

REPORT FROM

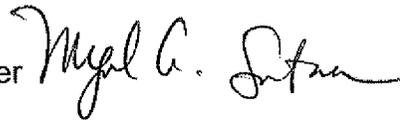
OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: January 12, 2012

CAO File No. 0220-04696-0000
Council File No. 11-1246
Council District: 4

To: Mayor
Council

From: Miguel A. Santana, City Administrative Officer



Subject: **NORTH ATWATER MULTIMODAL BRIDGE OVER THE LOS ANGELES RIVER**

SUMMARY

On July 15, 2011, Council referred a Motion (LaBonge/Garcetti) regarding acceptance of the donation of a multimodal bridge crossing the Los Angeles River from a private individual (C.F. 11-1246). The Los Angeles River Revitalization Corporation (RRC) is facilitating the donation and will construct the bridge and donate it to the City. On October 5, 2011, the Public Works Committee requested that the City Administrative Officer report back on acceptance of this donation, the possibility of fee waivers, city departments providing in-kind services, and the future maintenance of the structure.

The proposed multimodal bridge will connect the neighborhoods on the east side of the Los Angeles River to Griffith Park on the west. The planned design concept is an iconic cable stay bridge that would span 300 feet over the river at approximately 3,000 feet north of Los Feliz Blvd. The bridge would be 26 feet wide to accommodate separate bicycle lanes and horse paths and allow access to Griffith Park for equestrian users from the stable complexes on the east, bicycle access from Atwater Park to the river segment of the Los Angeles bicycle trail system on the west, and pedestrian access to both areas. The current estimate for the bridge is \$4.67 million.

It should be noted that construction of the bridge is not a City project. The RRC will manage the project including preparation of environmental plans, design and construction. Once completed, RRC would donate the bridge to the City.

In response to the Committee's instructions, my Office reviewed the feasibility of accepting this donation and has concluded that once the project is completed the donation should be effectuated if a long term commitment for outside maintenance of the bridge is provided. We also looked at the fiscal impact of in-kind services and the possibility of fee waivers. These costs are being addressed by Council District 4 through the use of AB1290 monies.

88 0010 00010

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Request that the City Attorney develop and submit for Council consideration, a gift agreement to accept a multimodal bridge across the Los Angeles River from the Los Angeles River Revitalization Corporation to be operated and maintained as a public asset subject to the following conditions to be met by the Los Angeles River Revitalization Corporation:
 - Completion of the bridge
 - Execution of all permits/easements and agreements necessary to place the structure
 - Execution of a long term maintenance agreement for the bridge
2. Authorize the Board of Public Works, Bureau of Engineering to provide technical assistance to the Los Angeles River Revitalization Corporation to properly draft and execute all easements, leases, permits, licenses and/or any other approvals needed from the Army Corps of Engineers, the County Flood Control District, the Department of Water and Power and private property owners so that the bridge can be turned over to the City upon its completion;
3. Instruct the Controller to transfer \$300,000 in Council District 4 AB 1290 monies from Fund 53P, Account 28G304 to a newly established Account TBD to be used for permit fees and City costs associated with development of the multimodal bridge over the Los Angeles River; and
4. Instruct the Board of Public Works, Office of Community Beautification to negotiate terms and conditions with the Los Angeles Conservation Corps for maintenance of the completed project through their River Corps for a period of ten years and submit the agreement to the City Council for consideration.

FISCAL IMPACT STATEMENT

A private donor will provide \$4 million in funding to the Los Angeles River Revitalization Corporation (RRC) to design and construct a multimodal, cable-stay crossing located in North Atwater over the Los Angeles River. The RRC proposes to donate the bridge to the City upon its completion in compliance with the requirements of the bridge funding donation. Maintenance of the bridge for the first ten years is estimated to cost approximately \$1 million which is planned to be provided by the Los Angeles Conservation Corps. The cost of permits will be funded through AB 1290 funds. There is no impact to the General Fund anticipated at this time.

DISCUSSION

1. The Los Angeles River Revitalization Corporation.

The Los Angeles River Revitalization Master Plan (LARRMP), adopted by the City Council in 2007, called for a three-tiered management structure to implement the goals of the plan. One of these tiers, the Los Angeles River Revitalization Corporation (RRC), was created through Council action in 2009 to develop parks, open space, housing, retail and jobs-producing uses along the River. As stated in the RRC's Articles of Incorporation, the specific purpose of the Corporation is to lessen the burdens of government by implementing the LARRMP.

In keeping with its purpose, the RRC has identified a private donor who has agreed to provide \$4 million in funds to design and construct a non-motorized, multimodal crossing over the river. Once completed, the bridge, to be named at the donor's discretion, will be presented as a gift to the City. Upon receipt, the City will own, operate and maintain the bridge in perpetuity.

2. Acceptance of Donation

The RRC has provided a letter from the donor, indicating that he will make a total donation of \$4 million to the RRC in support of their efforts to develop a non-motorized, multimodal cable-stay crossing at North Atwater. The letter describes how the funds will be disbursed and key milestones that must be met. These include:

- Written commitment by the City to accept the bridge as a gift, to be operated and maintained as a public asset;
- Submission and substantial progress in obtaining the required permits from the U.S. Army Corps of Engineers, Los Angeles County, and the City of Los Angeles, and;
- Bidding the project to an experienced and cost-effective component manufacturer and general contractor.

Since the value of this donation is more than \$5,000, Ordinance No. 158975 requires that the offer of a gift be submitted to the City Council for acceptance. Therefore, it is recommended that the City Attorney prepare a gift agreement for Council consideration.

3. Agreements with Other Entities

The project sits on or over land that is controlled by the United States Army Corps of Engineers, the Los Angeles County Flood Control District, the Department of Water and Power and private property owners. The RRC will be coordinating approvals, permits, leases, and agreements with these entities to allow for the placement of the bridge. The Bureau of Engineering (BOE), Real Estate Group will work with the RRC to ensure that these agreements contain the necessary City requirements and are structured appropriately so that the bridge can be turned over to the City upon its completion. This review is anticipated to cost approximately \$15,000 and is part of the project's budget.

4. Fee Waivers

The Council Motion includes a direction to city departments to waive fees for this project. The City's Development Fee Subsidy Policy, adopted by the Council on January 23, 2008, lays out the parameters for subsidizing construction related fees but does not allow for fees to be waived (C.F. 07-4066).

Under the fee subsidy policy, subsidies can be provided to a non-profit organization when the project promotes a public purpose. These subsidies are limited to 50 percent of the total eligible fee and may not exceed a total of \$50,000 for any project. Qualifying organizations may be granted one subsidy per year. A public purpose project is defined in the policy as a project that enhances the activities and services routinely provided by governmental entities and that will generally be open and available for use by the public. Construction of increased public access to Griffith Park and the Los Angeles bicycle trail system appear to meet that goal.

BOE issues "B" Permits for extensive public works improvements such as the construction of bridges. The "B" Permit includes the costs of BOE and the Bureau of Construction Administration (Con Ad) during project review and monitoring. The cost of the "B" permit for this bridge is estimated by BOE to be \$243,000. Since the east end of the bridge lands on private property, the Department of Building and Safety has jurisdiction over its construction. Therefore, a Building and Safety permit estimated at \$38,000 is also required. The project permit fees total \$281,000. Therefore, the project could qualify for the maximum of \$50,000 in fee subsidy. However, in this case, the subsidy is not being pursued because Council District Four has identified \$300,000 in AB1290 funds (tax increment funds) to cover all of the anticipated City real estate review and permit costs.

5. Costs and Funding

BOE has reviewed the \$4.44 million project estimate provided by the RRC. Based on a preliminary square foot approach, the design and construction estimates seem appropriate. However, the real estate review and City permit fees of \$66,000 do not reflect the anticipated City costs of \$296,000 for these services. Therefore, the budget must be increased to \$4.67 million.

Together with the donor gift of \$4 million, \$274,500 from the RRC, a non-cash contribution of \$100,000 by the Army Corps of Engineers for permits and \$300,000 in AB1290 funds, the project is fully funded.

6. Long-Term Maintenance

Maintaining a steel, cable-stay structure costs considerably more than a standard construction non-motorized bridge. The cables must be tuned every five years, the timber decking used to accommodate the horse traffic must also be refurbished every five years, and the steel understructure must be painted every ten years. Gardiner & Theobald, Inc., an RRC consultant, has estimated the cost of maintenance during the first ten years to be approximately \$1 million.

The Los Angeles Conservation Corps has committed to assuming the costs of and responsibility for maintenance of the bridge for at least ten years. The Conservation Corps is prepared to amend their

agreement with the City or enter into a new agreement in order to provide the necessary maintenance services for the bridge project once it has been place under City control.

Attachments:

Donor Commitment Letter

Service Commitment Letter from LA Conservation Corps

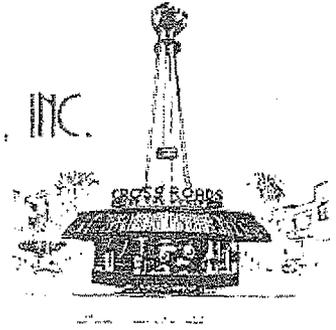
Project Budget Prepared by RRC

MAS:LEH:05120049

CROSSROADS MANAGEMENT, INC.

6671 Sunset Blvd., Suite 1575
Hollywood, CA 90028

Ph: (323) 463-5611
Fax: (323) 463-0297



December 12, 2011

Mr. Omar Brownson
Executive Director
Los Angeles River Revitalization Corporation
570 W. Avenue 26, Suite 475
Los Angeles, CA 90065

Dear Mr. Brownson,

This letter confirms my intent to make a total donation of \$4 million to the Los Angeles River Revitalization Corporation (the "River Corporation") in support of your efforts to develop a non-motorized, multi-modal, cable-stay crossing in North Atwater.

My family has been in active partnership with the River Corporation for over a year about how to best revitalize the Los Angeles River and raise its profile as a valuable city asset. In October of 2010, we agreed that the construction of an iconic bridge in North Atwater was a project worthy of our collective investment. When completed, the project would connect equestrian stables to Griffith Park trails and allow the North Atwater community to connect to the L.A. River Bike Path safely and easily.

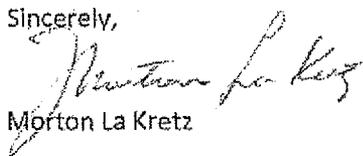
To date, I have donated \$300,000 to the River Corporation to assemble a design team and conduct due diligence around the project. I have been satisfied with that due diligence and instructed your organization to proceed with design development and, upon sufficient progress, construction drawings. I have another \$350,000 donation ready to disburse to the River Corporation to cover these professional fees.

My remaining commitment of \$3.35 million will be disbursed to the River Corporation to cover hard costs associated with the project. These funds are liquid and ready to be deployed. This final donation will be transferred to the River Corporation in a timely fashion upon substantial completion of key milestones underway, including but not limited to:

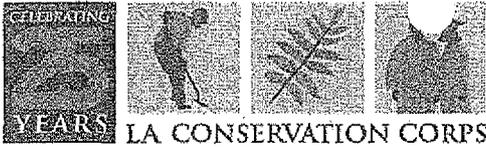
- (1) Written commitment by the City of Los Angeles to accept the bridge as a gift, to be operated and maintained as a public asset;
- (2) Submission and substantial progress in obtaining the required permits from the U.S. Army Corps of Engineers, Los Angeles County, and the City of Los Angeles; and
- (3) Bidding of the project to an experienced and cost-effective component manufacturer and general contractor

In a time of aging infrastructure and constrained municipal budgets, I am hopeful that our partnership can demonstrate the viability of public-private partnerships and the need for cooperation to solve larger, more complex challenges like the revitalization of the Los Angeles River.

Sincerely,



Morton La Kretz



Mailing Address: P.O. Box 15868, Los Angeles, CA 90015

December 8, 2011

Omar Brownson
Executive Director
Los Angeles River Revitalization Corporation
Los Angeles River Center and Gardens
570 West Avenue 26, Suite 475
Los Angeles, CA 90065

RE: COMMITMENT OF MAINTENANCE SERVICES FOR THE NORTH ATWATER MULTIMODAL BRIDGE

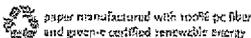
Dear Mr. Brownson:

As one of the founding board members of the Los Angeles River Revitalization Corporation (RRC), Executive Director of the Los Angeles Conservation Corps since 1995, and founder of the LA Conservation Corps' Los Angeles River Corps (River Corps), I am delighted to let you know our commitment via the River Corps to participate in the maintenance services for the RRC's North Atwater Multimodal Bridge project.

As you know, since 1986 the LA Conservation Corps' primary mission is to provide at-risk young adults and school-aged youth with opportunities for success through job skills training, education and work experience with an emphasis on conservation and service projects that benefit the community. Since 2008, LACC youth have been serving as River Corps members in the Glendale Narrows stretch of the Los Angeles River (River), providing an important public interface role and ensuring that park, greenway, and related projects are safe, and clean for the public's enjoyment. We are prepared to amend our prevailing agreement with the City or enter into a new agreement in order to provide the necessary maintenance services for the bridge project once the RRC donates the bridge to the City.

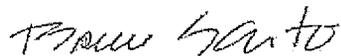
Thus, related to its past work along the River, the LA Conservation Corps' River Corps will assume the costs of and responsibility for maintenance of the North Atwater Multimodal Bridge project for at least ten years. I understand that regular maintenance activities regarding bicycle use and equestrian use of the bridge will need to be coordinated with the City's Departments of Transportation and Recreation and Parks, respectively. I also understand that, in addition to typical maintenance activities associated with landscaping and paths, the bridge's unique design features will require repainting and cable-tuning and treatment and/or replacement of the bridge's timber decking during our period of service.

Through LA Conservation Corps programs and services, we seek to provide a supportive and enriching environment for at-risk youth and young adults to help them develop self-esteem, achieve their educational goals, establish and pursue life and career goals and gain the skills necessary to become self-sufficient, responsible citizens who will positively contribute to their communities and society. Expanding the LA Conservation Corps' River Corps in support of this important RRC



project will go a long way toward instilling critical environmental stewardship values in exceptional young Angelenos who are tomorrow's leaders. Please let me know if you have any questions: (213) 362-9000 and BSaito@lacorps.org.

Sincerely,

A handwritten signature in black ink that reads "Bruce Saito". The signature is written in a cursive, slightly slanted style.

Bruce Saito
Executive Director

North Atwater Equestrian/Pedestrian and Bicycle Bridge

Budget	Total	Donor	RRC	Agency
Revenue Sources:				
Private Donor	4,000,000	4,000,000		
RRC General Fund				
In-kind Personnel Costs (Board & Staff)	74,500		74,500	
Restricted Donation	200,000		200,000	
Agency Waivers:				
LA City (non-cash)	66,000			66,000
USACE (non-cash)	100,000			100,000
Total Revenue	4,440,500	4,000,000	274,500	166,000
Costs:				
Soft Costs:				
Conceptual Design	62,950	62,950		
Design Development	245,255	245,255		
Construction Documents	219,305	219,305		
Permits (non-cash)	124,000			124,000
Real Estate Title and Acquisition (non-cash)				42,000
Environmental & Legal	200,000		200,000	
Subtotal Sost Costs	893,510	527,510	200,000	166,000
Construction Costs				
Labor and Materials	3,377,990	3,377,990		
Traffic Management	20,000	20,000		
Construction Oversight & Testing	149,000	74,500	74,500	
Subtotal Construction Costs	3,546,990	3,472,490	74,500	0
Total Costs	4,440,500	4,000,000	274,500	166,000
Over(under) Funded	0	0	0	0