# LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

February 19, 2008

The Honorable Board of Directors
Los Angeles County
Regional Park and Open Space District
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Directors:

**APPROVE THE REVISED PLAN OF EXPENDITURE,
APPROVE THE ALTERNATIVE PLAN FOR EXPENDITURE,
ALLOCATE COUNTY EXCESS FUNDS AVAILABLE
TO THE THIRD SUPERVISORIAL DISTRICT,
AUTHORIZE AWARD AND ADMINISTRATION OF AN EXCESS FUNDS GRANT,
AND AUTHORIZE THE DIRECTOR TO REIMBURSE THE LOS ANGELES
PHILHARMONIC ASSOCIATION FOR COSTS INCURRED PRIOR TO EXECUTION
OF A PROJECT AGREEMENT FOR THE HOLLYWOOD BOWL ACOUSTICS
PROJECT
(THIRD DISTRICT- 3 VOTE MATTER)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find the proposed actions exempt from the California Environmental Quality Act as proposed administrative actions do not meet the definition of a project according to Sections 15378 (b)(4)(5) of the State CEQA Guidelines.

2. Approve the revised plan of expenditure for $346,828.92 of Specified Funds allocated to the Department of Parks and Recreation (Department) for projects at the Hollywood Bowl under Section (8), Subsection (a), Paragraph (2), Subparagraph (R) of the Safe Neighborhood Parks Proposition of 1992 (1992 Proposition) for the Hollywood Bowl Acoustics Project.

3. Approve the alternative plan of expenditure for $3,293.50 of Specified Funds allocated to the Los Angeles Philharmonic Association for projects at the Hollywood Bowl under Section (3), Subsection (b), Paragraph (6) of the Safe Neighborhood Parks Proposition of 1996 (1996 Proposition) for the Hollywood Bowl Acoustics Project.

4. Allocate Third Supervisorial District County Excess Funds in the amount of $149,877.58, to the Department of Parks and Recreation for the Hollywood Bowl Acoustics Project.

5. Authorize the Director of Parks and Recreation, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, to award a grant in the amount of $500,000, consisting of the funds from the aforementioned sources, to the Los Angeles Philharmonic Association for the Hollywood Bowl Acoustics Project.

6. Authorize the Director to reimburse the Los Angeles Philharmonic Association for costs incurred prior to the execution of the grant project agreement for the Hollywood Bowl Acoustics Project.

## PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions would allow the Los Angeles Philharmonic Association (LAPA) to use unspent District funds allocated for projects at the Hollywood Bowl under the 1992 and 1996 Propositions, as well as County Excess Funds available to the Third Supervisorial District, for the Hollywood Bowl Acoustics Project.

The total cost of the project is $986,011. The combined total of $500,000 in new grant funds from the revised plans of expenditure of $346,828.92, and $3,293.50 and $149,877.58 in Excess Funds, will supplement $486,011 LAPA is contributing for Hollywood Bowl Acoustics Project and complete the funding for this project.

The 1996 Proposition requires that agencies to which funds were allocated under the Safe Neighborhood Parks Propositions of 1992 and 1996 encumber all such funds prior to receiving grants of Excess Funds. The Department and LAPA have met this requirement.

In a related item on today's agenda, the Department, which is the designated recipient of Specified Funds allocated to the County under Section (8), Subsection (a), Paragraph (2), Subparagraph (R) of the 1992 Proposition, and a qualified recipient of County Excess Funds under the 1996 Proposition is requesting that your Board, in its capacity as the County's Board of Supervisors, assign the right to apply for the funds to LAPA.

It is also recommended that the Director of Parks and Recreation be authorized to award the grant to LAPA when applicable conditions have been met, such as grantee qualifications, consistency between the projects and requirements of the 1996 Proposition and grantee compliance with the California Environmental Quality Act (CEQA) requirements for the project, and to administer the grant under procedures previously approved by your Board.

Finally, since a portion of the project costs were incurred prior to the execution of a grant agreement for the funds, your Board's approval would be required to allow the Director to reimburse LAPA for these expenditures.

## IMPLEMENTATION OF STRATEGIC GOALS

The proposed recommendations further the Board approved County Strategic Plan Goal No. 1 (Service Excellence), Goal No. 4 (Fiscal Responsibility), Goal No. 5 (Children and Families' Well-being), and Goal No. 6 (Community Service), by enabling LAPA to improve the acoustics at the Hollywood Bowl.

## FISCAL IMPACT/FINANCING

Sufficient funds, in the amount of $350,122.42, is appropriated in the Los Angeles County Regional Park and Open Space District's (District) Assessment Project Fund (HB4) under Other Charges and $149,877.58 is appropriated in the Third Supervisorial District portion of the Los Angeles County Regional Park and Open Space District Excess Funds Project Fund, HD6 for the Hollywood Bowl Acoustics Project.

## FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Specified Project funds identified in Section (8), Subsection (a), Paragraph (2), Subparagraph (R) are subject to reallocation by your Board under the provisions of Section (18) of the 1992 Proposition. A revised plan of expenditure may be approved for expenditure of these funds after July 1, 1998, for expenditure of the funds in accordance with the purposes of the 1992 Proposition within the area of the District in which funds were originally authorized to be expended.

If your Board does not approve the Department's request to assign the $346,828.92 in 1992 Proposition Specified Funds to LAPA for the Hollywood Bowl Acoustics Project, the Department may either expend the funds for the uses originally specified, request your Board's approval to fund different new projects with the funds, or relinquish its claim to the funds.

Under the provisions of Section (5), Subsection (e), of the 1996 Proposition an alternative plan for expenditure must be submitted and approved to commit the funds allocated to specified projects between June 30, 2003, and June 30, 2004. As of July 1, 2004, uncommitted Specified Project funds are subject to allocation to other projects by your Board.

If your Board does not approve LAPA's request to reallocate the $3,293.50 in 1996 Proposition Specified Funds to the Hollywood Bowl Acoustics Project, LAPA may either expend the funds for the uses originally specified, request your Board's approval to fund different new projects with the funds, or relinquish its claim to the funds.

The 1996 Proposition provides a method for determining each fiscal year the amount of funds available in the following fiscal year to fund capital improvement projects in addition to the amounts specifically identified for projects in the Safe Neighborhood Parks Propositions of 1992 and 1996. The recommended grant would be funded from the Excess Funds available to the Third Supervisorial District from Excess Funds for County projects.

The Board may establish additional conditions on grants of Excess Funds. The Director of Parks and Recreation would be authorized to award a grant when all applicable conditions have been met. Any funds allocated by the Board, but not encumbered by award of a grant contract in the same fiscal year, shall be available for allocation by the Board in the following fiscal year.

Your Board approved a Procedural Guide on June 17, 1997, to govern the administration of Regional Park and Open Space District grants for Specified and Per Parcel projects. This Procedural Guide would appropriately govern the administration of the recommended additional grant as well.

However, the Procedural Guide for Specified and Per Parcel Projects, approved by your Board, does not delegate the authority to the Director to reimburse otherwise eligible project costs incurred before the execution of a project grant agreement. Because LAPA incurred costs prior to execution of the agreement for the Hollywood Bowl Acoustics Project, the Director is recommending your Board's approval to allow the District to reimburse LAPA for these costs.

## CONTRACTING PROCESS

A Grant Project Agreement will be entered into and administered under authority delegated to the Director of Parks and Recreation and pursuant to the Procedural Guide approved by the Board in 1997. The Project Agreement will be approved as to form by County Counsel.

## IMPACT ON CURRENT SERVICES (OR PROJECTS)

These actions will have no impact on any other projects funded through the District but are required so that LAPA may complete the Hollywood Bowl Acoustics Project.

## ENVIRONMENTAL DOCUMENTATION

All public agency projects funded by the Los Angeles County Regional Park and Open Space District are required to comply with California Environmental Quality Act (CEQA) as a condition of the grant. The lead agency is responsible for preparing the appropriate environmental documentation for the project. The County of Los Angeles is the lead agency for the Hollywood Bowl Acoustics Project.

The proposed administrative actions are not subject to CEQA in that the actions do not meet the definition of a project according to Sections 15378 (b)(4)(5) of the State CEQA Guidelines, because the actions are administrative activities for government grants which by their terms do not involve any commitments to any specific projects which may result in a potentially significant physical impact on the environment.

**CONCLUSION**

Please instruct the Executive Officer-Clerk of the Board to return one conformed copy of this action to the Chief Executive Office, Capital Projects Division, and to the Department of Parks and Recreation.

Respectfully submitted,

Russ Guiney
Director, Parks and Recreation

RG:IV:RR:LB:REGIONALPARKOPENSPACEDISTRICT(HOLLYWOOD BOWL 07 BL)

c: Chief Executive Officer
Executive Officer, Board of Supervisors (22)
County Counsel