

**TRANSMITTAL**

To:  
**THE COUNCIL**

Date: **DEC 23 2014**

From:  
**THE MAYOR**

**TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.**



(Ana Guerrero)

**ERIC GARCETTI**  
Mayor

BOARD OF RECREATION AND  
PARK COMMISSIONERS

SYLVIA PATSAOURAS  
PRESIDENT

IRIS ZUÑIGA  
VICE PRESIDENT

LYNN ALVAREZ  
MELBA CULPEPPER  
MISTY M. SANFORD

LATONYA D. DEAN  
COMMISSION EXECUTIVE ASSISTANT II

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
RECREATION AND PARKS

221 N. FIGUEROA STREET  
SUITE 1510  
LOS ANGELES, CA 90012

(213) 202-2640  
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RAP.Commissioners@LACity.org

MICHAEL A. SHULL  
GENERAL MANAGER

December 15, 2014

Hon. Eric Garcetti, Mayor  
City of Los Angeles  
Room 303, City Hall

Attention: Ms. Mandy Morales

Dear Mayor Garcetti:

In accordance with Executive Directive No. 3, there are attached herewith three copies of a proposed Amendment No.2 to Lease Agreement No. C-109009 with ONEgeneration for the continued operation and maintenance of the Mark Taper Intergenerational Center.

Also attached for the assistance of your Office in reviewing this proposed Amendment is Report No. 14-310, adopted by the Board of Recreation and Park Commissioners at its meeting of December 10, 2014. After review and recommendation by you, the proposed Amendment will be submitted to the Board for final action.

If you have any question with regard to the proposed Amendment, please contact Greg Clark at (213) 202-2604.

Very Truly Yours,

BOARD OF RECREATION AND  
PARK COMMISSIONERS

LATONYA D. DEAN  
Commission Executive Assistant

Attachments

Cc: Greg Clark, Real Estate and Asset Management

OFFICE OF THE MAYOR  
RECEIVED  
2014 DEC 15 PM 2:09  
CITY OF LOS ANGELES

**APPROVED**  
DEC 10 2014

REPORT OF GENERAL MANAGER

NO. 14-310

DATE December 10, 2014

BOARD OF RECREATION  
& PARK COMMISSIONERS

C.D. 12

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEPULVEDA BASIN RECREATION AREA - MARK TAPER INTERGENERATIONAL CENTER - PROPOSED RESTROOM REFURBISHMENT AND PLAYGROUND ENHANCEMENT PROJECT AND AMENDMENT NO. 2 TO LEASE AGREEMENT NO. C-109009 WITH ONEGENERATION, A CALIFORNIA NON-PROFIT CORPORATION

R. Adams \_\_\_\_\_

V. Israel \_\_\_\_\_

*for* \*R. Barajas \_\_\_\_\_

*[Signature]* \_\_\_\_\_

K. Regan \_\_\_\_\_

H. Fujita \_\_\_\_\_

N. Williams \_\_\_\_\_

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve Organization for the Needs of the Elderly generation's, (ONEgeneration) a California non-profit Corporation, Proposition K grant-funded project for the refurbishment of existing restroom facilities and enhancement to existing child playground facilities, as further described in the Summary of this Report;
2. Approve a proposed Amendment No. 2 to Lease Agreement No. C-109009, with ONEgeneration substantially in the form in the Board Office, which changes the term of the Lease Agreement from twenty (20) to thirty (30) years for the continued operation and maintenance of the Mark Taper Intergenerational Center, subject to the approval of the Mayor, City Council and the City Attorney as to form;
3. Direct the Board Secretary to transmit forthwith Amendment No. 2 to the Mayor in accordance with Executive Directive No. 3, for review and recommendation, and concurrently to the City Attorney for review as to form; and,
4. Upon receipt of the necessary approvals, authorize the Board President and Secretary to execute, Amendment No. 2 to Lease Agreement No. C-109009.

## REPORT OF GENERAL MANAGER

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### SUMMARY:

Since 1991, the Organization for the Needs of the Elderly (ONE) has been providing a variety of senior citizen services at the Mark Taper Intergenerational Center (Center) located within the Sepulveda Basin Recreational Area at 17400 Victory Boulevard in Van Nuys. Over the years, it has expanded its operations and with additional services and programs for seniors and child care.

ONEgeneration had been previously authorized by the Department of Recreation and Parks (Department) to occupy and use the Center through prior leases. The most recent lease was approved by the Board on August 11, 2004, through Board Report No. 04-231. This lease agreement carried an initial term of ten (10) years with an option to extend the lease for another ten (10) years. The agreement was executed in October 2005.

On May 4, 2011, the Board approved Board Report No. 11-122, which authorized ONEgeneration's request to exercise its option to renew the term of the lease for another ten (10) years and a one-time reimbursement of \$4,800 to ONEgeneration for monthly utility charges associated with the Department's adjacent Pedlow Skate Park. ONEgeneration had been awarded a \$96,000 Proposition K Grant to be used to replace twelve (12) heating, ventilation and air conditioning (HVAC) units at the Center. The Proposition K Grant required ONEgeneration to demonstrate site control for a minimum of five (5) years to receive the grant. Since, the lease agreement at the time had less than five (5) years remaining, ONEgeneration requested approval to exercise their ten (10) year option. The one-time \$4,800 reimbursement pertained to the fact that the Department's adjacent Pedlow Skate Parks' sub-meter was tied to ONEgeneration's master meter. It was discovered that this condition existed for a period of approximately two and a half (2.5) years amounting to approximately \$4,800.

On May 16, 2012, the Board approved Board Report No. 12-159, which approved ONEgeneration's proposal to expand its child care services at the Center. Due to State of California budget cuts and reduced private donations, ONEgeneration was forced to look for new or expanded sources of revenue and identified the expansion of their existing child care program as an additional revenue source. The approved expansion involved the installation of two (2) above grade modular buildings on the existing child care paved parking area. Each building measures about sixty-five feet by twenty-four feet (65'x 24') and has full electrical, water and sewer hookups.

Recently, ONEgeneration notified the Department that they had qualified for another Proposition K Grant in the amount of \$125,918. This grant is for the renovation of three existing bathrooms in the child care building and the replacement of the artificial turf and fall zone padding in the preschool playground. As in its previous Proposition K Grant, ONEgeneration is required to demonstrate site control, this time, for a period of ten (10) years from the Certificate of Completion of the proposed project. Currently, ONEgeneration's lease agreement with City is

REPORT OF GENERAL MANAGER

PG. 3

NO. 14-310

scheduled to expire in 2025. It is anticipated that the Proposition K Grant approval process, and the construction work and issuance of the Certificate of Completion may be completed in 2016, at which point ONEgeneration would not have sufficient time left in its lease term to satisfy the site control requirement of ten (10) years. Therefore, ONEgeneration has requested a further extension of ten (10) years. Although the requested additional term exceeds what is needed by the Proposition K Grant, Department staff is of the opinion that ONEgeneration's long history of providing excellent services to community warrants such an extension.

The Board is being asked to consider approving the proposed restroom refurbishment and playground enhancement project as the grant is for the renovation of three (3) existing bathrooms in the child care building and the replacement of the artificial turf and fall zone padding in the preschool playground and approve Amendment No. 2 extending the term of the lease agreement with ONEgeneration by another ten (10) years for a total of thirty (30) years, resulting in a new expiration date of October 25, 2035.

Staff has determined that the proposed bathroom renovation and play surface enhancement project consists of replacements to existing structures and facilities, and, therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1 (1, 14) and Class 11 (7) of the City CEQA Guidelines.

It should be noted that the land the Center is constructed on is within the property owned by and leased from the United States Army Corps of Engineers (USACE). ONEgeneration has received USACE approval for their proposed project. Staff from the Department's Operations West Office and the office of Council District 12 concur with the recommendations of this Report.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund associated with this action as all costs for the proposed improvement project will be paid for through the Proposition K Grant.

This report was prepared by Gregory Clark, Management Analyst II, Planning, Construction, and Maintenance Branch

THE CITY OF LOS ANGELES,  
DEPARTMENT OF RECREATION AND PARKS

AND

ONEGENERATION, A CALIFORNIA NON-PROFIT CORPORATION  
FOR THE USE OF MARK TAPER INTERGENERATIONAL CENTER  
AMENDMENT NO. 2 TO LEASE AGREEMENT NO. C-109009

THIS Amendment No. 2 to Lease Agreement No. C-109009 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, amending that certain Lease Agreement by and between ONEgeneration, a California non-profit Corporation (ONEgeneration) and the City of Los Angeles Department of Recreation and Parks (City), dated October w25, 2005 (Lease Agreement) as previously amended previously amended by Amendment No. 1, dated September 7, 2011.

WHEREAS, ONEgeneration and City entered into the Lease Agreement approved by the Board of Recreation and Park Commissioners on August 11, 2004 (Board Report No. 04-231) and adopted by the Los Angeles City Council on July 12, 2005 (Council File No. 05-0916); and,

WHEREAS, Article 4 of the Lease Agreement (Term) promotes that the lease commencement date and expires on October 25, 2015; and,

WHEREAS, Article 4 provides an option to extend the Lease Agreement for ten (10) years; and,

WHEREAS, ONEgeneration exercised that option in Amendment No. 1 to Lease Agreement No. C109009 thereby extending the term of the Lease Agreement by 10 (ten) years to October 25, 2025; and,

WHEREAS, ONEgeneration and City now desire to further amend the Lease Agreement to provide for a total term of thirty (30) years, start from which was the original date of execution by the City, October 25, 2005;

NOW THEREFORE, In consideration of the forgoing and the terms and conditions contained herein, and the performance thereof, ONEgeneration and City hereby agree that Article 4.1. (Term) of the Lease Agreement shall be amended to now read as follows:

Article 4.1. Term of Agreement.

The Term of this Lease shall be for thirty (30) years commencing on October 25, 2005.

With the exception of the previously amended, the balance of terms and conditions of the Lease Agreement No. C-109009 shall remain unchanged and unaffected by this Amendment No. 2. Should any provision of the Lease Agreement, or Amendment No. 1, conflict with this Amendment No. 2, the terms and conditions of this Amendment No. 2 shall prevail.

The Parties acknowledge that, this Lease Agreement is subject to the terms and conditions of Lease No. DACW09-67-11 between the City of Los Angeles Department of Recreation and Parks and the United States Army Corps of Engineers.

[Signature page to follow.]

IN WITNESS WHEREOF, parties hereto have caused this MOU to be executed by their duly authorized representatives.

Executed this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_

THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

By \_\_\_\_\_  
PRESIDENT

By \_\_\_\_\_  
SECRETARY

Executed this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_

ONEgeneration, a California Non-profit Corporation

By \_\_\_\_\_  
PRESIDENT

By \_\_\_\_\_  
SECRETARY

Approved as to Form:

MICHAEL N. FEUER, City Attorney

By \_\_\_\_\_  
DEPUTY CITY ATTORNEY

ATTEST:

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_  
DEPUTY CITY CLERK

Date: \_\_\_\_\_

Council File Number: \_\_\_\_\_ Date of Approval: \_\_\_\_\_

Said Agreement is Number \_\_\_\_\_ of City Contracts