repair and replacement of the existing concrete court, installation of basketball improvements and ancillary park amenities through a charitable donation from a Donor. Therefore, the project is Categorically Exempt from the California Environmental Quality Act (CEQA), pursuant to Article III, Section 1(y), Class 11, Category(s) 3 and 6 of the City CEQA Guidelines.

FISCAL IMPACT STATEMENT:

The proposed project has no fiscal impact to the RAP General Fund, as the Court Improvements will be constructed and installed through a charitable contribution from Pink Dolphin Clothing, LLC, referred to herein as "Donor". The future maintenance of the Court Improvements will be addressed through a Donor proposed ten (10) year maintenance agreement, subject to mutually acceptable terms between RAP and the Donor, and subject to the Board's approval.

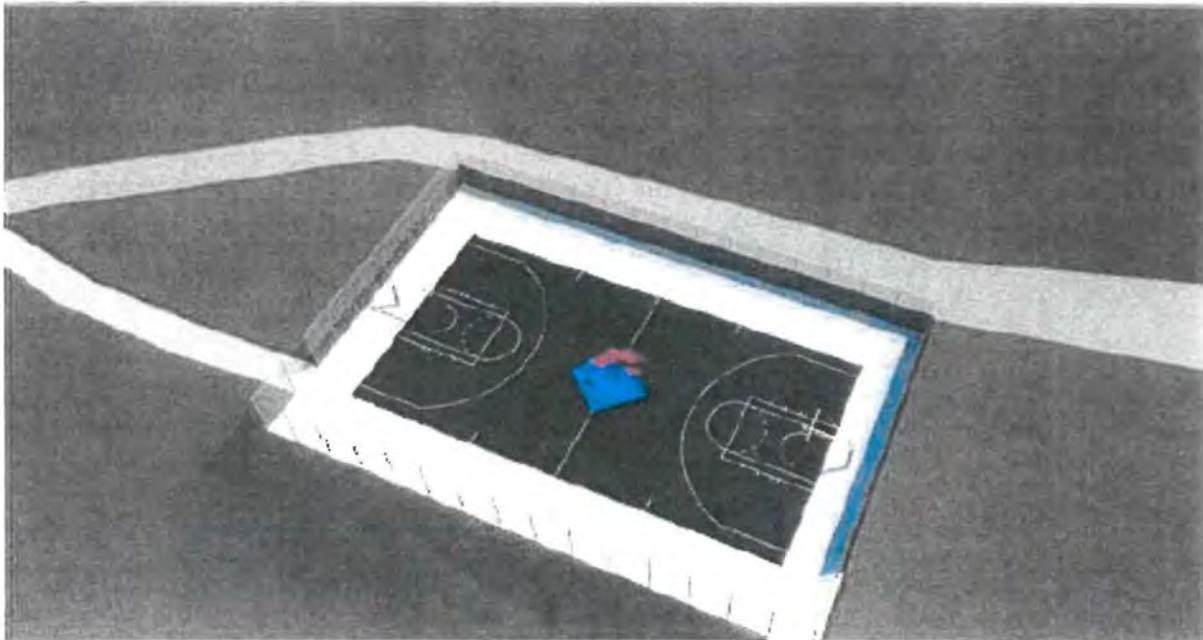
This Report was prepared by Joel Alvarez, Senior Management Analyst II, Partnership Division.

Exhibit A

Project Proposal and Specifications

Runyon Canyon Basketball Facility

Pink Dolphin



Presented By:



Digital Interiors- Contractors License # 968742

-Insurance & Workmans Compensation Information Available Upon Request-

16135 Wyandotte St.
Van Nuys, CA 91406 USA
818.475.7675
www.digitalinteriors.com

Modified: 7/28/2015

Revision: 0

System Summary

Plans and Permitting	\$27,000.00
Retaining Wall	\$122,534.24
Fencing	\$27,240.10
Surfacing	\$36,098.90
Equipment	\$5,998.00
Labor	\$23,436.20
Plumbing	\$9,800.00
Grand Total:	\$252,107.44

Plans and Permitting

Basketball Facility



1	Digital Interiors Construction- Renderings/Plans/Permits Plans and Renderings Engineering- Site Survey, Soil Inspection, Geological Survey Permitting and Inspections	\$27,000.00
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Basketball Facility Total:	\$27,000.00
Plans and Permitting Total:	\$27,000.00

Retaining Wall

Basketball Facility



1	Digital Interiors Construction-Demolition Removal of Existing Retaining Wall - Excavation - Dump Truck Rental Required	\$24,525.99
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1	Digital Interiors Retaining Wall Installation of New Retaining Wall	\$98,008.25
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Basketball Facility Total:	\$122,534.24
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Retaining Wall Total:	\$122,534.24
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Fencing

Basketball Facility



1	Digital Interiors Fencing/walls Installation of 10' Chain Link Fencing for the Perimeter of the Facility *****See Project Specs Document	\$27,240.10
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Basketball Facility Total:	\$27,240.10
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Fencing Total:	\$27,240.10
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Digital Interiors Fencing/walls

Chain Link Fencing is coated in PermaCoat Powder Coating.

The base coat is an epoxy moisture barrier which is thermally renowned for its outstanding corrosion resistance. The polyester top coat with enhanced UV resistance for maintenance-free enjoyment. Available in Black and Green. Prevents cracking peeling, chipping and corroding.

Surfacing

Basketball Facility



1	Digital Interiors Black Top with Custom Paint Prepare Space for Blacktop: Excavation, Leveling, Framing Installation of Blacktop Custom Paint of Basket Ball Court with Custom Pink Dolphin Logos Slip Resistant Paint *****See Project Specs Document	\$36,098.90
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Basketball Facility Total:	\$36,098.90
Surfacing Total:	\$36,098.90

Advanced Basketball and Sport surface systems for indoor and outdoor athletic facilities

Acrylotex is a high performance **basketball court** and sport surface system made for both indoor and outdoor use. Incorporating years of sports surface manufacturing and field experience with the most recent advancements in material technology to ensure a safe and comfortable surface, Acrylotex is ideal for both competitive basketball and multi-sport courts as well as outdoor courts.

Acrylotex's textured surface designs deliver unparalleled grip performance in game play, allowing greater control and safety when jumping and turning in close proximity

ACRYLOTEX LA - Standard texture court surface

Basketball requires excellent slip resistance and durability in high traffic areas. The finer texture provides great surface traction for superior control and pliability. System components include

- Standard Surface preparations
- Acrylotex MA - to provide a uniform underlayment and application
- Acrylotex LA - a highly pigmented, UV resistant coating incorporated with a fine textured finish

Ideal for both indoors or outdoors court surfaces.

Equipment

Basketball Facility



2	<p>Digital Interiors Basketball Goal</p> <p>Regulation-sized tempered glass backboard - Same exact piece of glass used all the way up to the NBA level.</p> <p>Rigid 8" pole - A massive one-piece 7 ga. square pole is unsurpassed!</p> <p>Regulation overhang - The beefy 5' overhang allows for regulation play and keeps the pole out of play.</p> <p>Safe - Includes high-quality pole & gusset safety padding. *****See Project Specs Document</p>	\$5,998.00
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Basketball Facility Total:	\$5,998.00
Equipment Total:	\$5,998.00

Bring an authentic arena feel to the backyard with the Spalding® 72" Glass Arena View H Series Basketball Hoop. An H-frame bracket securely holds the steel framed tempered glass backboard in place for a stable surface with superior rebounding. An ergonomically designed right angle U-Turn Pro system allows for simple height adjustment and welded gussets and an anchor bolt mounting system ensure your system will stay safely in place.

FEATURES:

- Backboard dimensions: 72" width x 42" height x .375" depth
- 1" x 2" steel framed tempered glass backboard
- H-frame board bracket for improved stability
- Superior rebound
- Pro style extruded aluminum trim
- Authentic arena view main court backstop look with 4 corner Z-Arm mount
- Competition style 4" x 5" rim with residential positive lock residential breakaway rim
- Heavy duty wraparound support with continuous ram
- Ergonomically designed right angle U-Turn Pro system easily adjusts rim from 7' to 10'
- Interior safety stop prevents board from being lowered below 6' 6"
- Crank handle can be removed to prevent tampering
- 1-piece, 6" square pole made of 0.1875" steel
- Premium pole pad included
- Spalding

Plumbing

Basketball Facility

1	Digital Interiors Custom Fountain Water Drinking Fountain to be purchased by Pink Dolphin. - Plumbing and Integration to be performed by Digital Interiors *****See Project Specs Document	\$9,800.00
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Basketball Facility Total:	\$9,800.00
Plumbing Total:	\$9,800.00

Miscellaneous Items:

1	Discount Custom Drinking Fountain - Gift Value	(\$9,800.00)	(\$9,800.00)
Miscellaneous Items Total:			(\$9,800.00)

Outdoor tubular pedestal bottle filler ideal for parks and recreational areas. Powder-coated exterior over a corrosion-resistant primary coating to provide protection from the elements.

Finish	Powder Coat (16 Color Options)
Features	Heavy Duty Vandal-Resistant
Power	No Electrical Required
Bubbler Style	Vandal-Resistant
Mounting Option	Floor Mount/Freestanding
Chilling Option	Non-refrigerated
Installation Location	OUTDOOR
No. of Stations	Two Station
Bottle Filling Station Dimensions	
	L: 26"
	W: 31"
	H: 64"
Shipping Weight	205 lbs
Product Compliance	<ul style="list-style-type: none"> • ADA • UL 399 • NSF 61 • NSF 372 (lead free) • CAN/CSA 22.2 120 • Buy American Act • ASME A112.19.3/CSA B45.4

Plumbing Line Installation to follow Park's and Recreational Guidelines

**Digital Interiors- Contractors License # 968742****Project Summary**

Equipment:	\$228,671.24
Labor:	\$23,436.20
Sales Tax:	\$3,788.72
Misc. Items:	(\$9,800.00)
Grand Total:	\$246,096.16

November 4, 2015

Partnership Division

Revision to Runyon Canyon Park Report No. 15-223, Exhibit B and Exhibit C:

Staff recommends the following changes to Exhibit B and Exhibit C of Report No. 15-223, and that such changes be incorporated into the proposed project design in order to better conform to legal requirements and park purposes:

Exhibit B – Concept Design Renderings: That the recognition plaque and pedestal depicted in the top illustration be removed from the project design; and that the text in the center illustration which reads “LEGENDS AT OUR CRAFT”, be removed from the center-court logo design.

Exhibit C – Recognition Signage: That the Pink Dolphin signage at the top of the Exhibit be redesigned to be a traditional sign and not in the form of a plaque, which sign will include “**THANKS AND ACKNOWLEDGES**” instead of “THANKS”. This sign will be placed on the fence or wall at the entrance to the Court; and that the bottom Aquahydrate sign include, “**THANKS AND ACKNOWLEDGES**”, instead of “THANKS AND APPRECIATES”.

With the Board’s concurrence, such changes will be incorporated into the Court design and implemented by the project contractor in coordination with Planning Construction and Maintenance Staff and the Friends of Runyon Canyon.

Exhibit B

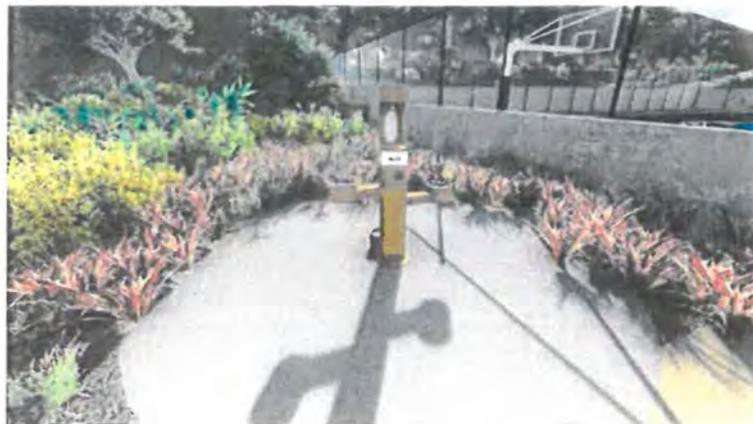
Concept Design Rendering



Remove
Pedestal
and install
sign on wall
or fence



Remove
"Legends
at Our Craft,"
"Pink Dolphin"
and graphic
to remain.



Note: See Exhibit C for Drinking Fountain Recognition Signage detail.

Exhibit C

Recognition Signage



- Recognition Plaque Dimensions: 6" x 14"



*Insert:
"and Acknowledges"*

*Replace with:
"Acknowledges"*

- Drinking Fountain Recognition Signage Dimensions: Approx. 6" x 8"

City of Los Angeles
Department of Recreation and Park

Runyon Canyon Court Refurbishment:

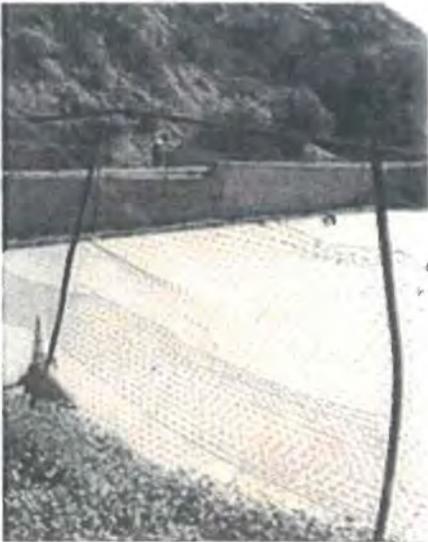


Exhibit D

Runyon Canyon Court Aerial Site Map,
Retaining Wall, and Existing Fencing



Tennis Court



APPROVED
06-01-2016

DEPARTMENT OF RECREATION
& PARK COMMISSIONERS

BOARD REPORT

NO. 16-127

DATE: June 01, 2016

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RUNYON CANYON PARK - RESCISSION OF APPROVAL FOR THE INSTALLATION OF BASKETBALL COURT IMPROVEMENTS AND ANCILLARY PARK AMENITIES WITH THE EXCEPTION OF WORK RELATED TO RESTORATION AND REPAIR OF EXISTING RETAINING WALL

AP Diaz _____
R. Barajas _____
H. Fujita _____

*V. Israel  _____
K. Regan _____
N. Williams _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION

Rescind the Board's prior approval of for the installation of basketball court improvements with recognition signage, and ancillary park amenities such as a drinking fountain and fencing at the site of the existing concrete court, with the exception of work related to the restoration and repair of an existing retaining wall at Runyon Canyon Park. (Board Report No. Report No. 15-223).

SUMMARY

On November 4, 2015, the Board approved a project consisting of the repair and restoration of an existing retaining wall and installation of basketball improvements with ancillary park amenities at the site of an existing concrete court within Runyon Canyon Park (collectively, "the Project"). The Project was approved to be funded through a charitable contribution from Pink Dolphin Clothing, LLC (Pink Dolphin) to the Friends of Runyon Canyon Foundation (FORC), at no cost to the Department of Recreation and Parks (RAP) or the City of Los Angeles (City). The Project was to be implemented through a contract between FORC and B&W Holdings, Inc., (dba, Digital Interiors) and through a temporary, revocable Right of Entry Permit (No. 766) issued by RAP. The Board conditionally approved the Project contingent upon plans and specifications being approved by RAP's Planning, Construction and Maintenance Branch (PCM), and all required permits being obtained by FORC's selected contractor. There are no executed agreements for this Project between RAP and FORC or Pink Dolphin.

In addition to the restoration of an existing retaining wall in need of repair and replacement, the Project also included leveling and resurfacing the existing concrete court with non-slip material and court lines; demolition and removal of existing, fallen chain-link fencing; replacement of

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fencing with the installation of new ten-foot high, coated fencing around the perimeter of the Court; installation of basketball equipment consisting of two (2) eight-inch (7 gauge) regulation height poles with overhang fixtures, tempered-glass backboards and heavy duty goals; installation of a new drinking fountain with related plumbing and connections; and the placement of a recognition logo on the court surface and installation of recognition signage.

On or about April 18, 2016, Citizens Preserving Runyon, an unincorporated association, and others, filed a lawsuit challenging the CEQA process performed by RAP for this project (Los Angeles Superior Court Case No. BS 161761). Additionally, there have been several community concerns expressed to the City related to the community engagement process for this project.

On or about May 17, 2016, FORC notified the City that after much review and input from park users, neighbors and stakeholders, FORC recommended that the basketball court Project be cancelled. RAP has also determined that it is in RAP's best interest to rescind and terminate the Board's prior action to approve the basketball court portion of the Project, including the installation of recognition signage and ancillary park amenities (fencing and drinking fountain). RAP acknowledges the necessity to obtain broader community input and/or environmental review should decisions be made regarding proposed future improvements or engaging other existing or proposed sponsorship funded projects at Runyon Canyon Park; however, The Department greatly appreciates and commends the donor's generous intentions to support park improvements at Runyon Canyon Park.

RAP's recommended rescission does not include the repairs to the existing retaining wall. The retaining wall repairs are independent from the proposed basketball court project and are needed in order to safely reopen adjacent hiking trails as well as a key fire service road. For these reasons staff recommends that the critical on-going retaining wall restoration be completed.

For the reasons set forth above, RAP recommends that the Board rescind its prior approval of Report No. 15-223 for the installation of basketball court improvements with recognition signage, and ancillary park amenities such as a drinking fountain and fencing at the site of the existing concrete court, with the exception of work related to the restoration and repair of the retaining wall. RAP is currently evaluating and reviewing cost estimates and plans for completing the remaining wall work and will soon bring those to the Board for approval, including information on the work completed to date and requests for funding allocations or mechanisms necessary to finish the remaining work.

FISCAL IMPACT STATEMENT

There is no fiscal impact to the RAP General Fund associated with the Board's rescission of its

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prior action pending requests and evaluations for future allocations of funding needed to complete the retaining wall.

This report was prepared by Joel Alvarez, Senior Management Analyst II, Partnership Division.