

APPROVED

APR 15 2021

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 21-066

DATE April 15, 2021

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RANCHO CIENEGA PARK – CELES KING III POOL DEMOLITION (PRJ21412) PROJECT — COMMITMENT OF PARK FEES – APPROVAL AND AUTHORIZATION OF CHANGE ORDERS – CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT (EIR), FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS AND ACCOMPANYING MITIGATION MEASURES AND MITIGATION MONITORING PROGRAM FOR THE RANCHO CIENEGA CELES KING III POOL DEMOLITION PROJECT EIR (SCH NO. 2018061048), STATUTORY EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE 11, SECTION 2(i) [ALLOCATION OF ADDITIONAL FUNDING FOR WHICH THE UNDERLYING PROJECT HAS PREVIOUSLY BEEN EVALUATED FOR ENVIRONMENTAL SIGNIFICANCE] OF CITY CEQA GUIDELINES AND SECTION 21082 OF CALIFORNIA PUBLIC RESOURCES CODE

AP Diaz	_____	M. Rudnick	_____
H. Fujita	_____	<i>for</i> C. Santo Domingo	<u>DF</u>
V. Israel	_____	N. Williams	_____



 General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Authorize Department of Recreation and Parks (RAP) staff to commit from the following fund and work order numbers, a maximum of Two Hundred Thousand Dollars (\$200,000.00) in Park Fees, for the Rancho Cienega Park – Celes King III Pool Demolition (PRJ21412) Project (Project):

<u>FUNDING SOURCE</u>	<u>FUND/DEPT./ACCT. NO.</u>	<u>WORK ORDER NO.</u>
Park Fees	302/89/89718H	QP001478

2. Approve the change orders for the Project as set forth in this Report, which will result in a cumulative total dollar amount of One Hundred Forty-Five Thousand, Nine Hundred Twenty-Eight Dollars and Eighty Cents (\$145,928.80) or 28.2% of the original contract award amount;

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3. Authorize RAP staff to negotiate and issue additional change order(s) in an amount not to exceed One Hundred Forty-Nine Thousand, Five Hundred Twenty-Two Dollars and Twenty Cents (\$149,522.20), which will result in a cumulative total dollar amount of change orders not to exceed Two Hundred Ninety-Five Thousand, Four Hundred Fifty-One Dollars (\$295,451.00) or 57.1% of the original contract amount for this Project;
4. Find that the proposed action, consisting of an allocation of additional funding for which the underlying project has previously been evaluated for environmental significance, is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(i) of City CEQA Guidelines and Section 21082 of California Public Resources Code and direct RAP staff to file a Notice of Exemption (NOE) with the Los Angeles County Clerk;
5. Authorize RAP's Chief Accounting Employee or designee to prepare a check to the Los Angeles County Clerk in the amount of \$75.00 for the purpose of filing an NOE; and,
6. Authorize RAP staff to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

Rancho Cienega Park is located at 5001 Obama Boulevard (formerly Rodeo Road) in the West Adams community of the City. This 28.97-acre park provides a track and field stadium, ball diamonds, basketball and tennis courts, a recreation center, a skate park, and a swimming pool (Celes King III Pool) for the use of the surrounding community. Approximately 10,652 City residents live within a one-half mile walking distance of Rancho Cienega Park. Due to the facilities, features, programs, and services it provides, Rancho Cienega Park meets the standard for a Community Park; as defined in the City's Public Recreation Plan.

PROJECT SCOPE

On August 20, 2020, the Board of Recreation and Park Commissioners (Board) approved the commitment of Seven Hundred Thousand Dollars (\$700,000.00) in Park Fees for the following scope of work for the Project (Report 20-166):

- The demolition of the existing Celes King III indoor pool structure
- The demolition of the surrounding hardscape
- Hazardous waste material abatement
- Clearance of site
- Backfill and fencing

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Out of the total funding allocation, Eighty-Seven Thousand, Three Hundred Sixty-Nine Dollars (\$87,369) is for Historic Recordation, Archaeological Paleontological and Native American monitoring (monitoring). The monitoring work is performed by RAP's pre-qualified on-call environmental consultant and is independent of the demolition work by the contractor but was required as part of the Project's final environmental impact report. The Project was competitively bid through RAP's on-call contractors. United Riggers & Erectors Inc. (URE) was the lowest bidder and received an award contract amount of Five-Hundred Seventeen Thousand, One Hundred Eighty Dollars (\$517,180). Therefore, the Project had a budget a contingency of \$95,451.

As part of the Project, the hazardous materials survey report dated April 4, 2006, was included for the contractor to provide bid for the abatement of the indoor pool structure. The report identified materials that will require abatement prior to the demolition of the pool. Based on the report, the contractor is responsible for the following abatement tasks:

1. Remove and dispose ceramic tile containing Lead.
2. Stabilize and remove flaky paint chips.
3. Remove and dispose fluorescent light tubes and ballasts.

Subsequently, a revised hazardous materials survey report, which was prepared in September of 2016 (2016 report), was sent to URE for abatement of additional hazardous materials. The report identified the following abatement items: rail and lateral support for sliding roof, walkway metal posts, and roofing mastic. It was noted that the mastic sealants (sealants) for windows were not sampled and included in the report. It was possible that the sealants were sampled in 2016 and found non-hazardous. Therefore, RAP staff contacted AECOM, author of the 2016 report, for further explanation on the omission of mastic sealants sampling. Due to the extended time overlap, AECOM informed staff there is no documentation on reasonings of the omission. Thus, besides the previously stated additional hazardous materials in the 2016 report, URE is tasked to sample and test the mastic sealants and abate them if they are found hazardous.

In addition, during the removal of the pool shell, the Project also encountered shallow ground water at the depth of approximately 10 feet. This requires the contractor to mitigate the condition of shallow ground water prior to backfilling the opened pool area with soil. It was noted that a geotechnical report was prepared in 2015 for the construction of Rancho Cienega Sports Complex. Exploratory borings from the report showed the site has relatively shallow groundwater at a depth of 9 feet to 10 feet below the ground surface. The geotechnical report was inadvertently left out of the bid package for the Project when solicited for bid.

Currently, the demolition of the Project is at 40% completion. To date, two (2) change orders have been executed for a total amount of Eighty-Nine Thousand, Two Hundred Twenty-One Dollars and Eight Cents (\$89,221.80). Change Order No. 1 is for the abatement per the 2016 report for Forty-Nine Thousand, Five Hundred Seventy-Two Dollars and Thirty Cents (\$49,572.30). Change Order No. 2 is the abatement of mastic sealants for Thirty-Nine Thousand, Six Hundred Forty-Nine Dollars and Fifty Cents (\$39,649.50). The proposed Change Order No. 3 is Fifty-Six Thousand, Seven Hundred Seven Dollars (\$56,707) which exceeds the remaining contingency. This third proposed change order work is primarily for the mitigation of the shallow groundwater and other miscellaneous work such as capping the existing sewer line and protect the existing gas meter at the site.

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The following is a summary of change orders:

Summary of Change Orders as of 3/31/2021		
	Total No. of Change Orders	Dollars (\$) Amount
Executed Change Orders	2	\$89,221.80
Pending Change Order	1	\$56,707.00
Total	3	\$145,928.80

RAP Staff has determined that additional funding is required to address the encounter of shallow groundwater during the removal of the pool shell. These works are necessary to safely demolish the existing indoor pool and backfill the opened pool once the pool shell is removed.

PROJECT FUNDING

Previously, the Board approved the commitment of Seven Hundred Thousand Dollars (\$700,000.00) in Park Fees for the proposed Project (Report No. 20-166).

Upon approval of this Report, an additional Two Hundred Thousand Dollars (\$200,000.00) in Park Fees can be committed to the proposed Project and the total amount of funding available for the Project, including previously committed Park Fees, will be Nine Hundred Thousand Dollars (\$900,000.00).

RAP staff is requesting this additional funding in anticipation of additional change orders that may be needed for this Project. There have been a few reported incidents at the current construction of Rancho Cienega Sports Complex such as burglary, car theft, loitering at the park, and even assault on security officer. For the demolition of the pool, there has been report of construction fences removal by trespassers. If the security situation worsens, staff will work with URE to address the security concerns which may require the issuance of additional change orders for this Project. Thus, RAP staff requests authorization to negotiate and issue additional change order(s) in an amount not to exceed One Hundred Forty-Nine Thousand, Five Hundred Twenty-Two Dollars and Twenty Cents (\$149,522.20), which will result in a cumulative total dollar amount of change orders not to exceed Two Hundred Ninety-Five Thousand Four Hundred and Fifty-One Dollars (\$295,451.00) or 57.1% of the original contract amount for this Project.

These Park Fees were collected within five (5) miles of Rancho Cienega Park, which is the standard distance for the allocation of Park Fees for community recreational facilities pursuant to Los Angeles Municipal Code Section 12.33 E.3.

FUNDING SOURCE MATRIX

Source	Fund/Dept/Acct	Amount	Percentage
Park Fees	302/89/89716H	\$393,744.17	43.75%
Park Fees	302/89/89718H	\$506,255.83	56.25%
Total		\$900,000.00	100%

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PROJECT CONSTRUCTION

As previously discussed in Report No. 20-025, the previously approved Michelle and Barack Obama Sports Complex Project (formerly known as the Rancho Cienega Sports Complex Project) began construction in September 2018 and involves the development of upgraded and expanded facilities at Rancho Cienega Park, including construction of a new indoor pool. The demolition of the Celes King III Pool began in December 2020.

RAP staff has identified sufficient funding for the proposed Project.

TREES AND SHADE

The Project will have no impact on the existing trees at the Rancho Cienega Sports Complex.

ENVIRONMENTAL IMPACT

RAP staff found that the Board certified the EIR for the demolition of the Celes King III indoor pool (FEIR-SCH No. 2018061048) on February 6, 2020 (Report No. 20-025), and adopted Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP), all of which are on file in the Board Office. A Notice of Determination was filed with the Los Angeles County Clerk on February 13, 2020.

The Board approved funding for the demolition project, which includes the demolition of indoor pool structure, demolition of surrounding hardscape, hazardous materials abatement, clearing the site, backfill and fencing through Report No. 20-166 on August 20, 2020.

Under this Report, the Board is being requested to commit additional funding to complete the demolition project approved through Report No. 20-025 and funded through Report No. 20-166.

California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental EIR is required by the lead agency or by any responsible agency:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR;
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken that will require major revisions in the EIR; and,
3. Previously unknown new information at the time of the certification of the EIR as complete becomes available.

The proposed action is an allocation of additional funding for which the underlying project has previously been evaluated for environmental significance.

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RAP staff found that:

1. The proposed Project will not involve substantial changes in the project scope requiring major revisions in the previous EIR due new-significant environmental effects, or an increase in the severity of previously identified significant effects;
2. The circumstances under which the Project is undertaken will not require revisions of the previous EIR due new significant environmental effects or an increase in the severity of previously identified significant effects;
3. There is no new information of substantial importance showing new significant environmental effects not discussed in the previous EIR, or an increase in the severity of previously examined significant effects;
4. There are no mitigation measures or alternatives to the project considerably different from those analyzed in the previous EIR that would substantially reduce one or more significant effects on the environment, but not adopted with the previous EIR.

Based on these findings, RAP Staff recommends that the Board determines that the Project was adequately assessed in the previously certified EIR, Findings, Statement of Overriding Considerations and accompanying mitigation measures and Mitigation Monitoring Program for the EIR (SCH No. 2018061048), that no subsequent EIR, Negative Declaration, or further addendum or other CEQA analysis is required for approval of the Project, and the act of allocating more funding to the project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(i) of City CEQA Guidelines and to Section 21082 of California Public Resources Code.

FISCAL IMPACT

The approval of this commitment of Park Fees will have no fiscal impact on RAP's General Fund. The demolition of the Celes King III Pool is anticipated to be funded by Park Fees or funding sources other than the RAP's General Fund. However, future operations and maintenance costs for the new pool building will be included in future departmental annual budget requests RAP's General Fund.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

Goal No. 5: Ensure an environmentally sustainable park system.

Outcome No. 1: Decrease energy consumption and achieve a smaller carbon footprint

Result: The demolition of the energy and maintenance intensive Celes King III Pool structure falls in line with the energy reduction and carbon reduction tenets of Goal No. 5.

This Report was prepared by Ligaya Khennavong, Management Assistant, Planning, Maintenance and Construction Branch.