



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

July 23, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE EXTENSION OF A LICENSE AGREEMENT
FOR THE AQUATIC SAFETY PROGRAM AT THE BOATING INSTRUCTION
AND SAFETY CENTER WITHIN THE WARREN M. DORN COMPLEX AT
CASTAIC LAKE RECREATION AREA
AGREEMENT NUMBER 10342
(SUPERVISORIAL DISTRICT 5) (3-VOTES)**

SUBJECT

The Department of Parks and Recreation is requesting the Board's approval and authorization to execute Amendment Number Three to Agreement Number 10342 to extend the term of the Agreement with the California State University at Northridge for 12 additional month-to-month periods, to allow the County and the California State University at Northridge to complete negotiations for a new operating agreement for the continued operations of Aquatic Safety Program at the Boating Instruction and Safety Center at Castaic Lake Recreation Area beginning August 1, 2024.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed approval of the extension of the current Agreement Number 10342 is not a project under the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the agreement extension.

2. Delegate authority to the Director of Parks and Recreation, or her designee, to execute Amendment Number Three to extend Agreement Number 10342 with the California State University at Northridge for 12 additional month-to-month periods, for the continued operations of Aquatic Safety Program at the Boating Instruction and Safety Center at Castaic Lake Recreation Area

beginning August 1, 2024.

3. Delegate authority to the Director of Parks and Recreation, or her designee, to amend, suspend, terminate, or assign this License Agreement, if deemed necessary, in accordance with the approved items and conditions of the License Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Castaic Lake State Recreation Area (Castaic Lake) is owned by the State of California (State). The County of Los Angeles (County) entered into an operating agreement (Operating Agreement) with the State for the operation and maintenance of Castaic Lake, which was scheduled to expire on November 17, 2019. This Operating Agreement was extended to November 17, 2026, to complete negotiations with the State for a new agreement. In addition, the County and the State executed an agreement for the financing and operation of a Boating Instruction and Safety Center (BISC) located within the Warren M. Dorn Complex at Castaic Lake to conduct instructional academic classes in boating instruction and water safety, in which the County agreed to operate, or cause to have operated.

In fulfillment of the County's obligations for the operation of the BISC, the County entered into a license agreement (License Agreement) with the California State University Northridge (CSUN) to provide aquatic programming by conducting instructional academic classes in boating instruction and water safety. Additionally, CSUN conducts youth programming in aquatic safety, an educational and instructional component of CSUN's community service curriculum.

The License Agreement between the County and CSUN is set to expire on July 31, 2024. Approval of the recommended actions will allow the execution of Amendment Number Three to extend the term of the License Agreement up to an additional 12-months, or until July 31, 2025, to provide the time necessary to complete negotiations for a new License Agreement and ensure the continued operation of the Aquatic Safety Program at the BISC. Collaborative meetings between the Department and CSUN need to be conducted to provide key information for the terms of the new agreement.

Implementation of Strategic Plan Goals

The recommended actions uphold the County's Strategic Plan Goals to Improve Health Outcomes, by promoting comprehensive, inclusive, culturally-responsible care, health lifestyles, and the improvement of physical health outcomes (North Star 1.A.ii); Foster Vibrant and Resilient Communities, by increasing support for student and family school engagement and well-being through expansion of integrated student supports (North Star 2.F.iii), Manage and Maximize County Assets, by maximizing the use of County assets, guide strategic investments (including real estate and space management) in ways that are fiscally responsible and in alignment with the County's highest priority needs (North Star 3.G.ii).

FISCAL IMPACT/FINANCING

In consideration of the recommended action CSUN will continue to pay the County the annual amount of \$20,606, a utility payment of \$12,000 per year for the cost of electricity for the operation of the Aquatic Safety Program at the BISC and a minimum of twelve percent (12%) of its gross revenue from its Summer Youth Camp Program. The County's maintenance of the BISC exterior and interior areas will be offset by CSUN's rent payment.

County Counsel has approved the attached Amendment Number Three to the License Agreement as to form.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County of Los Angeles, through its Department of Parks and Recreation, is authorized by the provision of Government Code Section 25907 to grant licenses and leases for the provision of parks and recreation related activities.

Approval of the recommended actions is consistent with said Government Code.

County Counsel has approved Amendment Number Three attached as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed approval of the License Agreement extension is categorically exempt from the California Environmental Quality Act (CEQA). The proposed action to extend the term of License Agreement Number 10342 with CSUN does not have significant effect on the environment in that it meets the criteria set forth in Section 15303(e) of the State CEQA Guidelines and Class 3 (b) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G.

CONTRACTING PROCESS

On August 1, 2012, the County Board of Supervisors (Board) authorized the Director of Parks and Recreation to execute License Agreement Number 10342 with CSUN for a term of 10 years for the use of the BISC.

On January 3, 2022, pursuant to the Board's July 21, 2020, authorization for the implementation of economic relief measures due to the COVID-19 pandemic, the County and CSUN executed Amendment Number One to mitigate the economic impacts to CSUN caused by mandatory closures of non-essential businesses due the COVID-19 pandemic.

On July 31, 2022, the County and CSUN executed Amendment Number Two to extend the term of the License Agreement for an additional one year, with the option of 12 additional month-to-month periods for a maximum of 24 months, expiring July 31, 2024; as authorized by the Board's action on July 26, 2022.

Following the execution of Amendment Number Two, the Department engaged CSUN and began negotiations to enter into a new License Agreement; however, negotiations with CSUN have not been finalized. Therefore, the County and CSUN wish to extend the term of the License Agreement to complete negotiations for a new License Agreement and to ensure the continued operation of the Aquatic Safety Program by CSUN at the BISC.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

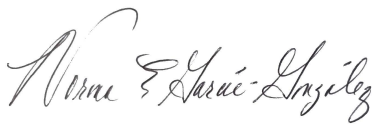
Approval of this action will ensure continued services by CSUN for the provision of water safety instruction and training to students and the public through its programs at the BISC.

CONCLUSION

It is requested that two (2) adopted copies of the action taken by the Board be forwarded to the Department.

Should you have any questions please contact Ms. Brenda Tovar at (626) 588-5272 or via email at btovar@lacounty.parks.gov, or Mr. Ruben Lopez at (626) 588-5278 or via email at rlopez@parks.lacounty.gov, or the Los Angeles County Department of Parks and Recreation Board Letter Liaison at bl@parks.lacounty.gov.

Respectfully submitted,



Norma E. Garcia-Gonzalez

Director

NEGG:AB:MR:RL:BT:AA:rc

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

**AMENDMENT NUMBER THREE TO AGREEMENT NUMBER 10342
FOR THE OPERATION OF THE AQUATIC SAFETY PROGRAM AT THE BOATING
INSTRUCTION AND SAFETY CENTER WITHIN WARREN M. DORN COMPLEX
AT CASTAIC LAKE RECREATION AREA**

THIS AMENDMENT NUMBER THREE TO AGREEMENT NUMBER 10342 FOR THE OPERATION OF THE AQUATIC SAFETY PROGRAM AT THE BOATING INSTRUCTION AND SAFETY CENTER WITHIN WARREN M. DORN COMPLEX AT CASTAIC LAKE RECREATION AREA, made and entered into this _____ day of _____, 2024.

BY AND BETWEEN THE

COUNTY OF LOS ANGELES, a body corporate and politic, hereinafter referred to as “**County**”,

AND

CALIFORNIA STATE UNIVERSITY AT NORTHRIDGE, an agency of the State of California hereinafter referred to as “**CSUN**”,

RECITALS

WHEREAS, the County and the State of California (State) entered into an Operating Agreement Number 15764, dated November 18, 1969, whereby the County agreed to operate, maintain and control Castaic Lake State Recreation Area (Castaic Lake); and

WHEREAS, pursuant to the Operating Agreement with the State, on August 1, 2012, the Board authorized the Director to execute License Agreement Number 10342 (License Agreement) with CSUN for a term of ten (10) years for the use of the Boating Instruction and Safety Center (BISC), located within the Warren M. Dorn Complex at Castaic Lake to conduct instructional academic classes in boating instruction and water safety at the BISC; and

WHEREAS, on January 3, 2022, pursuant to the Board's July 21, 2020 authorization for the implementation of economic relief measures due to the COVID-19 pandemic, the County and CSUN executed Amendment Number One to mitigate the economic impacts to CSUN caused by mandatory closures of non-essential businesses due the COVID-19 pandemic and add the Counterparts and Electronic Signature provision to the existing agreement; and

WHEREAS, pursuant to the License Agreement Section 9.1, Agreement Enforcement and Amendment to the Agreement, the License Agreement may be modified only by further written agreement between the parties hereto; and

WHEREAS, on July 31, 2022, the County and CSUN executed Amendment Number Two to extend the term of the License Agreement for an additional one (1) year, with the option of twelve (12) additional month-to-month periods for a maximum of 24 months, to allow the County and the State to complete negotiations for a new Operating Agreement and provide the Department of Parks and Recreation the time necessary to work on-going maintenance issues and details of the new agreement with CSUN and to ensure the continued operation of the Aquatic Safety Program at the BISC at Castaic Lake; and

WHEREAS, the County and CSUN wish to extend the term of the License Agreement for twelve (12) additional month-to-month periods, to allow the Department of Parks and Recreation the time necessary to complete the new License Agreement negotiations with CSUN and ensure the continued operation of the Aquatic Safety Program at the BISC at Castaic Lake.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions set forth herein, the County and CSUN agree that the License Agreement between them shall be amended as follows:

- I. Section 4.0, **TERM**, is amended to add subsection 4.5, as follows:

4.0 TERM

4.4 The License Agreement term shall be extended for an additional twelve (12) month-to-month periods beginning on **August 1, 2024**, following Board of Supervisors approval.

- II. Add Section **9.63, COMPLIANCE WITH THE COUNTY POLICY OF EQUITY**, as follows:

9.63 COMPLIANCE WITH THE COUNTY POLICY OF EQUITY

The Licensee acknowledges that the County takes its commitment to preserving the dignity and professionalism of the workplace very seriously, as set forth in the County Policy of Equity (CPOE) (<https://ceop.lacounty.gov/>). The Licensee further acknowledges that the County strives to provide a workplace free from discrimination, harassment, retaliation and inappropriate conduct based on a protected characteristic, and which may violate the CPOE. The Licensee, its employees and Sublicensees acknowledge and certify receipt and understanding of the CPOE. Failure of the Licensee, its employees or its subcontractors to uphold the County's expectations of a workplace free from harassment and discrimination, including inappropriate conduct based on a protected characteristic, may subject the Licensee to termination of contractual agreements as well as civil liability.

- III. Add Section **9.64, CAMPAIGN CONTRIBUTION PROHIBITION FOLLOWING FINAL DECISION IN CONTRACT PROCEEDING**, as follows:

9.64 CAMPAIGN CONTRIBUTION PROHIBITION FOLLOWING FINAL DECISION IN CONTRACT PROCEEDING

Pursuant to Government Code Section 84308, Licensee and its subcontractors, are prohibited from making a contribution of more than \$250 to a County officer for twelve (12) months after the date of the final decision in the proceeding involving this Agreement. Failure to comply with the provisions of Government Code Section 84308 and of this paragraph, may be a material breach of this Agreement as determined in the sole discretion of the County.

IV. **RATIFICATION**

All other terms, conditions, covenants and promises of the Agreement not affected by this Amendment Number Three shall remain in full force and effect and are hereby reaffirmed.

V. **EFFECTIVE DATE**

The effective date of this Amendment Number Three shall be the date, month, and year first written above.

IN WITNESS WHEREOF, CSUN has executed this Amendment Number Three, or caused it to be duly executed and the County of Los Angeles, by order of its Board of Supervisors has caused this Agreement to be executed on its behalf by the Director of the Department of Parks and Recreation thereof, the day and year first above written.

COUNTY OF LOS ANGELES

By _____
NORMA GARCÍA-GONZÁLEZ, Director
Department of Parks and Recreation

**CALIFORNIA STATE OF UNIVERSITY
AT NORTHRIDGE**

By _____
Deborah A. Flugum
Director and Chief Procurement Officer,
Purchasing & Contract Administration

APPROVED AS TO FORM:

DAWYN R. HARRISON
Acting County Counsel

By _____
Deputy County Counsel

CONTRIBUTION AND AGENT DECLARATION FORM

This form must be completed separately by all bidders/proposers, including all prime contractors and subcontractors, and by all applicants for licenses, permits, and other entitlements for use issued by the County of Los Angeles ("County").

Pursuant to the Levine Act (Government Code section 84308), a member of the Board of Supervisors, other elected County officials (the Sheriff, Assessor, and the District Attorney), and other County employees and/or officers ("County Officers") are disqualified and not able to participate in a proceeding involving contracts, franchises, licenses, permits and other entitlements for use if the County Officer received more than \$250 in contributions in the past 12 months from the bidder, proposer or applicant, any paid agent of the bidder, proposer, or applicant, or any financially interested participant who actively supports or opposes a particular decision in the proceeding.

State law requires you to disclose information about contributions made by you, your company, and lobbyists and agents paid to represent you. Failure to complete the form in its entirety may result in significant delays in the processing of your application and potential disqualification from the procurement or application process.

You must fully answer the applicable questions below. You ("Declarant"), or your company, if applicable, including all entities identified below (collectively, "Declarant Company") must also answer the questions below. The term "employee(s)" shall be defined as employees, officers, partners, owners, or directors of Declarant Company.

An affirmative response to any questions will not automatically cause the disqualification of your bid/proposal, or the denial of your application for a license, permit or other entitlement. However, failure to answer questions completely, in good faith, or providing materially false answers may subject a bidder/proposer to disqualification from the procurement.

This material is intended for use by bidders/proposers, including all prime contractors and subcontractors, and by all applicants for licenses, permits, and other entitlements for use issued by the County of Los Angeles and does not constitute legal advice. If you have questions about the Levine Act and how it applies to you, you should call your lawyer or contact the Fair Political Practices Commission for further guidance.

CONTRIBUTION AND AGENT DECLARATION FORM

Complete each section below. State "none" if applicable.

A. COMPANY OR APPLICANT INFORMATION

1) Declarant Company or Applicant Name:

[Click or tap here to enter text.](#)

a) If applicable, identify all subcontractors that have been or will be named in your bid or proposal: [Click or tap here to enter text.](#)

b) If applicable, variations and acronyms of Declarant Company's name used within the past 12 months: [Click or tap here to enter text.](#)

c) Identify all entities or individuals who have the authority to make decisions for you or Declarant Company about making contributions to a County Officer, regardless of whether you or Declarant Company have actually made a contribution:

[Click or tap here to enter text.](#)

[IF A COMPANY, ANSWER QUESTIONS 2 - 3]

2) Identify only the Parent(s), Subsidiaries and Related Business Entities that Declarant Company has controlled or directed, or been controlled or directed by. "Controlled or directed" means shared ownership, 50% or greater ownership, or shared management and control between the entities.

a) Parent(s):

[Click or tap here to enter text.](#)

b) Subsidiaries:

[Click or tap here to enter text.](#)

c) Related Business Entities:

[Click or tap here to enter text.](#)

3) If Declarant Company is a closed corporation (non-public, with under 35 shareholders), identify the majority shareholder.

[Click or tap here to enter text.](#)

4) Identify all entities (proprietorships, firms, partnerships, joint ventures, syndicates, business trusts, companies, corporations, limited liability companies, associations, committees, and any other organization or group of persons acting in concert) whose contributions you or Declarant Company have the authority to direct or control.

[Click or tap here to enter text.](#)

CONTRIBUTION AND AGENT DECLARATION FORM

- 5) Identify any individuals such as employees, agents, attorneys, law firms, lobbyists, and lobbying firms who are or who will act on behalf of you or Declarant Company and who will receive compensation to communicate with a County Officer regarding the award or approval of **this** contract or project, license, permit, or other entitlement for use.

*(Do **not** list individuals and/or firms who, as part of their profession, either (1) submit to the County drawings or submissions of an architectural, engineering, or similar nature, or (2) provide purely technical data or analysis, and who will not have any other type of communication with a County agency, employee, or officer.)*

[Click or tap here to enter text.](#)

- 6) If you or Declarant Company are a 501(c)(3) non-profit organization, identify the compensated officers of your organization and the compensated members of your board.

[Click or tap here to enter text.](#)

B. CONTRIBUTIONS

- 1) Have you or the Declarant Company solicited or directed your employee(s) or agent(s) to make contributions, whether through fundraising events, communications, or any other means, to a County Officer in the past 12 months? If so, provide details of each occurrence, including the date.

Date (contribution solicited, or directed)	Recipient Name (elected official)	Amount
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>

*Please attach an additional page, if necessary.

- 2) Disclose all contributions made by you or any of the entities and individuals identified in Section A to a County officer in the past 12 months.

Date (contribution made)	Name (of the contributor)	Recipient Name (elected official)	Amount
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>
<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>	<u>Click or tap here to enter text.</u>

*Please attach an additional page, if necessary.

CONTRIBUTION AND AGENT DECLARATION FORM

C. DECLARATION

By signing this Contribution and Agent Declaration form, you (Declarant), or you and the Declarant Company, if applicable, attest that you have read the entirety of the Contribution Declaration and the statements made herein are true and correct to the best of your knowledge and belief. (Only complete the one section that applies.)

There are [Click or tap here to enter text.](#) additional pages attached to this Contribution Declaration Form.

COMPANY BIDDERS OR APPLICANTS

I, [Click or tap here to enter text.](#) (Authorized Representative), on behalf of [Click or tap here to enter text.](#)(Declarant Company), at which I am employed as [Click or tap here to enter text.](#) (Title), attest that after having made or caused to be made a reasonably diligent investigation regarding the Declarant Company, the foregoing responses, and the explanation on the attached page(s), if any, are correct to the best of my knowledge and belief. Further, I understand that failure to answer the questions in good faith or providing materially false answers may subject Declarant Company to consequences, including disqualification of its bid/proposal or delays in the processing of the requested contract, license, permit, or other entitlement.

IMPORTANT NOTICE REGARDING FUTURE AGENTS AND FUTURE CONTRIBUTIONS:

By signing this Contribution and Agent Declaration form, you also agree that, if Declarant Company hires an agent, such as, but not limited to, an attorney or lobbyist during the course of these proceedings and will compensate them for communicating with the County about this contract, project, permit, license, or other entitlement for use, you agree to inform the County of the identity of the agent or lobbyist and the date of their hire. You also agree to disclose to the County any future contributions made to members of the County Board of Supervisors, another elected County officer (the Sheriff, Assessor, and the District Attorney), or any other County officer or employee by the Declarant Company, or, if applicable, any of the Declarant Company's proposed subcontractors, agents, lobbyists, and employees who have communicated or will communicate with the County about this contract, license, permit, or other entitlement after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested contract, license, permit, or entitlement for use.

Signature

[Click or tap here to enter text.](#)

Date

CONTRIBUTION AND AGENT DECLARATION FORM

INDIVIDUAL BIDDERS OR APPLICANTS

I, [Click or tap here to enter text.](#), declare that the foregoing responses and the explanation on the attached sheet(s), if any, are correct to the best of my knowledge and belief. Further, I understand that failure to answer the questions in good faith or providing materially false answers may subject me to consequences, including disqualification of my bid/proposal or delays in the processing of the requested license, permit, or other entitlement.

IMPORTANT NOTICE REGARDING FUTURE AGENTS AND FUTURE CONTRIBUTIONS:

If I hire an agent or lobbyist during the course of these proceedings and will compensate them for communicating with the County about this contract, project, permit, license, or other entitlement for use, I agree to inform the County of the identity of the agent or lobbyist and the date of their hire. I also agree to disclose to the County any future contributions made to members of the County Board of Supervisors, another elected County official (the Sheriff, Assessor, and the District Attorney), or any other County officer or employee by me, or an agent such as, but not limited to, a lobbyist or attorney representing me, that are made after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested contract, license, permit, or entitlement for use.

Signature

[Click or tap here to enter text.](#)

Date