



**Chief  
Executive  
Office.**

**COUNTY OF LOS ANGELES**  
**CHIEF EXECUTIVE OFFICER**  
Fesia A. Davenport

## **COMMUNITY SERVICES CLUSTER AGENDA REVIEW MEETING**

**DATE: Wednesday, December 6, 2023**  
**TIME: 9:00 a.m.**

**THIS MEETING WILL CONTINUE TO BE CONDUCTED VIRTUALLY AS PERMITTED UNDER THE BOARD OF SUPERVISORS' AUGUST 8, 2023, ORDER SUSPENDING THE APPLICATION OF BOARD POLICY 3.055 UNTIL MARCH 31, 2024.**  
**TO PARTICIPATE IN THE MEETING CALL TELECONFERENCE NUMBER: (323) 776-6996**  
**ID: 885 291 326#**

[Click here to join the meeting](#)

### **AGENDA**

Members of the Public may address the Community Services Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed per person in total for each item.

**1. CALL TO ORDER**

**2. INFORMATIONAL ITEM(S):** [Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:

- A.** Board Letter (Beaches and Harbors) for December 19, 2023 Board agenda:  
ACQUISITION OF CAPITAL ASSET EQUIPMENT
- B.** Board Letter (Beaches and Harbors) for December 19, 2023 Board agenda:  
APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT NO. 10 TO SECOND AMENDED AND RESTATED LEASE NO. 55624– PARCEL 125R (MARINA CITY CLUB) – MARINA DEL REY
- C.** Board Letter (Beaches and Harbors - Capital Project) for December 19, 2023 Board agenda:  
DEPARTMENT OF BEACHES AND HARBORS  
MARINA DEL REY BOAT LAUNCH RESTROOM RENOVATION PROJECT  
APPROVE REVISED PROJECT BUDGET AND APPROPRIATION  
ADJUSTMENT CAPITAL PROJECT NO. 89158 (FISCAL YEAR 2023-24)

- D.** Board Letter (Chief Executive Office) for December 19, 2023 Board agenda:  
JOINT RESOLUTION BETWEEN THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE CITY COUNCIL OF THE CITY OF LA VERNE, AND THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM THE ANNEXATION OF UNINCORPORATED TERRITORY KNOWN AS REORGANIZATION NO. 2019-04 TO THE CITY OF LA VERNE
- E.** Board Letter (Los Angeles County Development Authority) for December 19, 2023 Board agenda:  
AMENDMENT TO THE PEOPLESOFT TECHNICAL SUPPORT SERVICES CONTRACT
- F.** Board Letter (Los Angeles County Development Authority) for December 19, 2023 Board agenda:  
APPROVAL OF DISASTER RECOVERY MULTIFAMILY HOUSING PROGRAM FUNDING AND ENVIRONMENTAL DOCUMENTATION FOR A MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT IN UNINCORPORATED ALTADENA
- G.** Board Letter (Los Angeles County Development Authority) for December 19, 2023 Board agenda:  
APPROVE A CONTRACT FOR FLEET MANAGEMENT SERVICES
- H.** Board Letter (Parks and Recreation) for December 19, 2023 Board agenda:  
DELEGATE AUTHORITY TO ACCEPT GRANT FUNDS FROM THE REGIONAL PARK AND OPEN SPACE DISTRICT FOR THE WHITTIER NARROWS RECREATION AREA PLAY AREA D-9 REPLACEMENT PROJECT AND FROM THE STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH INTEGRATED CLIMATE ADAPTATION AND RESILIENCY PROGRAM FOR THE KENNETH HAHN STATE RECREATION AREA REGIONAL CLIMATE RESILIENCE AMENITIES PROJECT
- I.** Board Letter (Parks and Recreation) for December 19, 2023 Board agenda:  
RECOMMENDATION TO APPROVE SOLE SOURCE CONTRACT WITH ANGELEYE TECHNOLOGIES, INC. FOR DROWNING DETECTION SYSTEM SUPPORT AND MAINTENANCE SERVICES

- J.** Board Letter (Public Works) for December 19, 2023 Board agenda:  
ENVIRONMENTAL SERVICES CORE SERVICE AREA  
RESOLUTION OF SUMMARY VACATION  
SANITARY SEWER EASEMENTS EAST OF BONNIE BEACH PLACE AND  
SOUTH OF MEDFORD STREET IN THE UNINCORPORATED  
COMMUNITY OF EAST LOS ANGELES
- K.** Board Letter (Public Works) for December 19, 2023 Board agenda:  
SERVICES CONTRACT  
ENVIRONMENTAL SERVICES CORE SERVICE AREA  
AWARD OF SERVICES CONTRACT FOR  
ON-CALL TIRE RECYCLING PROGRAM
- L.** Board Letter (Public Works) for December 19, 2023 Board agenda:  
WATER RESOURCES CORE SERVICE AREA  
DELEGATE AUTHORITY FOR THE COUNTY OF LOS ANGELES AND THE  
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO ENTER INTO A  
MEMORANDUM OF AGREEMENT WITH THE CITIES OF BEVERLY HILLS,  
CULVER CITY, INGLEWOOD, LOS ANGELES, AND WEST HOLLYWOOD  
FOR PLANNING, DESIGN, AND CONSTRUCTION OF THE BALLONA  
CREEK BACTERIA TOTAL MAXIMUM DAILY LOAD PROJECT
- M.** Board Letter (Public Works) for December 19, 2023 Board agenda:  
MUNICIPAL SERVICES CORE SERVICE AREA  
ESTABLISHMENT OF DRAINAGE BENEFIT ASSESSMENT AREA NO. 36  
AND DETERMINING AND LEVYING OF ASSESSMENTS  
UNINCORPORATED COMMUNITY OF STEVENSON RANCH
- N.** Board Letter (Public Works - Capital Program) for December 19, 2023  
Board agenda:  
CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
WILLOWBROOK SENIOR CENTER EMERGENCY GENERATOR  
PROJECT SPECS. 7926; CAPITAL PROJECT NO. 87961  
EAST LOS ANGELES COMMUNITY SERVICE CENTER  
EMERGENCY GENERATOR PROJECT  
SPECS. 7927; CAPITAL PROJECT NO. 87962  
ESTABLISH AND APPROVE CAPITAL PROJECTS AND BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE USE OF JOB ORDER CONTRACTING  
(FISCAL YEAR 2023-24)

- O.** Board Letter (Public Works - Capital Program) for December 19, 2023 Board agenda (also on 12/06/2023 Health and Mental Health Services Cluster):  
CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
CORE LABORATORY EQUIPMENT ANCHORAGE PROJECT  
ROCHE TOTAL LABORATORY AUTOMATION HEMATOLOGY  
EQUIPMENT REPLACEMENT PROJECT  
ESTABLISH AND APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT AND  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
SPECS. 7917 AND 7851; CAPITAL PROJECT NOS. 87996 AND 87997  
(FISCAL YEAR 2023-24)
- P.** Board Letter (Public Works - Capital Program) for December 19, 2023 Board agenda (also on 12/06/2023 Health and Mental Health Services Cluster):  
CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
LINEAR ACCELERATOR, COMPUTED TOMOGRAPHY SIMULATOR,  
AND GENERAL RADIOLOGY EQUIPMENT  
REPLACEMENT AND ROOM REMODEL PROJECTS  
APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
CAPITAL PROJECT NOS. 8A002, 8A003, AND 8A004  
(FISCAL YEAR 2023-24)
- Q.** Board Letter (Animal Care and Control) for January 9, 2024 Board agenda:  
APPROVAL TO UTILIZE FUNDS FROM THE COUNTY'S  
INFORMATION TECHNOLOGY INFRASTRUCTURE FUND FOR  
THE DEVELOPMENT AND IMPLEMENTATION OF THE  
ANIMAL CARE AND CONTROL ONLINE VOUCHER APPLICATION AND  
APPROVAL OF AN APPROPRIATION ADJUSTMENT  
FISCAL YEAR 2023-24

**3. PRESENTATION/DISCUSSION ITEM(S):**  
**None**

**4. PUBLIC COMMENTS (2 minutes each speaker)**

**5. ADJOURNMENT**



# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Department of Beaches and Harbors (DBH)		
<b>SUBJECT</b>	Acquisition of Off-Highway Capital Equipment		
<b>PROGRAM</b>			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>			
<b>COST &amp; FUNDING</b>	Total cost: \$2,750,000.		Funding source: DBH's Fiscal Year 2023-24 Final Adopted Budget
	TERMS (if applicable):		
	Explanation:		
<b>PURPOSE OF REQUEST</b>	DBH is seeking Board approval to authorize the Director of the Internal Services Department, as the County's Purchasing Agent, to proceed with the acquisition of two additional refuse trucks and the replacement of two dump trucks at an estimated cost of \$2,750,000 to add to DBH's existing fleet.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	DBH currently has six refuse trucks and four dump trucks within its fleet to manage 20 beaches stretching along 25 miles of the County's pristine 61 miles of mainland coastline. To provide more efficient services maintaining the beaches, DBH is planning to supplement the current fleet of refuse trucks with two more refuse trucks. Two of the current four dump trucks are no longer economically feasible to continue to repair, as most parts are obsolete, and they no longer meet Air Quality Management District requirements.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: This recommended action supports Board Priority No. 7, Sustainability, by ensuring DBH can continue to provide clean, safe, and sanitary conditions for the public's enjoyment at County operated beaches.		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Kenneth Foreman, Division Chief, <a href="mailto:KForeman@bh.lacounty.gov">KForeman@bh.lacounty.gov</a> O - 424-526-7840 C - 310-901-4285		



Caring for Our Coast

♦ ♦ ♦  
**Gary Jones**  
Director

**Amy M. Caves**  
Chief Deputy Director

**Carol Baker**  
Deputy Director

**LaTayvius R. Alberty**  
Deputy Director

December 19, 2023

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:

**ACQUISITION OF CAPITAL ASSET EQUIPMENT  
(SECOND AND THIRD DISTRICT)  
(3 VOTES)**

**SUBJECT**

The Department of Beaches and Harbors (Department) is seeking Board of Supervisors (Board) approval to allow the Director of the Internal Services Department, as the County's Purchasing Agent, to solicit and proceed with the acquisition of two additional refuse trucks and two replacement dump trucks at a total estimated cost of \$2,750,000.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in this Board Letter.
2. Authorize the Director of Internal Services Department, as the County's Purchasing Agent, to solicit and proceed with the acquisition of two additional refuse trucks and two replacement dump trucks at a total estimated cost of \$2,750,000.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Department requires two additional 6X6 refuse trucks and the replacement of two dump trucks to perform beach maintenance. Inherent in the management of the beaches is the annual removal and disposal of approximately 3,500 tons of trash and debris. The Department has found that the refuse trucks are the most effective way of performing these functions. When the trucks are in for repairs or servicing, they tend to be out of service for weeks and sometimes months. Consequently, the staff are spending three to four hours daily emptying trash barrels manually. Not only does it take additional time to empty the trash barrels manually, it also subjects the Department's staff to potential injury due to repeatedly having to lift heavy bags of trash from the barrels, placing the trash in

their trucks, and later tossing them into tall 40 cubic yard bins. To provide more efficient services maintaining the beaches, the Department is planning to supplement the current fleet of refuse trucks with two more refuse trucks. In addition, two new dump trucks are needed to transport debris for disposal and to transport sand to eroded beach areas. Two of the current four dump trucks are no longer economically feasible to continue to repair, as most parts are obsolete, and they no longer meet Air Quality Management District requirements.

The Department currently has six refuse trucks and four dump trucks within its fleet to manage 20 beaches stretching along 25 miles of the County's pristine 61 miles of mainland coastline.

The ability to maintain the Department's current fleet of refuse trucks and dump trucks is essential given that the harsh marine environment shortens the lifespan of the equipment used on beaches.

Pursuant to County Policy, Board approval is required for capital equipment purchases where the unit cost is \$250,000 or greater.

### **Implementation of Strategic Plan Goals**

The purchase of two new refuse trucks and two new dump trucks will promote and further the County's Strategic Plan Goal II, Foster Vibrant and Resilient Communities, Strategy II.1.3, by ensuring the Department can continue to provide clean, safe, and sanitary conditions for the public's enjoyment at County owned and operated beaches.

### **FISCAL IMPACT/FINANCING**

The total estimated cost of the refuse trucks and dump trucks is \$2,750,000. The refuse trucks will supplement the current fleet and the dump trucks will replace two existing dump trucks owned by the Department that will be salvaged. The equipment acquisition will be financed over five years through the Los Angeles County Capital Asset Leasing (LAC-CAL) equipment financing program.

There is sufficient funding in the Department's Fiscal Year 2023-24 Final Adopted Budget to fund the equipment leasing costs. No additional Net County Cost (NCC) is required for this acquisition.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This request complies with the County Equipment Policy approved by your Board on October 16, 2001. This policy requires that departments obtain Board approval to purchase or finance equipment with a unit cost of \$250,000 or greater.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed action is not subject to CEQA, because it is an activity that is excluded from the definition of a "Project" by section 21065 of the Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed action to purchase two additional refuse trucks and two replacement dump trucks is an organizational or administrative activity of government which will not result in direct or indirect physical changes to the environment.

### **CONTRACTING PROCESS**

The acquisition and purchase of this equipment is under the statutory authority of the County Purchasing Agent. The acquisition will be competitively solicited in accordance with the standard County purchasing policies and procedures.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Your approval will ensure that the Department of Beaches and Harbors can continue to provide clean and sanitary County owned and operated beaches for the public's enjoyment.

### **CONCLUSION**

Upon Board approval, authorize the Executive Office of the Board to return one stamped copy of the approved Board letter to the Department of Beaches and Harbors, Administrative Services Division.

Respectfully submitted,

GARY JONES  
Director

GJ: KF: cc

c: Chief Executive Office  
County Counsel  
Executive Officer, Board of Supervisors  
Internal Services Department

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Beaches and Harbors		
<b>SUBJECT</b>	APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT NO. 10 TO SECOND AMENDED AND RESTATED LEASE NO. 55624– PARCEL 125R		
<b>PROGRAM</b>			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>			
<b>COST &amp; FUNDING</b>	Total cost: \$0	Funding source: N/A	
	TERMS (if applicable):		
	Explanation:		
<b>PURPOSE OF REQUEST</b>	Seek approval and authorize execution of lease Amendment No. 10 to second amended and restated lease.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	After lengthy negotiations, with the threat of impending arbitration and litigation surrounding both the appropriate rent amount and the lack of proper maintenance of the property, the parties (County, Lessee, and COA) reached an agreement. The proposed Lease amendment would: (1) simplify and stabilize the formula for payment of County rent, and (2) establish a funding mechanism to assist in making necessary infrastructure and capital improvements to the property. This will help ensure that the buildings are appropriately and safely maintained, that the rents paid to County are fair, tenable, and reflective of the parties' intent, and that the County's real estate assets are protected. Approval of the proposed Amendment is categorically exempt from the California Environmental Quality Act (CEQA) and will not result in any expansion of the existing use of the Marina City Club property.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain how:		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how:		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Don Geisinger, Leasing Specialist, (424) 526-7730 or <a href="mailto:DGeisinger@bh.lacounty.gov">DGeisinger@bh.lacounty.gov</a>		



December 19, 2023

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

Caring for Our Coast

♦ ♦ ♦  
**Gary Jones**  
Director

**Amy M. Caves**  
Chief Deputy Director

**Carol Baker**  
Deputy Director

**LaTayvius R. Alberty**  
Deputy Director

Dear Supervisors:

**APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT NO. 10 TO SECOND  
AMENDED AND RESTATED LEASE NO. 55624– PARCEL 125R (MARINA CITY  
CLUB) – MARINA DEL REY  
(SECOND DISTRICT) (4 VOTES)**

**SUBJECT**

Request for approval of a lease amendment providing, among other things, a restructured rent schedule for the remainder of the lease term and a mechanism to address partial funding of infrastructure and capital improvements of the Marina City Club leasehold facilities (“Marina City Club” or “Property” or “Leasehold Facilities”).

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15301 (Existing Facilities).
2. Approve and authorize the Chair of the Board to execute three copies of each of the following: a) Amendment No. 10 (Amendment), a copy of which is attached hereto, to the Second Amended and Restated Lease No. 55624 for Parcel 125R, as amended (Lease), which will: i) provide for a revised rent schedule for the remainder of the Lease term, and ii) establish a payment schedule to fund, in part, infrastructure and capital improvements needed on the Property, and (b) Memorandum of Lease, in form approved by County Counsel and County’s outside counsel.
3. Delegate authority to the Director of Beaches and Harbors (Director), on behalf of the County, to execute and deliver such other ancillary documentation, including without limitation, a ground lease estoppel certificate and the Memorandum of Lease, as is acceptable to the Director relating to the implementation of Amendment No. 10.

4. Delegate authority to the Director to execute and deliver, on behalf of the County, any required amendment to the Master Sublease or any other documents relating to the prior and future conversion of Category B units to Conversion A units.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Marina City Club, located at 4333 Admiralty Way in Marina del Rey, is a project comprised of three high-rise towers containing 600 condominium units and 101 rental apartments, along with boat slips, commercial boat charters, retail, and office uses. On December 22, 2003, your Board consented to the assignment of the Second Amended and Restated Lease to Essex Marina City Club, L.P. (Lessee) for Marina City Club (Parcel 125R). The Lease is the only ground lease in Marina del Rey (and the only County-owned property generally) that allows condo/leasehold ownership as well as apartment rentals. At the time conversion from apartments to condos was approved in 1987, it was agreed that the condo owners would pay ground rent to the County (via Lessee) that would in effect mimic the rent the County would have otherwise received if the units had remained as apartments rather than converting to condos/leasehold interests. Said ground rent represented a percentage of what the apartment rent paid to Lessee would have been (called the "Shadow Rent" under the Lease) had the Lessee not converted the apartments into condo units. The Shadow Rent is not paid to anyone; it is merely used as a tool to calculate the ground rent payable to the County. Both the Percentage Rent Rate and the Shadow Rent are adjusted periodically pursuant to the Lease.

It should be noted that although the Lease and other governing documents refer to the Marina City Club and its 600 residential units within the Property as "condominiums" and/or "condos," the Marina City Club and such units are not technically a condominium pursuant to the California Subdivision Map Act, and each unit/condo owner holds a subleasehold interest as a sublessee under the Master Sublease, and holds a prepaid subleasehold interest for the term of the Lease.

Lease Amendment No. 4, which your Board approved on June 22, 2004, created two categories of condominium subleases. Category A unit owners had to modify their respective subleases to opt into the provisions of Amendment No. 4 which, among other things, provided for a temporary freeze on annual increases to the Shadow Rent, with a fixed increase (3.75%) thereafter, a mechanism for such accumulated rents to fund certain repairs and a mechanism to repay to the County the advanced and deferred rent (including an increase of 1.5% in the condo transfer fee, payable to the County). Category B unit owners, on the other hand, who did not opt in, were subject to a variable rent increase, assessed individually for covered repairs, and were subject to a 1% transfer fee. There were only nine condo units (out of a total 600) in 2004 that were Category B units. Three of the nine Category B unit owners previously converted to Category A unit owners.

The proposed authority to allow conversions to Category A will help ease the administrative burden on the Department of Beaches and Harbors (Department) and promote more efficient administration of the Lease. Whether the remaining Category B owners convert will have a de minimis fiscal impact on County revenues. The Amendment provides for the Board's approval of the three previous conversions and approval of the remaining six conversions from Category B unit owners to Category A unit owners, and delegate to the Director the authority, on behalf of the County, to execute all necessary documents to effectuate the conversion of said six remaining Category B unit owners to Category A unit owners.

The Lease between the County and Essex (Lessee) places the sole responsibility for maintenance and repair of Marina City Club on the Lessee, including maintenance and capital improvements to the buildings in which the condo units are located. Certain maintenance costs and capital improvement contributions attributable to the condo owners are assessed against each condo owner by the Lessee, collected by the Condo Owners Association (COA), which in turn remits said assessments to the Lessee. However, the Lessee is responsible under the Lease for payment of the entire amount due to the County (even if COA does not collect the entire assessments).

Since the late 1990's the COA has sought County assistance in addressing certain deferred maintenance and capital improvements at Marina City Club and in recent years has requested that the County negotiate with it (and, necessarily, with the Lessee as well) to effectuate a funding mechanism for infrastructure and capital improvements at the property, as well as a restructuring of the rent to bring it in line with the intent of the parties as stated in the original Lease.

After lengthy negotiations, with the threat of impending arbitration and litigation surrounding both the appropriate rent amount and the lack of proper maintenance of the property, the parties (County, Lessee, and COA) reached an agreement. The proposed Lease attached Amendment that resulted from those negotiations will: (1) simplify and stabilize the formula for payment of County rent, and (2) establish a funding mechanism to assist in making necessary infrastructure and capital improvements to the property. This should help ensure that the buildings are appropriately and safely maintained, that the rents paid to County are fair, tenable, and reflective of the parties' intent, and that the County's real estate assets are protected.

### **Summary of Proposed Lease Amendment No. 10:**

#### **A. Revenue to County**

The Lease provides three sources of revenue to the County: 1) rent from the condos; 2) rent from apartments and commercial uses; and 3) Administrative Transfer Fees paid to County upon the sale of individual condos. Each revenue source is calculated differently, and the proposed Amendment would modify only the first of those (condo rents).



1. Rent from the condos (prepaid subleases): The formula for calculating the rent is:

Assigned Rent Basis (allocated per Amendment No. 10 to  
each individual unit) x Percentage Rent Rate (equal to  
14.5%)

The Assigned Rent Basis is equivalent in concept to what was formerly called Shadow Rent. The amount has been renegotiated to update assumptions that were made both in 1987 (Second Amended and Restated Lease) and 2004 (Amendment No. 4) and conform the rent amounts to the Lease's stated intent that they mimic apartment market rents. The percentage rent rate for the condos for the remaining lease term will be increased from the current 12.5% to 14.5% commencing January 1, 2024.

Under proposed Amendment No. 10, the Assigned Rent Basis for 2024 would be \$31,966,200. The Annual Rent for 2024 would thus be \$4,635,099 (i.e., 14.5% of the Assigned Rent Basis), allocated to the individual condo units in accordance with the schedule attached to the proposed Amendment, of which amount \$1,678,190 will be designated as a Rent Credit and placed in the Marina City Club Repair Fund. (See below for more detail.) Total Annual Rent to the County from the condos in 2024 will be \$2,956,909, payable monthly. As is the case now, total Annual Rent will be collected by Lessee from the COA, which will in turn collect from the individual condo unit owners. However, the Lessee is responsible for payment of the entire amount, even if the COA does not collect the entire amount.

The Annual Rent from the condos will increase annually by 3.25% (as compared to the current 3.75%) commencing on January 1, 2025 and ending at the expiration of the term, providing predictability to the condo owners and the County in terms of future revenue.

2. Rent from Commercial Uses (included in this category are the 101 rental apartments, boat slips, and all other commercial uses/activities on the premises) shall be calculated in the same manner as it is currently being calculated:

Gross Receipts x Percentage Rent Rate for the appropriate  
category of Commercial Uses.

The Percentage Rent Rates for each Commercial Use are set forth in Amendment No. 10 and are not being changed via the proposed Amendment.

3. Administrative Transfer Fee. Upon a change in ownership of a condo, a percentage of the sales price will be paid to the County as an administrative fee at 2.5% from Category A units and 1.0% from Category B units. No change is proposed to this revenue source.

## **B. Sources of funding for infrastructure and capital improvements:**

As stated above, Lessee has the obligation to maintain the Marina City Club and all improvements thereon, and may request reimbursement from the COA for repairs and improvements relating to the Marina City Club; however there has been no mechanism for funding reserve accounts for such maintenance and improvements and no way for County to directly compel the condo owners to fund that work. Amendment No. 10 addresses this issue and provides, as follows, for such funding.

1. MCC Repairs Account. Under the proposed Amendment, Lessee would agree to have the following two sources of funds deposited into the MCC Repairs Account:
  - Rent Credit. The sum of \$1,678,190 of the Annual Rent for the COA ("Rent Credit") will be deposited into the MCC Repairs Account, on a monthly basis (\$139,849.17 per month), each year through December 31, 2053, so long as all of Lessee's Lease obligations are fulfilled.
  - On or before December 31, 2024, Lessee shall contribute \$2,072,959 to the MCC Repairs Account as an Additional Contribution to MCC Repairs Account. The Additional Contribution to the MCC Repairs Account shall be increased annually by 3.25% thereafter through the end of the term.
2. Shared Area Reserve Account. As of December 31, 2023, \$2,280,000 (Base Contributions to Shared Area Account) shall have been contributed to said account by the COA. The Base Contribution to Shared Area Account shall be increased by 5% annually on January 1, 2024 and every year thereafter. These annual contributions shall not limit Lessee or the COA from imposing additional contributions/assessments, as needed.

## **Implementation of Strategic Plan Goals**

In furtherance of County Goal #3, "Realize Tomorrow's Government Today," Strategy III.3, "Pursue Operational Effectiveness, Fiscal Responsibility and Accountability," the proposed actions will allow the County to resolve outstanding disputes and help ensure resources are expended in a responsible, efficient and strategic manner to preserve County assets and limit potential future liability exposure related to the maintenance of the towers.

## **FISCAL IMPACT/FINANCING**

The County's annual \$1,678,190 contribution is a temporary Rent Credit to the repair and maintenance funds for the upkeep, renovation, and repair of the Marina City Club property, in addition to the Lessee's/COA's \$4,352,959, subject to annual increases, that Lessee had not previously been obligated to fund. These increased contributions should help provide Lessee sufficient preliminary funding to help repair current deficiencies to

help ensure the safety of the buildings, maintain the current value of the property, and increase the value of the County's reversionary interest, as the property will revert to County ownership upon expiration of the Lease in 2067.

### **Operating Budget Impact**

No change to the Department's operating budget is expected as a result of this action.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The term of the current Lease commenced on November 7, 1986, and will expire on July 29, 2067. Marina City Club contains 600 condominium units, 101 low-rise apartment units, a marina, a promenade, commercial spaces, a restaurant, and certain common area facilities. As noted, Marina City Club is unique in that it is the only leasehold in Marina del Rey that allows for condo ownership; all of the other residential properties in the Marina are comprised of rental apartment units only.

The proposed Amendment is authorized by Government Code Sections 25536 and 25907 and has been approved as to form by County Counsel and County's outside counsel.

### **ENVIRONMENTAL DOCUMENTATION**

Approval of the proposed Amendment is categorically exempt from the California Environmental Quality Act (CEQA). The Amendment, modifying the rent provisions, is within a class of projects that have been determined not to have a significant effect on the environment and which meet the criteria of section 15301 (existing facilities) of the State CEQA Guidelines ("Guidelines") and Class 1 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. In addition, based on the proposed project records, it will comply with all applicable regulations, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historic resource that would make the exemption inapplicable.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There is no impact on other current services or projects.

### **CONCLUSION**

Please return one adopted copy of this letter to the Department of Beaches and Harbors, Asset Management Division. Should you have any questions, please contact Don Geisinger at (424) 526-7730 or [dgeisinger@bh.lacounty.gov](mailto:dgeisinger@bh.lacounty.gov).

The Honorable Board of Supervisors  
December 19, 2023  
Page 7

Respectfully submitted,

GARY JONES  
Director

GJ:SP:dlg

Enclosures (3)

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

AMENDMENT NO. 10 TO THE SECOND AMENDED AND RESTATED

LEASE (IMPROVED PARCEL) NO. 55624

PARCEL NO. 125R – MARINA DEL REY SMALL CRAFT HARBOR

THIS AMENDMENT NO. 10 TO THE SECOND AMENDED AND RESTATED LEASE (IMPROVED PARCEL) NO. 55624, PARCEL NO. 125R – MARINA DEL REY SMALL CRAFT HARBOR (this “Amendment” or “Amendment No. 10”) is dated as of \_\_\_\_\_, 2023 (the “Effective Date”),

BY AND BETWEEN

COUNTY OF LOS ANGELES,  
Hereinafter referred to as “County,”

AND

ESSEX MARINA CITY CLUB, L.P., a California limited partnership, as successor in interest to Marina City Club, L.P., a California limited partnership (f/k/a J.H. Snyder Company), hereinafter referred to as “Lessee.”

W I T N E S S E T H:

WHEREAS, County and Marina City Club, L.P., a California limited partnership (“Original Lessee”), entered into that certain Second Amended and Restated Lease (Improved Parcel) dated October 27, 1987 and identified as Lease No. 55624 (“The Original Lease”), as amended by (i) that certain First Amendment to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey dated November 4, 1988, (ii) that certain Second Amendment to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey dated August 1, 1992, (iii) that certain Amendment No. 3, to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated December 3, 2002, (iv) that certain Amendment No. 4 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated June 22, 2004, (v) that certain Amendment No. 4A to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated September 28, 2004, (vi) that certain Amendment No. 5 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated December 16, 2008, (vii) that certain Amendment No. 6 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated June 3, 2010, (viii) that certain Amendment No. 7 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated March 31, 2015, (ix) that certain Amendment No. 8 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated March 11, 2020, and (x) that certain Amendment No. 9 to the Second Amended and Restated Lease (Improved Parcel) No. 55624, Parcel 125R – Marina del Rey Small Craft Harbor dated August 4, 2020 (the Original Lease, as so amended, is hereinafter referred to as the “Lease”);

WHEREAS, the Premises under the Lease are improved with, among other things, three high-rise towers that include 600 residential subleasehold condominium units commonly known as the Marina City Club Condominiums, with subleasehold interests in said units having been sold to Prepaid Sublessees, each of whom owns its subleasehold interest in the leasehold interest unit subject to the terms of the Lease (each of the Prepaid Sublessees is a “Condominium Sublessee” for purposes of and as defined in the Master Condominium Sublease; however, such persons have not prepaid all amounts payable with respect to their subleasehold interests as each Prepaid Sublessee is obligated to pay, among other things, monthly “Rent” as defined and described in the Master Condominium Sublease and this Amendment);

WHEREAS, the Lease requires Lessee to pay to County, among other payments, the Ground Rent on a monthly basis and an Administrative Transfer Fee upon each Change of Ownership of a Prepaid Sublessee’s interest, all as more particularly defined and provided in the Lease.

WHEREAS, each Prepaid Sublease requires the applicable Prepaid Sublessee to make corresponding payments to Lessee. Specifically, each Prepaid Sublessee is required to pay Lessee (i) “Ground Rent” as set forth in the Lease, and (ii) a “Change in Ownership Fee” upon certain transfers of the Prepaid Sublessee’s interest, as more particularly provided in the Prepaid Sublease for such Prepaid Sublessee’s condominium unit (i.e. the Master Condominium Sublease and the Assignment and Assumption of Condominium Sublease for the Marina City Club Tower Apartments between Snyder/Marina, the initial lessee under the Master Condominium Sublease, and the initial condominium sublessee for such unit), and as described in the Lease;

WHEREAS, Prepaid Sublessees are represented for certain purposes by the Board of Directors of the Marina City Club Condominium Owners Association (“COA”);

WHEREAS, a dispute arose between County, Lessee and COA, as representatives of Prepaid Sublessees, regarding the past and future monthly rent payable under the Lease;

WHEREAS, the County filed JAMS Arbitration No. 5220001578 (the “Arbitration”), seeking adjudication of certain components of monthly rent payable under the Lease;

WHEREAS, Lessee and County desire to enter into this Amendment to resolve the dispute regarding monthly rent, resolve the Arbitration, and further amend the Lease, as set forth in this Amendment, pursuant to the following terms and conditions hereof:

NOW, THEREFORE, with reference to the foregoing recitals, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, County and Lessee hereby agree as follows:

1. Definitions. Except as modified in this Amendment, all initially-capitalized terms used but not defined in this Amendment have the meanings given such terms in the Lease. The term and concept of “Shadow Rent” as set forth in the Lease is hereby deleted and superseded by Section 5.02 set forth in Paragraph 3 hereunder.

2. Amendment Conditions. County and Lessee agree and acknowledge that the terms and conditions of this Amendment shall be effective as of January 1, 2024. County and

Lessee's obligations pursuant to this Amendment shall be subject to and contingent upon the satisfaction of each of the conditions precedent set forth in Exhibit "A" attached hereto and incorporated herein by this reference (the "Amendment Conditions").

3. Deletion of Certain Amendments to the Original Lease and Substitution of Article 5 of the Original Lease. The County and Lessee hereby acknowledge and agree that Sections 2 and 3 of Amendment No. 3 to the Original Lease, dated December 3, 2002, are hereby deleted, Amendment No. 4 to the Original Lease, dated June 22, 2004, is hereby deleted in its entirety, Sections 1 and 3 of Amendment No. 7 to the Original Lease, dated March 31, 2015, are hereby deleted, and Article 5 of the Original Lease is hereby deleted in its entirety, and replaced as follows:

"Article 5. Rent and Other Payments.

5.01 Categories of Uses for Rent Purposes. For purposes of calculating the rent, the various uses of the Premises shall be divided into two (2) basic categories. The actual rent shall be determined by calculating the rent with respect to each category, and then adding together the amounts so determined. Lessee shall pay County annual rent in an amount equal to the sum of the amounts provided for in this Section 5.01, at the times hereinafter set forth ("Annual Rent").

A. Prepaid Subleases. The first category consists of those 600 residential apartments which are subleased for the entire remainder of the term of the Lease, where rent is paid to Lessee during the term of the Lease. This category is herein called the "Prepaid Subleases" and the apartments subject to Prepaid Subleases are hereinafter called "Prepaid Subleased Apartments" or "Prepaid Sublease(s)."

B. Commercial Uses. The second category consists of any other use made of the Premises, including without limitation, the 101 apartments (the "Promenade Apartments"), boat slips, and all other commercial uses/activities on the Premises. This category is hereinafter called the "Commercial Uses."

C. Annual Rent. The term "Annual Rent," due and payable by Lessee to the County shall mean: (i) the Prepaid Sublessee's Annual Rent (as defined in Subsection 5.02.A.(2) of this Amendment), PLUS (ii) the Commercial Annual Rent (as defined in Subsection 5.02.B(cc) of this Amendment), MINUS the Rent Credits (as defined in Subsections 5.02.A(2)(bb) and 5.02.A(2)(cc) of this Amendment).

5.02 Rent. Lessee hereby agrees to pay as "rent" to the County the following (collectively, the "Rent"):

A. Prepaid Subleases Rent.

(1) Prepaid Subleases Percentage Rent: Commencing January 1, 2024 and during the Term, the percentage rent for each Prepaid Sublease shall be 14.5% of the applicable "Assigned Rent Basis" (as defined below) for each such

Prepaid Sublease (the “Prepaid Sublease Percentage Rent”). The Assigned Rent Basis for each Prepaid Sublease shall be calculated as follows:

(aa) As of January 1, 2024, the Assigned Rent Basis for each Prepaid Sublease is as set forth in Exhibit “B,” attached hereto and incorporated herein by this reference. County and Lessee hereby agree and confirm that the sum of the Assigned Rent Basis for all 600 Prepaid Subleases for 2024 is \$31,966,200.

(bb) Commencing on January 1, 2025, and continuing on each January 1st thereafter throughout the remainder of the Term, the Assigned Rent Basis for each Prepaid Sublease shall be increased by 3.25%.

(2) Prepaid Subleases Annual Rent

(aa) County and Lessee hereby acknowledge, agree and confirm that commencing January 1, 2024, the Annual Rent for the six hundred (600) Prepaid Subleases shall be \$4,635,099, payable in monthly installments on the first day of each month, in the sum of \$386,258.25 (the “Prepaid Sublessee Annual Rent”). Each Prepaid Sublessee’s Annual Rent shall be increased by 3.25% of the preceding year’s Prepaid Sublessee’s Annual Rent on each January 1st anniversary date thereafter until the end of the Term of the Lease.

(bb) Notwithstanding Subsection 5.02.A(2)(aa) above, the Prepaid Sublessees’ Annual Rent shall be decreased by \$1,678,190.00 per year (i.e. \$139,849.17/month), commencing January 1, 2024, and terminating on December 31, 2053, (collectively, the “Rent Credits”). Accordingly, subject to Paragraph (cc) below, for 2024 the Prepaid Sublessees Annual Rent shall be \$2,956,909, payable \$246,409.08 per month.

(cc) Lessee shall deposit the Rent Credits into an account created in the name of, and for the benefit of, COA and its members, as described below (the “MCC Repairs Account”). The County and Lessee hereby agree (1) that COA may, from time to time and in its sole discretion, pledge, lien, encumber, assign, or otherwise grant a security interest in all assets in the MCC Repairs Account (each, a “Security Interest”) as collateral for securing one or more loans from third parties (each, a “Secured Party”) to help finance the construction of improvements and repairs to the Premises, with each such Security Interest having a first priority security interest over the MCC Repairs Account, (2) that any rights the County or Lessee may have under this Lease with respect to the MCC Repairs Account shall be unconditionally subordinate to the rights of any Secured Party, and (3) to cooperate fully and to execute and deliver any agreements or other documents and do all things customarily required by such Secured Parties to facilitate a loan to COA secured by the MCC Repairs Account. With respect to funds used for the construction of improvements and repairs that are used from the MCC Repairs Account, Lessee agrees to provide County quarterly written updates on the status and expected timing of completion of each project, which updates will



include: i) a summary of the scope of work; and ii) expected or completed commencement and completion dates. The County, in the ordinary course of Lease compliance, will receive copies of plans and specifications for each Project in advance and will continue to be invited to periodic (typically monthly) Construction Committee meetings at Marina City Club, at which the Projects may be discussed (the "Quarterly Update Obligation"). In the event that Lessee is in breach of the Quarterly Update Obligation, such breach shall constitute a non-monetary default under Section 8.01.B., and then the Rent Credits shall cease, and no further Rent Credits shall be taken, subject to any cure periods provided in Article 8 with respect to non-monetary obligations. The County agrees to provide written notice directly to COA's Board Members by the means set forth in this Lease of any default regarding this paragraph at the same time any notice of default is provided to Lessee.

B. Commercial Rent. Rent for the Commercial Uses shall be paid by Lessee to the County as calculated for the below categories (the "Commercial Rent Categories") according to the following ("Commercial Rent Percentages") for the duration of the Term of the Lease:

(aa) Rent Percentages

(1) Fourteen and one half percent (14.5%) of Gross Receipts from the rental of the Promenade Apartments;

(2) Twenty-five percent (25%) of Gross Receipts from the rental or other fees charged for the use of boat slips, anchorages, moorings, dockside gear lockers, dockside storage space, and such other facilities and services ancillary thereto as are provided in common to all tenants, provided, however, that where Lessee operates an anchorage, mooring, or boat slips and ancillary facilities in conjunction with a yacht club, all Gross Receipts from said operation shall cover all costs for above facilities including but not limited to, investment, operation and administration costs and overhead;

(3) Twenty percent (20%) of Gross Receipts from the rental or other fees charged for the use of dry storage facilities, landside gear lockers, landside storage space, boats, motors, tackle, recreational equipment, tools, equipment, launch and retrieving of small boats and from the sale of live bait;

(4) Eleven percent (11%) of Gross Receipts or other fees charged for the occupancy of the other structures and other facilities located on the Premises including but not limited to (a) hotel and motel accommodation, (b) house trailers, (c) meeting rooms, (d) rental of land and/or water or facilities for activities not otherwise provided for in this section such as but not limited to television and/or motion pictures, (e) parking fees or charges except where such parking fees or charges are collected in conjunction with an activity, the Gross Receipts from which are required to be reported in a percentage category greater than eleven percentage (11%), (f) offices utilized for banking, financial or investment activities, internal

clerical or administrative activities or business enterprises, real estate and insurance brokerage, legal, medical, engineering, travel agencies, or similar professional services but not to include, however, stores, shops or other commercial establishments, the Gross Receipts pertaining to which are subject to percentage rentals and specifically required to be reported under other subsections of this section, and twenty five percent (25%) of Gross Receipts from (g) liveaboard charges over and above slip rental fees imposed by anchorages for the privilege of a boat owner living on his boat;

(5) One percent (1%) of Gross Receipts from the sale of new or used boats, boat trailers, house trailers and trailer cabanas including credits for used items taken in trade as part payment for new items, as reflected in the bill of sale. However, the trade-in allowance for such used item taken in trade may be deducted from the sale price of said used item, provided said used item is sold within one hundred twenty (120) days of the date of the bill of sale which established said trade-in allowance;

(6) Five percent (5%) of commissions or other fees earned from boat brokerage, car rental agencies, marine insurance commissions where the sale of insurance is conducted in conjunction with boat sales and/or boat brokerage, telephone service charges, laundry and dry cleaning commissions and other similar activities where earnings are normally on a commission basis when said activity is approved in advance by Director;

(7) Five percent (5%) of Gross Receipts received by Lessee or Sublessee or twenty percent (20%) of any commissions or fees collected by Lessee from service enterprises;

(8) Six percent (6%) of Gross Receipts received by Lessee or Sublessee or twenty percent (20%) of any commissions or fees collected from commercial boating activities including, but not limited to, charter boat, bareboat charters and sportfishing boats;

(9) Five percent (5%) of Gross Receipts received by Lessee or Sublessee or twenty five percent (25%) of any commissions or other fees collected for the installation and/or operation of coin-operated vending or service machines including pay telephones;

(10) Ten percent (10%) of Gross Receipts from the operation of a bar, tavern, cocktail lounge, discotheque, night club or other facilities engaged primarily in the on-premises sale of alcoholic beverages except as provided for in subsection (11);

(11) Three and one-half percent (3.5%) of Gross Receipts from the operation of restaurants, restaurant/cocktail lounge combination, coffee shops, beach and theater food facilities, except that Gross Receipts from facilities

established and operated as a take-out food operation shall be reported under subsection (20);

(12) One and one-half cents (\$0.015) per gallon of gasoline, diesel fuel or mixed fuel sold or six percent (6%) of Gross Receipts of such sales, whichever is greater;

(13) Five percent (5%) of Gross Receipts from sales by a fuel sales facility of petroleum or fuel products other than those covered by subsection (12) above;

(14) Fifteen percent (15%) of Gross Receipts from club dues, initiation fees, and assessments, except that: (a) with respect to the facilities affected by that certain sublease between Lessee and Marina Club Management, Inc., dated as of December 9, 1986 (the "Club"): each and every Prepaid Sublessee shall be deemed to have become a member of the Club at the time it entered into the Prepaid Sublease, even if that Prepaid Sublessee was already a member of the Club, and irrespective of whether the Prepaid Sublease is entered into on the Approved Prepaid Sublease Form or through the approved condominium structure; unless a higher initiation fee is agreed to in writing by the Prepaid Sublessee, Three Thousand and no/100ths Dollars (\$3000.00) of the Sublease Payment or Condominium Payment (as defined in the Approved Prepaid Sublease Form and Master Condominium Sublease, respectively), whichever is appropriate, shall be deemed to be the initiation fee for such membership for Prepaid Subleases entered into prior to April 1, 1990, and the then customary initiation fee charged by the Club shall be deemed to be the initiation fee for such membership for Prepaid Subleases entered into thereafter; and, the reporting requirements, payment responsibilities and other provisions of Subsections 2.05.B through 2.05.D, inclusive, of the Consent and Nondisturbance Agreement identified as Item 2 in Exhibit J shall apply irrespective of whether the payment is made through a Sublease Payment or a Condominium Payment; (b) separate assessments for capital improvements are exempted provided that Lessee complies with the "Criteria for Eligibility for Exemption of Special Assessments from Gross Receipts" issued by the Director; (c) this subsection shall not apply to the assessments of the Owners Association contemplated by Subsection 10.01.C(1); and (d) this subsection shall not apply to a yacht club operated and/or maintained by Lessee and/or any Sublessee in compliance with the terms and conditions of Section 3.09 of this Lease;

(15) Five percent (5%) of Gross Receipts of other fees charged from the operation of sightseeing boats, tour boats or water taxis;

(16) Two percent (2%) of Gross Receipts from the operation of a cable television facility under a franchise granted by the County of Los Angeles;

(17) Three percent (3%) of Gross Receipts or other fees charged by authorized boat repair yards, including repair, painting, tugboat, salvage and

boat pump-out services and similar activities, except that where parts and materials are separately invoiced, they may be reported under subsection (20) of this section;

(18) Five percent (5%) of Gross Receipts of cover charges or other fees charged for admission to facilities featuring entertainment, excluding movie theaters whose Gross Receipts shall be reportable under subsection (20);

(19) Twenty percent (20%) of Gross Receipts from parking fees except as provided for in subsection (4);

(20) Five percent (5%) of Gross Receipts from the sale of miscellaneous goods and services not specifically provided for elsewhere in this Section;

(21) Ten percent (10%) of Gross Receipts from yacht club dues, initiation fees and assessments, except that separate assessments for leasehold improvements are exempt provided that to qualify for such an exemption Lessee must comply with the "Criteria for Eligibility for Exemption of Building Fund Assessments from Gross Receipts" issued by the Director on May 6, 1974;

(22) Five percent (5%) of Gross Receipts from the operation of all stores, shops or boutiques selling items at retail;

(23) Two percent (2%) of Gross Receipts from the operation of hair-dressing salons.

(bb) Interpretation of Percentages Categories. The Director, by policy statement and with approval of Lessee, Auditor-Controller and County Counsel, may further interpret the percentage categories as set forth in Subsection 5.02.B(aa)(1)-(23), with such determination and interpretation to be a guideline in determining the appropriate categories.

(cc) Commercial Annual Rent. The total of the Commercial Rent Percentages of Gross Receipts multiplied by the corresponding Gross Receipts for the categories described in Subsection 5.02.B(aa)(1)-(23) shall be defined as "Commercial Rent" or "Commercial Annual Rent."

(dd) Reporting Procedures. Within fifteen (15) days after the close of each and every calendar month of the Term hereof, Lessee shall file with County a report of Gross Receipts by category for such previous month, and the amount of Commercial Rent due the County resulting therefrom. Lessee shall include with such report as payment to County the percentages due the County pursuant to Subsections 5.02.B(aa)(1)-(23) hereinabove. The aggregate amount due and payable to the County in a calendar year is referred to as the "Commercial Annual Rent." Lessee agrees to and shall comply with, and shall cause all of Sublessees to agree to and comply with, the recordkeeping and accounting procedures, as well as the inspection and audit rights granted to County, set forth in Article 13 of the Lease.

(ee) Gross Receipts. The term “Gross Receipts” for purposes of calculation of Commercial Rent shall include, without limitation, all money, rents, and other consideration paid to Lessee from its Sublessees, assignees, licensees, concessionaires and permittees, for all services, goods, rentals or facilities provided by Lessee or its Sublessees, assignees, licensees, concessionaires or permittees. Bona fide bad debts actually incurred by Lessee, or its Sublessees, assignees, licensees, concessionaires and permittees may be deducted from Gross Receipts. There shall, however, be no deduction for bad debts based on past experience or transfers to a bad debt reserve. Subsequent collection of bad debts previously not reported as Gross Receipts shall be included in Gross Receipts at the time they are collected.

(1) The Director, by policy statement, consistent with recognized and accepted business and accounting practices, and with the approval of the Lessee, Auditor-Controller and County Counsel, may further interpret the term “Gross Receipts” as used in this Lease.

(2) Gross Receipts shall not include brokerage fees or similar fees received by Lessee in connection with the transfer of Prepaid Subleases where County is receiving a 14.5% Prepaid Sublessee’s Percentage Rent or an Administrative Transfer Fee.

(3) Gross Receipts shall not include any payments to Lessee from the Prepaid Sublessees for Administrative Transfer Fees, utilities, maintenance costs, taxes, capital reserves or other expense items, or any transfer fee imposed by Lessee, whether identified as rent or otherwise.

(ff) No Renegotiation of Rent Percentages. County and Lessee hereby agree and confirm that notwithstanding anything contained in this Section 5.02, there shall be no further Renegotiation Date for the Commercial Rent Percentages, Promenade Apartments Rent Percentage, or the Prepaid Sublessees’ Annual Rent.

#### 5.03 Shared Area Reserve Account and MCC Repairs Account.

A. Lessee hereby represents and warrants to the County that: (i) as of December 31, 2023, the amount that shall have been contributed to the existing Shared Area Reserve Account for 2023 shall not be less than \$2,280,000 (“Base Contributions To Shared Area Account”), and (ii) the Base Contributions to the Shared Area Account shall be deposited into the Shared Area Reserve Account annually thereafter, and increased by at least 5.0% per year thereafter, commencing on January 1, 2024 and continuing on said anniversary date thereafter until the end of the term of the Lease; provided, however, said annual increase shall not limit either Lessee’s or the Marina City Club Owners Association’s rights under their governing documents to impose additional assessments, or the right of the Management Council to enact additional contributions/assessments to be held in the Shared Area Reserve Account.

B. Lessee hereby represents and warrants to the County, and agrees that: (i) as of December 31, 2024 an additional annual amount for 2024 shall be contributed to the MCC Repairs Account ("Additional Contribution to MCC Repairs Account") in the sum of \$2,072,959, which amount shall have been payable in monthly installments on the first day of each month, in the sum of \$172,746.59, and (ii) the annual Additional Contribution to the MCC Repairs Account shall be deposited into the MCC Repairs Account in monthly installments thereafter, and increased by 3.25% per year thereafter, commencing on January 1, 2025 and continuing on said anniversary date thereafter until the end of the term of the Lease.

C. As of January 1, 2024, the Additional Contribution to MCC Repairs Account for each Prepaid Sublease is as set forth in Exhibit "B" hereto and incorporated herein by this reference. Commencing on January 1, 2025, and continuing on each January 1<sup>st</sup> thereafter throughout the remainder of the Term, the Additional Contribution to MCC Repairs Account for each Prepaid Sublease shall be increased by 3.25%

5.04. Administrative Transfer Fee – Leasehold. Except as otherwise provided in this Section 5.04, each time there is a Change in Ownership in the Lease as defined in this Section 5.04, below, the County shall be paid an administrative fee in the amount provided for in this Section 5.04 ("Administrative Transfer Fee").

A. Definition of Change in Ownership. "Change in Ownership" shall mean any transaction which results, directly or indirectly, in the Aggregate Transfer of fifty percent (50%) or more of the beneficial interest in this Lease.

(1) The "Aggregate Transfer" shall mean the total percentage of the beneficial interest transferred in all transactions occurring since the later of the execution of this Lease or the most recent transfer of a beneficial interest in this Lease upon which an Administrative Transfer Fee was paid, but transfers of the same interest or portions thereof shall not be counted more than one (1) time, unless such interest is itself fifty percent (50%) or more of the beneficial interest in this Lease. For example, if forty percent (40%) of the beneficial interest in the Lease is sold two (2) times, but the remaining sixty percent (60%) is not sold, no Change in Ownership shall have occurred; a Change in Ownership would occur when ten percent (10%) out of that sixty percent (60%) is subsequently transferred. Beneficial interests in this Lease shall include, without limitation, general and limited partnership interests with respect to any partnership or stock with respect to a corporation which is an owner of an interest in the Lease.

(2) Where an interest in an entity is itself held by an entity, the provisions of this Section 5.04 shall likewise apply with respect to the entity holding such interests; however, a Change of Ownership would not be deemed to occur merely because fifty percent (50%) or more of the ownership of such entity were to be transferred. For example, if a corporation held a ten percent (10%) interest in Lessee, then a transfer of sixty percent (60%) ownership in such corporation would be treated as a transfer of a six percent (6%) interest in the Lease.

(3) By way of clarification, a Change in Ownership shall not include a mere change in the form or method and/or status of ownership; and shall not include a transfer between or among individuals and/or entities, provided that the transfer does not result in a cumulative total of fifty percent (50%) or more of the beneficial interest in this Lease having been transferred by the individuals and/or entities owning such beneficial interests at the later of the time of execution of this Lease or the time an Administrative Transfer Fee was most recently paid.

(4) As used in this Lease, the phrase "beneficial interest in this Lease" shall refer to the ultimate owner or owners of the interest in the Lease regardless of the form of such ownership and regardless of whether such interests are owned through corporations or partnerships or layers thereof; provided, however, that: (a) neither the initial creation of a Prepaid Sublease nor the subsequent transfer of the Prepaid Sublessee's interest shall be deemed to be a transfer of a "beneficial interest in this Lease"; and (b) if an entity with an ownership interest in this Lease is a partnership or corporation whose beneficial interest in this Lease is less than fifteen percent (15%) of its total assets or is one in which there are not less than ten (10) shareholders or partners who together own more than thirty percent (30%) of the partnership interests or shares of the entity, then the entity itself shall be deemed to be the owner of the beneficial interest in this Lease and the owners of such entity shall be disregarded. Section 318(a) of the Internal Revenue Code of 1954, as amended, shall apply for purposes of determining a person's or an entity's ownership of partnership interests or shares.

For example, if the Lessee is a partnership, with one partner owning fifty percent (50%) and being a corporation and one partner owning fifty percent (50%) and being an individual (X) and the corporation is itself owned eighty percent (80%) by an individual (Y) and twenty percent (20%) by an individual (Z) then the beneficial interest in this Lease shall be deemed to be owned as follows: 50% X; 40% Y; 10% Z.

(5) If an owner of a beneficial interest in this Lease is an entity which owns assets other than this Lease and if interests in such entity are transferred, thereby causing the transfer of a beneficial interest in this Lease, the sales proceeds from the sale of interests in such entity shall be apportioned to this Lease and to other assets owned by such entity in the same proportion as the relative fair market values of this Lease and such other assets. Defined Net Transfer Proceeds, if any, and the Administrative Transfer Fee, if any, shall be calculated only with respect to the amount of such sales proceeds apportioned to this Lease and shall not be calculated with respect to the amount of such sales proceeds apportioned to such other assets.

B. Exempt Changes in Ownership. There shall be no Administrative Transfer Fee due with respect to any Change in Ownership in the Lease which occurs by reason of:

(1) A transfer to a spouse in connection with a property settlement agreement or decree of dissolution of a marriage or legal separation;

(2) A transfer which serves as security for a loan from any Approved Encumbrance Holder but which does not entitle such holder to any immediate right to use, occupy, possess or receive the rents or profits from the leasehold for so long as the assignor makes the required periodic payments and complies with other provisions of the loan, or a transfer resulting from a foreclosure (by judicial foreclosure or trustee's sale) by such an Encumbrance Holder or a transfer in lieu thereof;

(3) A transfer of a beneficial interest in the Lease resulting from devise, bequest, intestate succession or by operation of law for the benefit of the spouse or descendants of (a) Lessee (if an individual), or (b) a partner of Lessee, if Lessee is a partnership, or (c) an owner of Lessee if other than an individual or partnership;

(4) A transfer of beneficial interest in this Lease resulting from public trading in the stock or securities of an entity, where such entity is (a) a corporation whose stock is traded publicly on a national stock exchange or is traded in the over-the-counter market and whose price is regularly quoted in recognized national quotation services, (b) is a Real Estate Investment Trust as defined in Section 856 of the Internal Revenue Code, or (c) one of the fifty (50) largest mutual insurance companies in the United States. This exemption shall not apply however if the Change of Ownership of such entities results from the sale of a controlling block of shares or interests in such entity or from the original public issuance of such interests.

C. Calculation and Payment of Fee. The Administrative Transfer Fee shall be due and payable concurrently with the transfer giving rise to the obligation to pay such fee.

(1) Where the entire Lessee's interest or all of the beneficial interest in the entity comprising Lessee is transferred, the Administrative Transfer Fee shall be an amount equal to one percent (1%) of the sales price or other consideration given for the interest transferred.

(2) Where the Change in Ownership has occurred by reason of the transfer of less than one hundred percent (100%) of the Lessee's beneficial interest in this Lease, the Administrative Transfer Fee would be due with respect to only those portions of the beneficial interest in this Lease which have been transferred since the later of the date of execution of this Lease or the time an Administrative Transfer Fee was most recently paid. The Administrative Transfer Fee shall be equal to one percent (1%) of the aggregate acquisition cost of the then owners of such interests, including the owner whose transaction resulted in the Change in Ownership.



(3) If the transferor of an interest accepts a note made by the transferee of such interest in payment of all or a portion of the acquisition cost (a "Purchase Money Note"), then such note shall be valued in accordance with this subsection 5.04.C(3). A Purchase Money Note shall be valued at its face amount unless, (a) by its terms, payment thereof is contingent upon the occurrence of some event other than either the mere passage of time or an event within the control of the transferor or (b) it is a note which is both secured only by the interest transferred and is nonrecourse. In either of these latter cases, the Purchase Money Note shall not be valued until payment is made, and the Administrative Transfer Fee thereon shall be equal to one percent (1%) of the payment(s) actually made on such note.

(4) Payment of the Administrative Transfer Fee shall be the obligation of the parties who are the Lessee immediately following the completion of the transfer giving rise to the Administrative Transfer Fee; provided, however, with respect to the transfer giving rise to the Administrative Transfer Fee, the obligation to pay that portion of the Administrative Transfer Fee applicable to such transfer shall be the joint and several obligation of both the transferor and transferee. Each such party shall be liable only with respect to the Administrative Transfer Fee due on its respective purchase price. In the event that a party fails to pay the Administrative Transfer Fee due with respect to its beneficial interest in this Lease, then County shall have the remedies provided for in Article 8 with respect to the percentage interest in the leasehold estate equal to such party's beneficial interest in this Lease.

5.05. Administrative Transfer Fee – Prepaid Subleases. Each time there is a Change in Ownership, as defined in subsection 5.05.A, below, of a Prepaid Sublessee's interest, the Lessee shall collect from Sublessee and forward to County an administrative fee equal to two and one-half percent (2.5%) of the fair market value of the Prepaid Sublease being transferred ("Administrative Transfer Fee"). The fair market value shall be deemed to be the sales price or other consideration given for the Prepaid Sublease interest transferred.

A. Meaning of "Change in Ownership." A Change in Ownership with respect to a Sublessee's interest shall have the same meaning and be subject to the same exceptions as set forth in Sections 60, et seq., of the California Revenue and Taxation Code as amended; provided, however, any Authorized Mortgagee and the holder of the Subleasehold Deed of Trust (as those terms are defined in the Approved Prepaid Sublease Form and the Master Condominium Sublease) shall be entitled to the exemption from the payment of an Administrative Transfer Fee provided to an Approved Encumbrance Holder in subsection 5.04.B(2).

B. Obligation to Pay is Joint and Several. Prepaid Subleases shall impose the obligation to pay this fee, and shall provide that such payment is the joint and several obligation of both the transferor and the transferee of the Prepaid Sublessee's interest.

C. Lessee's Obligations to Collect/Pay. Lessee shall adopt reasonable procedures and shall make reasonably diligent efforts to collect the Administrative Transfer Fees due pursuant to this Section 5.05. Lessee shall not be entitled to recoup from County any of its costs of collection. So long as Lessee has complied with the terms of subsections 5.05.B and 5.05.C, Lessee shall be obligated to pay County only such sums as Lessee has actually collected.

D. Transfer Fee Imposed by Lessee. Nothing in this Lease shall prevent Lessee from establishing now or in the future a transfer for its own account in addition to the Administrative Transfer Fee, or from recouping costs of collection from Prepaid Sublessees. This transfer fee shall, if established by Lessee, represent income to the Lessee that will: (1) not be subject to any Percentage Rents payable to County under Section 5.01 or any other provision herein; and (2) shall not count as income to Lessee in determining whether Lessee has complied with any applicable County policy or guideline relating to Prepaid Subleases. Nothing in this section 5.05.D shall modify or affect Section C of that certain Letter Agreement dated June 30, 1994 between COA and Lessee's predecessor in interest.

E. Special Exemption for 1031 Exchange. In the event that a particular transaction involves more than one Change in Ownership solely because of the Lessee or Lessee's Prepaid Sublessee's interest being held for an interim period (not to exceed twenty-four (24) hours) by an accommodation party as part of a tax-deferred exchange under Section 1031 of the Internal Revenue Code, and there is no increase in consideration given, then for purposes of the Administrative Transfer Fee, the transaction shall be deemed to contain only one Change in Ownership. If the transaction described in the preceding sentence is the original creation of a Prepaid Sublease by Lessee, there shall be no Administrative Transfer Fee.

5.06 Effect of Sublessee, etc., Doing Business. Where a Sublessee, licensee, concessionaire or permittee is conducting a business or engaged in any use or occupation or any combination thereof on the Premises except for those uses or occupations delineated under subsection 5.02.B(aa)(4)(ff), irrespective of whether such uses or occupations are conducted in an office or an apartment, Lessee shall report whichever of the following results in the greater percentage rental: (1) the Gross Receipts of each Sublessee under on or more of the appropriate subsections of this Section 5.06; or (2) Lessee's receipts from each Sublessee under subsection 5.02.B(aa)(4).

5.07 Interest; Etc. Interest, service, or late charges collected in conjunction with a transaction, sale or activity of Lessee or Sublessee shall be reported in the same percentage category as the transaction, sale or activity is reported.

5.08 Use Not Covered. Where the Director and the Lessee and/or Sublessee find that a percentage of Gross Receipts is not suitable or applicable for a particular activity not otherwise provided for herein, the Director may establish a minimum

monthly rental or fee for that activity. Said rental or fee shall be set by the mutual consent of Director and Lessee and shall be reasonable in accordance with the revenue generated by the Lessee and/or Sublessee.

5.09 Cooperation in Case of Rent Control. In the event that Rent Control is enacted thereby limiting the rent that may be charged hereunder, Lessee shall fully cooperate with any efforts County may make in order to either minimize or eliminate the effects of Rent Control on such rent; provided, however, that Lessee shall not be obligated to incur costs or expenses in connection with such cooperation. If Lessee also challenges any Rent Control, then Lessee shall bear its own costs and expenses.

5.10 Deposit. County hereby acknowledges receipt from Lessee of the sum of One Hundred One Thousand Five Hundred Sixty-One and 31/100ths Dollars (\$101,561.31) (the "Initial Deposit"). The Initial Deposit shall be retained by County as a security deposit to cover delinquent rent and any other obligations of Lessee under this Lease, and shall be so applied at the discretion of the County.

A. Increase in Deposit. The Initial Deposit shall be increased on November 7, 1987, and on each November 7 of each year thereafter to the sum which is equal to the lesser of the following amounts:

(1) Three (3) times the monthly Annual Rent then in effect; or

(2) The Initial Deposit increased by the same percentage increase in the CPI Rental Index. In order to determine the new deposit amount under this subsection 5.10.A(2), the Initial Deposit shall be multiplied by a fraction, the numerator of which is the CPI Rental Index most recently published before the date of the adjustment, and the denominator of which is the CPI Rental Index most recently published before November 7, 1986 ("Commencement Index"). The greater of the resultant figure, or the Initial Deposit, shall be the deposit amount under this subsection 5.10.A(2). If the CPI Rental Index is changed so that the Base Year differs from that used for the Commencement Index, the CPI Rental Index shall be converted in accordance with the conversion factor published by the Bureau of Labor Statistics. If the CPI Rental Index is discontinued or revised during the term, such other government index of computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the CPI Rental Index had not been discontinued or revised. In the event County and Lessee fail to agree on the use of a replacement index within sixty (60) days of such discontinuance or revision, the selection of the same shall be resolved by binding arbitration in accordance with Section 16.16.

B. Replacement. In the event all of any part of said sum so deposited is applied against any rent or other obligations of Lessee due and unpaid, the Lessee shall, within ten (10) days of receipt of written notice of the amount so applied and the reasons for such application reimburse the County an amount equal to that portion of the security deposit applied by County so that at all times during the life

of this Lease said full security deposit shall be maintained with County. Failure to maintain the full amount of security deposit shall constitute an Event of Default as provided for in Section 8.01.

C. Refund; Interest. Upon termination of this Lease, any portion of said deposit due the Lessee shall be returned. Any interest earned on cash deposits shall be disbursed to Lessee on a quarterly basis. County shall deposit security funds in a demand interest-bearing account.

D. Replacement With Bond. At any time subsequent to the first three (3) years of the term of this Lease, Lessee may, with approval of Director, substitute for said cash security deposit a corporate surety bond issued by a surety company licensed to transact business in the State of California, or such other bond or written undertaking satisfactory to Director, in an amount equal to said deposit.

5.11 Late Charge. Lessee agrees to pay County a late charge on all sums not received by County within ten (10) days of the date the sum is due. The late charge shall be equal to six percent (6%) of the sum not so received.

5.12 Utilities. In addition to the rental charges as herein provided, Lessee shall pay or cause to be paid all utility and service charges for furnishing water, power, sewage disposal, light, telephone service, garbage and trash collection and all other utilities and services, to the premises.

5.13 Net Lease. The parties acknowledge that this Lease is intended to be absolutely net to County. The rent and other sums to be paid to County hereunder are not subject to any demand, set-off or other withholding.

4. Approval of Amendment by the BOS. Notwithstanding anything to the contrary contained in this Amendment, in the event that the BOS fails to approve this Amendment (in their sole and absolute discretion) on or before September 30, 2023, or such extended date as agreed in writing by County and Lessee, then this Amendment shall automatically be deemed terminated and of no further force or effect.

5. Director's Authority. Director shall be authorized to enforce the terms of this Amendment and to execute and deliver any further amendments as required in connection with implementing the terms of this Amendment.

6. Dispute Resolution. Notwithstanding anything to the contrary contained in the Lease or any provision that may be inconsistent hereto, any and all disputes involving this Lease, including the breach or alleged breach thereof, shall not be submitted to arbitration unless otherwise provided for herein or specifically agreed to in writing by the County, but must instead only be enforced by any appropriate legal or equitable remedy by a court having jurisdiction. Nothing in this Lease shall be construed to limit the parties' rights to fully pursue any and all judicial remedies available under law in the event of violation of this Lease.

7. Representations and Warranties. To induce County to enter into this Amendment, Lessee hereby represents and warrants to County as follows:

(a) Lessee has not assigned its interests as lessee under the Lease or as sublessor under any Condominium Sublease; and

(b) Lessee has not encumbered its interests in the Lease or in any Condominium Sublease with any deed of trust, mortgage or similar security instrument, nor has Lessee expressly assumed any loan secured by a deed of trust, mortgage or similar security instrument encumbering the Lessee's interest in the Lease or the Sublessor's interest in any Condominium Sublease.

8. No Other Amendment. The Lease has not been modified, amended or supplemented except as set forth in this Amendment and, as amended by this Amendment, the Lease is and remains in full force and effect.

9. Amendment to Sublease. Lessee and the County acknowledge that, consistent with the deletion of Amendment No. 4, Lessee shall use commercially best efforts to obtain an amendment to the Master Condominium Sublease and each existing Condominium Sublease, including any remaining "Category B" Condominium Subleases, as that term is defined in Amendment No. 4. However, failure to obtain said amendments shall not nullify the validity or enforcement of this Amendment.

10. Recordation of Amendment. This Amendment shall be recorded in the Official Records of Los Angeles County, California (the "Official Records").

11. Counterparts; Electronic Signatures. This Amendment and any other document necessary for the consummation of the transaction contemplated by this Amendment may be executed in counterparts, including both counterparts that are executed on paper and counterparts that are in the form of electronic records and are executed electronically. An electronic signature means any electronic sound, symbol or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such record, including facsimile or e-mail electronic signatures. All executed counterparts shall constitute one agreement, and each counterpart shall be deemed an original. The parties hereby acknowledge and agree that electronic records and electronic signatures, as well as facsimile signatures, may be used in connection with the execution of this Amendment and electronic signatures, facsimile signatures or signatures transmitted by electronic mail in so-called pdf format shall be legal and binding and shall have the same full force and effect as if a paper original of this Amendment had been delivered had been signed using a handwritten signature. County and Lessee (i) agree that an electronic signature, whether digital or encrypted, of a party to this Amendment is intended to authenticate this writing and to have the same force and effect as a manual signature, (ii) intended to be bound by the signatures (whether original, faxed or electronic) on any document sent or delivered by facsimile or, electronic mail, or other electronic means, (iii) are aware that the other party will rely on such signatures, and (iv) hereby waive any defenses to the enforcement of the terms of this Amendment based on the foregoing forms of signature. If this Amendment has been executed by electronic signature, all parties executing this document are expressly consenting under the United States Federal Electronic Signatures in Global and National Commerce Act of 2000 ("E-SIGN") and California Uniform Electronic Transactions Act ("UETA")(Cal. Civ. Code § 1633.1, et seq.), that a signature by fax, email or other electronic means shall constitute an Electronic Signature to an Electronic Record under both E-SIGN and UETA with respect to this specific transaction.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment No. 10 to Lease No. 55624 to be subscribed by the Chairman of said Board and attested by the Executive Officer thereof, and the Lessee, by its duly authorized representative, has executed the same on the date first set forth above.

COUNTY:

THE COUNTY OF LOS ANGELES

By: \_\_\_\_\_  
JANICE HAHN,  
Chair, Board of Supervisors

LESSEE:

ESSEX MARINA CITY CLUB, L.P.  
a California Limited Partnership

By: Essex MCC, LLC,  
a Delaware limited liability company,  
its general partner

By: Essex Portfolio, L.P.,  
a California limited partnership,  
its sole member

By: Essex Property Trust,  
Inc.,  
a Maryland corporation,  
its general partner

By: Anne Morrison

Its: SVP + General Counsel

**ATTEST:**

CELIA ZAVALA,  
Executive Officer-Clerk of the  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM

DAWYN HARRISON  
County Counsel

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM

Counsel for County

GLASER, WEIL, FINK, HOWARD, JORDAN & SHAPIRO LLP

By: \_\_\_\_\_  
Roger H. Howard, Esq.

Counsel for Lessee

ALLEN MATKINS LECK GAMBLE MALLOY & NATSIS LLP

By: \_\_\_\_\_  
Marshall C. Wallace

Counsel for COA

GREENBERG GLUSKER LLP

By: \_\_\_\_\_  
Dan Stone, Esq.

## EXHIBIT A

### Amendment Conditions

1. The execution of this Amendment and each of the other documents contemplated hereby shall have been approved by the Los Angeles County's Board of Supervisors, in their sole and absolute discretion.
2. The Condominium Owners Association ("COA") shall have executed a Joinder in the form attached to this Amendment as Exhibit C.
3. If required by an Approved Encumbrance Holder, the execution of this Amendment shall have been approved by each Approved Encumbrance Holder, if any.
4. The written approval by The Marina City Club Condominium Owners Association Board of Directors that they approve this Amendment and will seek to obtain agreement of all 600 Condominium Owners, including any remaining "Category B" owners as described in Amendment No. 4, and each Mortgagee of a Condominium unit, if any, to an amended Condominium Sublease to implement and enforce the obligations as set forth in this Amendment. Failure to obtain all 600 Condominium Owners approval shall not nullify the validity or enforcement of this Amendment.



# EXHIBIT B

## Assigned Rent Basis Roll

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
CN	1	19	4,460.14	646.72	289.23
CN	1	21	2,705.33	392.27	175.44
CN	1	23	2,705.33	392.27	175.44
CN	1	25	2,705.33	392.27	175.44
CN	1	27	3,626.62	525.86	235.18
CN	1	29	3,626.62	525.86	235.18
CN	1	31	3,626.62	525.86	235.18
CN	1	33	4,460.14	646.72	289.23
CN	2	19	4,635.62	672.17	300.61
CN	2	21	2,734.59	396.52	177.33
CN	2	23	2,734.59	396.52	177.33
CN	2	25	2,734.59	396.52	177.33
CN	2	27	3,802.10	551.30	246.56
CN	2	29	3,802.10	551.30	246.56
CN	2	31	3,802.10	551.30	246.56
CN	2	33	4,635.62	672.17	300.61
CN	3	19	4,811.10	697.61	311.99
CN	3	21	2,763.83	400.76	179.23
CN	3	23	2,763.83	400.76	179.23
CN	3	25	2,763.83	400.76	179.23
CN	3	27	3,977.58	576.75	257.94
CN	3	29	3,977.58	576.75	257.94
CN	3	31	3,977.58	576.75	257.94
CN	3	33	4,811.10	697.61	311.99
CN	4	19	5,132.83	744.26	332.86
CN	4	21	2,793.07	405.00	181.13
CN	4	23	2,793.07	405.00	181.13
CN	4	25	2,793.07	405.00	181.13
CN	4	27	4,153.07	602.19	269.32
CN	4	29	4,153.07	602.19	269.32
CN	4	31	4,153.07	602.19	269.32
CN	4	33	5,132.83	744.26	332.86
CN	5	19	5,235.18	759.10	339.49
CN	5	21	2,822.31	409.24	183.02
CN	5	23	2,822.31	409.24	183.02
CN	5	25	2,822.31	409.24	183.02
CN	5	27	4,255.42	617.04	275.96
CN	5	29	4,255.42	617.04	275.96
CN	5	31	4,255.42	617.04	275.96
CN	5	33	5,235.18	759.10	339.49
CN	6	19	5,337.55	773.95	346.13
CN	6	21	2,851.58	413.48	184.92
CN	6	23	2,851.58	413.48	184.92

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
CN	6	25	2,851.58	413.48	184.92
CN	6	27	4,357.79	631.88	282.60
CN	6	29	4,357.79	631.88	282.60
CN	6	31	4,357.79	631.88	282.60
CN	6	33	5,337.55	773.95	346.13
CN	7	19	5,366.79	778.19	348.03
CN	7	21	2,880.81	417.72	186.82
CN	7	23	2,880.81	417.72	186.82
CN	7	25	2,880.81	417.72	186.82
CN	7	27	4,387.03	636.12	284.49
CN	7	29	4,387.03	636.12	284.49
CN	7	31	4,387.03	636.12	284.49
CN	7	33	5,366.79	778.19	348.03
CN	8	19	5,396.06	782.43	349.93
CN	8	21	2,910.05	421.96	188.71
CN	8	23	2,910.05	421.96	188.71
CN	8	25	2,910.05	421.96	188.71
CN	8	27	4,416.27	640.36	286.39
CN	8	29	4,416.27	640.36	286.39
CN	8	31	4,416.27	640.36	286.39
CN	8	33	5,396.06	782.43	349.93
CN	9	19	5,425.30	786.67	351.82
CN	9	21	2,939.32	426.20	190.61
CN	9	23	2,939.32	426.20	190.61
CN	9	25	2,939.32	426.20	190.61
CN	9	27	4,445.53	644.60	288.29
CN	9	29	4,445.53	644.60	288.29
CN	9	31	4,445.53	644.60	288.29
CN	9	33	5,425.30	786.67	351.82
CN	10	19	5,454.53	790.91	353.72
CN	10	21	2,968.56	430.44	192.51
CN	10	23	2,968.56	430.44	192.51
CN	10	25	2,968.56	430.44	192.51
CN	10	27	4,474.77	648.84	290.18
CN	10	29	4,474.77	648.84	290.18
CN	10	31	4,474.77	648.84	290.18
CN	10	33	5,454.53	790.91	353.72
CN	11	19	5,483.80	795.15	355.62
CN	11	21	2,997.80	434.68	194.40
CN	11	23	2,997.80	434.68	194.40
CN	11	25	2,997.80	434.68	194.40
CN	11	27	4,504.01	653.08	292.08
CN	11	29	4,504.01	653.08	292.08
CN	11	31	4,504.01	653.08	292.08
CN	11	33	5,483.80	795.15	355.62
CN	PH	23	9,870.83	1,431.27	640.11
CN	PH	24	8,408.48	1,219.23	545.28
CN	PH	25	8,408.48	1,219.23	545.28
CN	PH	26	8,408.48	1,219.23	545.28

Exhibit B-2

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
CN	PH	27	8,408.48	1,219.23	545.28
CN	PH	28	8,408.48	1,219.23	545.28
CN	PH	29	9,870.83	1,431.27	640.11
CN		9101	1,242.99	180.23	80.61
CN		9102	1,242.99	180.23	80.61
CN		9103	1,242.99	180.23	80.61
CN		9104	1,242.99	180.23	80.61
CN		9105	1,242.99	180.23	80.61
CN		9106	1,242.99	180.23	80.61
CN		9107	1,242.99	180.23	80.61
CN		9108	1,242.99	180.23	80.61
CN		9109	1,242.99	180.23	80.61
CN		9110	1,242.99	180.23	80.61
CN		9201	1,242.99	180.23	80.61
CN		9202	1,242.99	180.23	80.61
CN		9203	1,242.99	180.23	80.61
CN		9204	1,242.99	180.23	80.61
CN		9205	1,242.99	180.23	80.61
CN		9206	1,242.99	180.23	80.61
CN		9207	1,242.99	180.23	80.61
CN		9208	1,242.99	180.23	80.61
CN		9209	1,242.99	180.23	80.61
CN		9210	1,242.99	180.23	80.61
CN		9301	1,242.99	180.23	80.61
CN		9302	1,242.99	180.23	80.61
CN		9303	1,242.99	180.23	80.61
CN		9304	1,242.99	180.23	80.61
CN		9305	1,242.99	180.23	80.61
CN		9306	1,242.99	180.23	80.61
CN		9307	1,242.99	180.23	80.61
CN		9308	1,242.99	180.23	80.61
CN		9309	1,242.99	180.23	80.61
CN		9310	1,242.99	180.23	80.61
CS	1	16	5,776.26	837.56	374.58
CS	1	18	4,796.50	695.49	311.05
CS	1	20	4,796.50	695.49	311.05
CS	1	22	4,796.50	695.49	311.05
CS	1	24	3,085.54	447.40	200.09
CS	1	26	3,085.54	447.40	200.09
CS	1	28	3,085.54	447.40	200.09
CS	1	30	5,776.26	837.56	374.58
CS	2	16	5,805.50	841.80	376.48
CS	2	18	4,825.74	699.73	312.94

Exhibit B-3

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
CS	2	20	4,825.74	699.73	312.94
CS	2	22	4,825.74	699.73	312.94
CS	2	24	3,114.80	451.65	201.99
CS	2	26	3,114.80	451.65	201.99
CS	2	28	3,114.80	451.65	201.99
CS	2	30	5,805.50	841.80	376.48
CS	3	16	5,834.76	846.04	378.38
CS	3	18	4,854.98	703.97	314.84
CS	3	20	4,854.98	703.97	314.84
CS	3	22	4,854.98	703.97	314.84
CS	3	24	3,144.04	455.89	203.89
CS	3	26	3,144.04	455.89	203.89
CS	3	28	3,144.04	455.89	203.89
CS	3	30	5,834.76	846.04	378.38
CS	4	16	5,864.00	850.28	380.27
CS	4	18	4,884.24	708.21	316.74
CS	4	20	4,884.24	708.21	316.74
CS	4	22	4,884.24	708.21	316.74
CS	4	24	3,173.28	460.13	205.78
CS	4	26	3,173.28	460.13	205.78
CS	4	28	3,173.28	460.13	205.78
CS	4	30	5,864.00	850.28	380.27
CS	5	16	5,893.24	854.52	382.17
CS	5	18	4,913.48	712.45	318.63
CS	5	20	4,913.48	712.45	318.63
CS	5	22	4,913.48	712.45	318.63
CS	5	24	3,202.54	464.37	207.68
CS	5	26	3,202.54	464.37	207.68
CS	5	28	3,202.54	464.37	207.68
CS	5	30	5,893.24	854.52	382.17
CS	6	16	5,922.48	858.76	384.06
CS	6	18	4,942.72	716.69	320.53
CS	6	20	4,942.72	716.69	320.53
CS	6	22	4,942.72	716.69	320.53
CS	6	24	3,231.78	468.61	209.58
CS	6	26	3,231.78	468.61	209.58
CS	6	28	3,231.78	468.61	209.58
CS	6	30	5,922.48	858.76	384.06
CS	7	16	5,951.74	863.00	385.96
CS	7	18	4,971.98	720.94	322.43
CS	7	20	4,971.98	720.94	322.43
CS	7	22	4,971.98	720.94	322.43
CS	7	24	3,261.02	472.85	211.47
CS	7	26	3,261.02	472.85	211.47
CS	7	28	3,261.02	472.85	211.47
CS	7	30	5,951.74	863.00	385.96
CS	8	16	5,980.98	867.24	387.86
CS	8	18	5,001.22	725.18	324.32
CS	8	20	5,001.22	725.18	324.32

Exhibit B-4

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
CS	8	22	5,001.22	725.18	324.32
CS	8	24	3,290.28	477.09	213.37
CS	8	26	3,290.28	477.09	213.37
CS	8	28	3,290.28	477.09	213.37
CS	8	30	5,980.98	867.24	387.86
CS	9	16	6,010.22	871.48	389.75
CS	9	18	5,030.46	729.42	326.22
CS	9	20	5,030.46	729.42	326.22
CS	9	22	5,030.46	729.42	326.22
CS	9	24	3,319.52	481.33	215.27
CS	9	26	3,319.52	481.33	215.27
CS	9	28	3,319.52	481.33	215.27
CS	9	30	6,010.22	871.48	389.75
CS	10	16	6,039.49	875.73	391.65
CS	10	18	5,059.72	733.66	328.12
CS	10	20	5,059.72	733.66	328.12
CS	10	22	5,059.72	733.66	328.12
CS	10	24	3,348.76	485.57	217.16
CS	10	26	3,348.76	485.57	217.16
CS	10	28	3,348.76	485.57	217.16
CS	10	30	6,039.49	875.73	391.65
CS	11	16	6,068.73	879.97	393.55
CS	11	18	5,088.96	737.90	330.01
CS	11	20	5,088.96	737.90	330.01
CS	11	22	5,088.96	737.90	330.01
CS	11	24	3,378.02	489.81	219.06
CS	11	26	3,378.02	489.81	219.06
CS	11	28	3,378.02	489.81	219.06
CS	11	30	6,068.73	879.97	393.55
CS	PH	16	10,602.00	1,537.29	687.52
CS	PH	17	9,139.65	1,325.25	592.69
CS	PH	18	9,139.65	1,325.25	592.69
CS	PH	19	9,139.65	1,325.25	592.69
CS	PH	20	9,139.65	1,325.25	592.69
CS	PH	21	9,139.65	1,325.25	592.69
CS	PH	22	10,602.00	1,537.29	687.52
EN	1	35	4,460.14	646.72	289.23
EN	1	37	3,626.62	525.86	235.18
EN	1	39	3,626.62	525.86	235.18
EN	1	41	3,626.62	525.86	235.18
EN	1	43	2,705.33	392.27	175.44
EN	1	45	2,705.33	392.27	175.44
EN	1	47	2,705.33	392.27	175.44
EN	1	49	4,460.14	646.72	289.23
EN	2	35	4,635.62	672.17	300.61
EN	2	37	3,802.10	551.30	246.56
EN	2	39	3,802.10	551.30	246.56
EN	2	41	3,802.10	551.30	246.56
EN	2	43	2,734.59	396.52	177.33

Exhibit B-5

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
EN	2	45	2,734.59	396.52	177.33
EN	2	47	2,734.59	396.52	177.33
EN	2	49	4,635.62	672.17	300.61
EN	3	35	4,811.10	697.61	311.99
EN	3	37	3,977.58	576.75	257.94
EN	3	39	3,977.58	576.75	257.94
EN	3	41	3,977.58	576.75	257.94
EN	3	43	2,763.83	400.76	179.23
EN	3	45	2,763.83	400.76	179.23
EN	3	47	2,763.83	400.76	179.23
EN	3	49	4,811.10	697.61	311.99
EN	4	35	5,132.83	744.26	332.86
EN	4	37	4,153.07	602.19	269.32
EN	4	39	4,153.07	602.19	269.32
EN	4	41	4,153.07	602.19	269.32
EN	4	43	2,793.07	405.00	181.13
EN	4	45	2,793.07	405.00	181.13
EN	4	47	2,793.07	405.00	181.13
EN	4	49	5,132.83	744.26	332.86
EN	5	35	5,235.18	759.10	339.49
EN	5	37	4,255.42	617.04	275.96
EN	5	39	4,255.42	617.04	275.96
EN	5	41	4,255.42	617.04	275.96
EN	5	43	2,822.31	409.24	183.02
EN	5	45	2,822.31	409.24	183.02
EN	5	47	2,822.31	409.24	183.02
EN	5	49	5,235.18	759.10	339.49
EN	6	35	5,337.55	773.95	346.13
EN	6	37	4,357.79	631.88	282.60
EN	6	39	4,357.79	631.88	282.60
EN	6	41	4,357.79	631.88	282.60
EN	6	43	2,851.58	413.48	184.92
EN	6	45	2,851.58	413.48	184.92
EN	6	47	2,851.58	413.48	184.92
EN	6	49	5,337.55	773.95	346.13
EN	7	35	5,366.79	778.19	348.03
EN	7	37	2,880.81	417.72	186.82
EN	7	39	2,880.81	417.72	186.82
EN	7	41	2,880.81	417.72	186.82
EN	7	43	4,387.03	636.12	284.49
EN	7	45	4,387.03	636.12	284.49
EN	7	47	4,387.03	636.12	284.49
EN	7	49	5,366.79	778.19	348.03
EN	8	35	5,396.15	782.44	349.93
EN	8	37	4,416.27	640.36	286.39
EN	8	39	4,416.27	640.36	286.39
EN	8	41	4,416.27	640.36	286.39
EN	8	43	2,910.05	421.96	188.71
EN	8	45	2,910.05	421.96	188.71

Exhibit B-6

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
EN	8	47	2,910.05	421.96	188.71
EN	8	49	5,396.15	782.44	349.93
EN	9	35	5,425.30	786.67	351.82
EN	9	37	4,445.53	644.60	288.29
EN	9	39	4,445.53	644.60	288.29
EN	9	41	4,445.53	644.60	288.29
EN	9	43	2,939.32	426.20	190.61
EN	9	45	2,939.32	426.20	190.61
EN	9	47	2,939.32	426.20	190.61
EN	9	49	5,425.30	786.67	351.82
EN	10	35	5,454.53	790.91	353.72
EN	10	37	4,474.77	648.84	290.18
EN	10	39	4,474.77	648.84	290.18
EN	10	41	4,474.77	648.84	290.18
EN	10	43	2,968.56	430.44	192.51
EN	10	45	2,968.56	430.44	192.51
EN	10	47	2,968.56	430.44	192.51
EN	10	49	5,454.53	790.91	353.72
EN	11	35	5,483.87	795.16	355.62
EN	11	37	4,504.01	653.08	292.08
EN	11	39	4,504.01	653.08	292.08
EN	11	41	4,504.01	653.08	292.08
EN	11	43	2,997.80	434.68	194.40
EN	11	45	2,997.80	434.68	194.40
EN	11	47	2,997.80	434.68	194.40
EN	11	49	5,483.87	795.16	355.62
EN	PH	37	9,870.83	1,431.27	640.11
EN	PH	38	8,408.48	1,219.23	545.28
EN	PH	39	8,408.48	1,219.23	545.28
EN	PH	40	8,408.48	1,219.23	545.28
EN	PH	41	8,408.48	1,219.23	545.28
EN	PH	42	8,408.48	1,219.23	545.28
EN	PH	43	9,870.83	1,431.27	640.11
ES	1	32	5,776.26	837.56	374.58
ES	1	34	3,085.54	447.40	200.09
ES	1	36	3,085.54	447.40	200.09
ES	1	38	3,085.54	447.40	200.09
ES	1	40	4,796.50	695.49	311.05
ES	1	42	4,796.50	695.49	311.05
ES	1	44	4,796.50	695.49	311.05
ES	1	46	5,776.26	837.56	374.58
ES	2	32	5,805.50	841.80	376.48
ES	2	34	3,114.80	451.65	201.99
ES	2	36	3,114.80	451.65	201.99
ES	2	38	3,114.80	451.65	201.99
ES	2	40	4,825.74	699.73	312.94
ES	2	42	4,825.74	699.73	312.94
ES	2	44	4,825.74	699.73	312.94
ES	2	46	5,805.50	841.80	376.48

Exhibit B-7

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
ES	3	32	5,834.76	846.04	378.38
ES	3	34	3,144.04	455.89	203.89
ES	3	36	3,144.04	455.89	203.89
ES	3	38	3,144.04	455.89	203.89
ES	3	40	4,854.98	703.97	314.84
ES	3	42	4,854.98	703.97	314.84
ES	3	44	4,854.98	703.97	314.84
ES	3	46	5,834.76	846.04	378.38
ES	4	32	5,864.00	850.28	380.27
ES	4	34	3,173.28	460.13	205.78
ES	4	36	3,173.28	460.13	205.78
ES	4	38	3,173.28	460.13	205.78
ES	4	40	4,884.24	708.21	316.74
ES	4	42	4,884.24	708.21	316.74
ES	4	44	4,884.24	708.21	316.74
ES	4	46	5,864.00	850.28	380.27
ES	5	32	5,893.24	854.52	382.17
ES	5	34	3,202.54	464.37	207.68
ES	5	36	3,202.54	464.37	207.68
ES	5	38	3,202.54	464.37	207.68
ES	5	40	4,913.48	712.45	318.63
ES	5	42	4,913.48	712.45	318.63
ES	5	44	4,913.48	712.45	318.63
ES	5	46	5,893.24	854.52	382.17
ES	6	32	5,922.48	858.76	384.06
ES	6	34	3,231.78	468.61	209.58
ES	6	36	3,231.78	468.61	209.58
ES	6	38	3,231.78	468.61	209.58
ES	6	40	4,942.72	716.69	320.53
ES	6	42	4,942.72	716.69	320.53
ES	6	44	4,942.72	716.69	320.53
ES	6	46	5,922.48	858.76	384.06
ES	7	32	5,951.74	863.00	385.96
ES	7	34	3,261.02	472.85	211.47
ES	7	36	3,261.02	472.85	211.47
ES	7	38	3,261.02	472.85	211.47
ES	7	40	4,971.98	720.94	322.43
ES	7	42	4,971.98	720.94	322.43
ES	7	44	4,971.98	720.94	322.43
ES	7	46	5,951.74	863.00	385.96
ES	8	32	5,980.98	867.24	387.86
ES	8	34	3,290.28	477.09	213.37
ES	8	36	3,290.28	477.09	213.37
ES	8	38	3,290.28	477.09	213.37
ES	8	40	5,001.22	725.18	324.32
ES	8	42	5,001.22	725.18	324.32
ES	8	44	5,001.22	725.18	324.32
ES	8	46	5,980.98	867.24	387.86
ES	9	32	6,010.22	871.48	389.75

Exhibit B-8



<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
ES	9	34	3,319.52	481.33	215.27
ES	9	36	3,319.52	481.33	215.27
ES	9	38	3,319.52	481.33	215.27
ES	9	40	5,030.46	729.42	326.22
ES	9	42	5,030.46	729.42	326.22
ES	9	44	5,030.46	729.42	326.22
ES	9	46	6,010.22	871.48	389.75
ES	10	32	6,039.49	875.73	391.65
ES	10	34	3,348.76	485.57	217.16
ES	10	36	3,348.76	485.57	217.16
ES	10	38	3,348.76	485.57	217.16
ES	10	40	5,059.72	733.66	328.12
ES	10	42	5,059.72	733.66	328.12
ES	10	44	5,059.72	733.66	328.12
ES	10	46	6,039.49	875.73	391.65
ES	11	32	6,068.73	879.97	393.55
ES	11	34	3,378.02	489.81	219.06
ES	11	36	3,378.02	489.81	219.06
ES	11	38	3,378.02	489.81	219.06
ES	11	40	5,088.96	737.90	330.01
ES	11	42	5,088.96	737.90	330.01
ES	11	44	5,088.96	737.90	330.01
ES	11	46	6,068.73	879.97	393.55
ES	PH	30	10,602.00	1,537.29	687.52
ES	PH	31	9,139.65	1,325.25	592.69
ES	PH	32	9,139.65	1,325.25	592.69
ES	PH	33	9,139.65	1,325.25	592.69
ES	PH	34	9,139.65	1,325.25	592.69
ES	PH	35	9,139.65	1,325.25	592.69
ES	PH	36	10,602.00	1,537.29	687.52
WN	1	1	4,460.14	646.72	289.23
WN	1	3	2,705.33	392.27	175.44
WN	1	5	2,705.33	392.27	175.44
WN	1	7	2,705.33	392.27	175.44
WN	1	9	3,626.62	525.86	235.18
WN	1	11	3,626.62	525.86	235.18
WN	1	15	3,626.62	525.86	235.18
WN	1	17	4,460.14	646.72	289.23
WN	2	1	4,635.62	672.17	300.61
WN	2	3	2,734.59	396.52	177.33
WN	2	5	2,734.59	396.52	177.33
WN	2	7	2,734.59	396.52	177.33
WN	2	9	3,802.10	551.30	246.56
WN	2	11	3,802.10	551.30	246.56
WN	2	15	3,802.10	551.30	246.56
WN	2	17	4,635.62	672.17	300.61
WN	3	1	4,811.10	697.61	311.99
WN	3	3	2,763.83	400.76	179.23
WN	3	5	2,763.83	400.76	179.23

Exhibit B-9

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
WN	3	7	2,763.83	400.76	179.23
WN	3	9	3,977.58	576.75	257.94
WN	3	11	3,977.58	576.75	257.94
WN	3	15	3,977.58	576.75	257.94
WN	3	17	4,811.10	697.61	311.99
WN	4	1	5,132.83	744.26	332.86
WN	4	3	2,793.07	405.00	181.13
WN	4	5	2,793.07	405.00	181.13
WN	4	7	2,793.07	405.00	181.13
WN	4	9	4,153.07	602.19	269.32
WN	4	11	4,153.07	602.19	269.32
WN	4	15	4,153.07	602.19	269.32
WN	4	17	5,132.83	744.26	332.86
WN	5	1	5,235.18	759.10	339.49
WN	5	3	2,822.31	409.24	183.02
WN	5	5	2,822.31	409.24	183.02
WN	5	7	2,822.31	409.24	183.02
WN	5	9	4,255.42	617.04	275.96
WN	5	11	4,255.42	617.04	275.96
WN	5	15	4,255.42	617.04	275.96
WN	5	17	5,235.18	759.10	339.49
WN	6	1	5,337.55	773.95	346.13
WN	6	3	2,851.58	413.48	184.92
WN	6	5	2,851.58	413.48	184.92
WN	6	7	2,851.58	413.48	184.92
WN	6	9	4,357.79	631.88	282.60
WN	6	11	4,357.79	631.88	282.60
WN	6	15	4,357.79	631.88	282.60
WN	6	17	5,337.55	773.95	346.13
WN	7	1	5,366.79	778.19	348.03
WN	7	3	2,880.81	417.72	186.82
WN	7	5	2,880.81	417.72	186.82
WN	7	7	2,880.81	417.72	186.82
WN	7	9	4,387.03	636.12	284.49
WN	7	11	4,387.03	636.12	284.49
WN	7	15	4,387.03	636.12	284.49
WN	7	17	5,366.79	778.19	348.03
WN	8	1	5,396.06	782.43	349.93
WN	8	3	2,910.05	421.96	188.71
WN	8	5	2,910.05	421.96	188.71
WN	8	7	2,910.05	421.96	188.71
WN	8	9	4,416.27	640.36	286.39
WN	8	11	4,416.27	640.36	286.39
WN	8	15	4,416.27	640.36	286.39
WN	8	17	5,396.06	782.43	349.93
WN	9	1	5,425.30	786.67	351.82
WN	9	3	2,939.32	426.20	190.61
WN	9	5	2,939.32	426.20	190.61
WN	9	7	2,939.32	426.20	190.61

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
WN	9	9	4,445.53	644.60	288.29
WN	9	11	4,445.53	644.60	288.29
WN	9	15	4,445.53	644.60	288.29
WN	9	17	5,425.30	786.67	351.82
WN	10	1	5,454.53	790.91	353.72
WN	10	3	2,968.56	430.44	192.51
WN	10	5	2,968.56	430.44	192.51
WN	10	7	2,968.56	430.44	192.51
WN	10	9	4,474.77	648.84	290.18
WN	10	11	4,474.77	648.84	290.18
WN	10	15	4,474.77	648.84	290.18
WN	10	17	5,454.53	790.91	353.72
WN	11	1	5,483.80	795.15	355.62
WN	11	3	2,997.80	434.68	194.40
WN	11	5	2,997.80	434.68	194.40
WN	11	7	2,997.80	434.68	194.40
WN	11	9	4,504.01	653.08	292.08
WN	11	11	4,504.01	653.08	292.08
WN	11	15	4,504.01	653.08	292.08
WN	11	17	5,483.80	795.15	355.62
WN	PH	8	9,870.83	1,431.27	640.11
WN	PH	9	8,408.48	1,219.23	545.28
WN	PH	10	8,408.48	1,219.23	545.28
WN	PH	11	8,408.48	1,219.23	545.28
WN	PH	12	8,408.48	1,219.23	545.28
WN	PH	14	8,408.48	1,219.23	545.28
WN	PH	15	9,870.83	1,431.27	640.11
WS	1	0	5,776.26	837.56	374.58
WS	1	2	4,796.50	695.49	311.05
WS	1	4	4,796.50	695.49	311.05
WS	1	6	4,796.50	695.49	311.05
WS	1	8	3,085.54	447.40	200.09
WS	1	10	3,085.54	447.40	200.09
WS	1	12	3,085.54	447.40	200.09
WS	1	14	5,776.26	837.56	374.58
WS	2	0	5,805.50	841.80	376.48
WS	2	2	4,825.74	699.73	312.94
WS	2	4	4,825.74	699.73	312.94
WS	2	6	4,825.74	699.73	312.94
WS	2	8	3,114.80	451.65	201.99
WS	2	10	3,114.80	451.65	201.99
WS	2	12	3,114.80	451.65	201.99
WS	2	14	5,805.50	841.80	376.48
WS	3	0	5,834.76	846.04	378.38
WS	3	2	4,854.98	703.97	314.84
WS	3	4	4,854.98	703.97	314.84
WS	3	6	4,854.98	703.97	314.84
WS	3	8	3,144.04	455.89	203.89
WS	3	10	3,144.04	455.89	203.89

Exhibit B-11

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
WS	3	12	3,144.04	455.89	203.89
WS	3	14	5,834.76	846.04	378.38
WS	4	0	5,864.00	850.28	380.27
WS	4	2	4,884.24	708.21	316.74
WS	4	4	4,884.24	708.21	316.74
WS	4	6	4,884.24	708.21	316.74
WS	4	8	3,173.28	460.13	205.78
WS	4	10	3,173.28	460.13	205.78
WS	4	12	3,173.28	460.13	205.78
WS	4	14	5,864.00	850.28	380.27
WS	5	0	5,893.24	854.52	382.17
WS	5	2	4,913.48	712.45	318.63
WS	5	4	4,913.48	712.45	318.63
WS	5	6	4,913.48	712.45	318.63
WS	5	8	3,202.54	464.37	207.68
WS	5	10	3,202.54	464.37	207.68
WS	5	12	3,202.54	464.37	207.68
WS	5	14	5,893.24	854.52	382.17
WS	6	0	5,922.48	858.76	384.06
WS	6	2	4,942.72	716.69	320.53
WS	6	4	4,942.72	716.69	320.53
WS	6	6	4,942.72	716.69	320.53
WS	6	8	3,231.78	468.61	209.58
WS	6	10	3,231.78	468.61	209.58
WS	6	12	3,231.78	468.61	209.58
WS	6	14	5,922.48	858.76	384.06
WS	7	0	5,951.74	863.00	385.96
WS	7	2	4,971.98	720.94	322.43
WS	7	4	4,971.98	720.94	322.43
WS	7	6	4,971.98	720.94	322.43
WS	7	8	3,261.02	472.85	211.47
WS	7	10	3,261.02	472.85	211.47
WS	7	12	3,261.02	472.85	211.47
WS	7	14	5,951.74	863.00	385.96
WS	8	0	5,980.98	867.24	387.86
WS	8	2	5,001.22	725.18	324.32
WS	8	4	5,001.22	725.18	324.32
WS	8	6	5,001.22	725.18	324.32
WS	8	8	3,290.28	477.09	213.37
WS	8	10	3,290.28	477.09	213.37
WS	8	12	3,290.28	477.09	213.37
WS	8	14	5,980.98	867.24	387.86
WS	9	0	6,010.22	871.48	389.75
WS	9	2	5,030.46	729.42	326.22
WS	9	4	5,030.46	729.42	326.22
WS	9	6	5,030.46	729.42	326.22
WS	9	8	3,319.52	481.33	215.27
WS	9	10	3,319.52	481.33	215.27
WS	9	12	3,319.52	481.33	215.27

Exhibit B-12

<b>Tower</b>	<b>Flr</b>	<b>Unit</b>	<b>2024 Assigned County Rent Basis/mo</b>	<b>2024 County Rent Due/mo</b>	<b>2024 Additional Contribution to the MCC Repairs Account/mo</b>
WS	9	14	6,010.22	871.48	389.75
WS	10	0	6,039.49	875.73	391.65
WS	10	2	5,059.72	733.66	328.12
WS	10	4	5,059.72	733.66	328.12
WS	10	6	5,059.72	733.66	328.12
WS	10	8	3,348.76	485.57	217.16
WS	10	10	3,348.76	485.57	217.16
WS	10	12	3,348.76	485.57	217.16
WS	10	14	6,039.49	875.73	391.65
WS	11	0	6,068.73	879.97	393.55
WS	11	2	5,088.96	737.90	330.01
WS	11	4	5,088.96	737.90	330.01
WS	11	6	5,088.96	737.90	330.01
WS	11	8	3,378.02	489.81	219.06
WS	11	10	3,378.02	489.81	219.06
WS	11	12	3,378.02	489.81	219.06
WS	11	14	6,068.73	879.97	393.55
WS	PH	16	10,602.00	1,537.29	687.52
WS	PH	17	9,139.65	1,325.25	592.69
WS	PH	18	9,139.65	1,325.25	592.69
WS	PH	19	9,139.65	1,325.25	592.69
WS	PH	20	9,139.65	1,325.25	592.69
WS	PH	21	9,139.65	1,325.25	592.69
WS	PH	22	10,602.00	1,537.29	687.52
<b>Monthly Total</b>			<b>\$2,663,850</b>	<b>\$386,258</b>	<b>\$172,747</b>
<b>Annual Total</b>			<b>\$31,966,200</b>	<b>\$4,635,099</b>	<b>\$2,072,959</b>

EXHIBIT C

Form of Joinder

JOINDER

The undersigned Marina City Club Condominium Owners Association (the "COA") acknowledges and agrees as follows to and for the benefit of County and Lessee:

1. The COA is not a party to or a third-party beneficiary of the Lease or the Amendment, and is executing this Joinder solely for the purposes of evidencing the undersigned's acknowledgement of, approval and agreement to the matters set forth in the attached Amendment No. 10 to the Second Amended and Restated Lease, with the understanding that Lessee and County are relying upon the covenants of the COA set forth in the Amendment and Paragraph 4 of Exhibit "A," in entering into this Amendment.

MARINA CITY CLUB CONDOMINIUM OWNERS  
ASSOCIATION,  
a California nonprofit mutual benefit corporation

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023	
<b>BOARD MEETING DATE</b>	12/19/2023	
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>	
<b>DEPARTMENT(S)</b>	Department of Beaches & Harbors	
<b>SUBJECT</b>	Marina Del Rey Boat Launch Restroom Renovation Project	
<b>PROGRAM</b>		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A	
<b>COST &amp; FUNDING</b>	Total cost: \$535,000	Funding source: Capital Project No. 89158
	TERMS (if applicable):	
	Explanation: Approval of the enclosed appropriation adjustment (Enclosure B) will transfer \$187,000 from the Marina Replacement Accumulative Capital Outlay Fund Services and Supplies budget to the Marina Del Rey Boat Launch Restroom Renovation Project, Capital Project No. 89158, to fully fund the project.	
<b>PURPOSE OF REQUEST</b>	Approval of the recommendations will approve the revised project budget and appropriation adjustment for the Marina Del Rey Boat Launch Restroom Renovation Project.	
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	On April 18, 2023, the Board approved the MDR Boat Launch Restroom Renovation Project with a total project budget of \$348,000 and authorized Internal Services Department to deliver the project using a Board approved Job Order Contract (JOC). The approved estimate was deemed insufficient due to the increase in labor and materials cost.	
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:	
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:	
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: - Thomas DeSantis, P&PM Division Manager, (323) 267-3467, TDesantis@isd.lacounty.gov	



County of Los Angeles  
**INTERNAL SERVICES DEPARTMENT**

1100 North Eastern Avenue  
Los Angeles, California 90063

**SELWYN HOLLINS**  
Director

*"Trusted Partner and Provider of Choice"*

Telephone: (323) 267-2101  
FAX: (323) 264-7135

December 19, 2023

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:

**DEPARTMENT OF BEACHES AND HARBORS  
MARINA DEL REY BOAT LAUNCH RESTROOM RENOVATION PROJECT  
APPROVE REVISED PROJECT BUDGET AND APPROPRIATION ADJUSTMENT  
CAPITAL PROJECT NO. 89158  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

Approval of the recommendations will approve the revised project budget and appropriation adjustment for the Marina Del Rey Boat Launch Restroom Renovation Project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the recommended actions are within the scope of the Board's previous exemption finding from the California Environmental Quality Act for the Marina Del Rey Boat Launch Restroom Renovation Project for the reasons stated in this letter and in the record of the project.
2. Approve the revised total project budget of \$535,000, an increase of \$187,000 from the previously Board approved budget of \$348,000 for the Marina Del Rey Boat Launch Restroom Renovation Project, Capital Project No. 89158, to fully fund the scope of work.
3. Approve the appropriation adjustment to transfer \$187,000 from the Marina Replacement Accumulative Capital Outlay Fund Services and Supplies budget to the Marina Del Rey Boat Launch Restroom Renovation Project, Capital Project No. 89158.



## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommendations will find that the recommended actions are within the scope of the previous finding of exemption under the California Environmental Quality Act (CEQA) for the previously approved Marina Del Rey (MDR) Boat Launch Restroom Renovation Project (project) and approve the increased project budget and appropriation adjustment.

On April 18, 2023, the Board approved the MDR Boat Launch Restroom Renovation Project with a total project budget of \$348,000 and authorized Internal Services Department to deliver the project using a Board approved Job Order Contract (JOC). The approved estimate was deemed insufficient due to the increase in labor and materials cost.

There will be no changes to the previously approved scope of work which included the following: removal of an existing plumbing line to ensure proper accessibility spacing for all lavatories and toilets; replacement of existing faucets, doors, toilet partitions, floor and wall tiles, plumbing and lighting fixtures, paint, and exhaust fans. The scope also includes repair of the damaged roof sheathing, tiles, skylights, damaged beams and rafters, and paint.

With respect to the All-Gender Restroom Policy Guidelines approved on November 1, 2022, this project will not be specifically aimed at designating an all-gender restroom because this project consists of the refurbishment and remodeling of existing building systems and does not include significant changes to functional or programmatic spaces within the remodeled space. The previously approved project consists of remodeling and repairs that will not add any additional square footage, change the occupancy classification, or the building functionality. In addition, compliance with this policy will exceed 20 percent of the adjusted cost of alterations, structural repairs, and additions needed to add an all-gender restroom. The storage room currently does not have water or sewer line connections and would need to be completely modified to accommodate a restroom in that space.

The estimated project duration is approximately six (6) months which includes construction and project completion.

## **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Goal II. Foster Vibrant and Resilient Communities, Strategy II.2 – Support the Wellness of our Communities, Objective II.2.2 Expand Access to Recreational and Cultural Opportunities, and Goal III. Realize Tomorrow's Government Today, Strategy III.3 - Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, Objective III.3.2 Manage and Maximize County Assets by investing in public infrastructure that will enhance the recreational and cultural opportunities for County residents and visitors and improve the operational effectiveness of an existing County asset.

### **Green Building/Sustainable Design Program**

The proposed project will support the Board's Green Building/Sustainable Design Program by incorporating design features such as LED lighting that will optimize energy efficiency.

The project will be designed and constructed to comply with Title 24 of the California Code of Regulations. Title 24 contains building standards to conserve electricity and natural gas in new and existing buildings within the State. When possible, ISD will document all Title 24 related improvements that qualify for Leadership in Energy and Environmental Design (LEED) building points to apply toward future LEED certification for the County building.

### **FISCAL IMPACT/FINANCING**

Approval of the recommended actions will increase the previously Board approved project budget from \$348,000 to \$535,000, an increase of \$187,000. The proposed revised project budget includes construction, change order contingency, Civic Art allowance, and ISD county services (Enclosure A).

Approval of the enclosed appropriation adjustment (Enclosure B) will transfer \$187,000 from the Marina Replacement Accumulative Capital Outlay Fund Services and Supplies budget to the Marina Del Rey Boat Launch Restroom Renovation Project, Capital Project No. 89158, to fully fund the project.

### **Operating Budget Impact**

The scope of work consists of repairs and remodeling of an existing space. Therefore, following the completion of the proposed project, ISD and the Department of Beaches and Harbors do not anticipate any one-time start-up or additional ongoing costs as a result of the proposed project.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with the Board's Local and Targeted Worker Hire Policy, updated on May 17, 2023, the proposed project will include a best efforts Local Worker hiring goal of at least thirty percent (30%). The "Targeted Worker" component will not be included as part of the proposed project.

In accordance with the Board's Civic Art Policy, adopted on December 7, 2004, and last amended on August 4, 2020, the proposed project budget includes one percent (1%) of the eligible design and construction costs, in the amount of \$4,000, to be allocated to the Civic Art Fund.

### **ENVIRONMENTAL DOCUMENTATION**

The project was previously approved on April 18, 2023 and was determined to be exempt from CEQA. The project's scope of work has not changed. The recommended actions are therefore within the scope of the previous findings of exemption for the approved project under the State CEQA Guidelines in Sections 15301(a), (d), and (f), 15302, and Section 15303 and Classes 1(c), (d), (i), 2, and 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G because the approved project includes repairs and minor alterations to existing public facilities with negligible or no expansion of use, replacement of features with the same purpose and capacity, placement of small equipment and accessory structures, and installation of equipment at existing facilities.

### **CONTRACTING PROCESS**

The project was previously approved and authorized to be delivered via a JOC for the construction. The standard Board-directed clauses, including those that provide for contract termination and hiring qualified displaced county employees, are included in all JOCs.

The JOC contractor who will perform the work is required to fully comply with applicable legal requirements, which among other things, include Chapters 2.200 (Child Support Compliance Program) and 2.203 (Contractor Employee Jury Service Program) of the Los Angeles County Code, and Section 1774 of the California Labor Code pertaining to payment of prevailing wages.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommendations will have minimal impact on current county services.

**CONCLUSION**

Please return one adopted copy of the board letter to the following: ISD Operations Service, the Chief Executive Office – Capital Programs Division, and the Department of Beaches and Harbors

Respectfully submitted,

Selwyn Hollins  
Director

SH:MO:ME:TD:sy

Enclosures

C: Executive Office, Board of Supervisors  
Chief Executive Officer  
County Counsel  
LA County Department of Arts and Culture (Civic Art Division)  
Department of Beaches and Harbors

**PROJECT INFORMATION SHEET  
SCHEDULE AND BUDGET SUMMARY**

<b>PROJECT :</b>	<b>B&amp;H MDR Boat Launch Restroom Renovation Budget Increase</b>
<b>CAPITAL PROJECT NO. :</b>	<b>89158</b>

**I. PROJECT SCHEDULE**

Project Activity	Duration	Scheduled Completion Date
Complete Construction Documents	Complete	Aug 2021
Jurisdictional Approval	Complete	Aug 2021
Award Construction Contract	1 months following Board approval	Jan 2024
Substantial Completion	4 months following Board approval	April 2024
Project Acceptance	6 months following Board approval	June 2024

**II. BUDGET SUMMARY**

Budget Category	Previously Board Approved Budget	Revisions since Board Approved Budget	Revised Budget
Construction			
Construction	\$ 235,000.00	\$ 115,000.00	\$ 350,000.00
Change Orders (Contingency)	\$ 28,000.00	\$ 26,000.00	\$ 54,000.00
<b>Subtotal</b>	<b>\$ 263,000.00</b>	<b>\$ 141,000.00</b>	<b>\$ 404,000.00</b>
Civic Art	\$ -	\$ 4,000.00	\$ 4,000.00
Plans and Specifications	\$ -	\$ -	\$ -
Jurisdictional Review/Plan Check/Permits	\$ 5,000.00	\$ 2,000.00	\$ 7,000.00
County Services (ISD Indirect)	\$ 80,000.00	\$ 40,000.00	\$ 120,000.00
<b>Total Project Budget</b>	<b>\$ 348,000.00</b>	<b>\$ 187,000.00</b>	<b>\$ 535,000.00</b>

December 19, 2023

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF BEACHES AND HARBORS

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE  
FY 2023-24  
3 - VOTES

SOURCES		USES	
MARINA REPLACEMENT A.C.O. FUND MA2-BH-2000-65296 SERVICES & SUPPLIES DECREASE APPROPRIATION		MARINA DEL REY ACO MARINA DEL REY BOAT LAUNCH RESTROOM RENOVATION PROJECT MA2-CP-6014-65051-89158 CAPITAL ASSETS - B & I INCREASE APPROPRIATION	
187,000		187,000	
SOURCES TOTAL		USES TOTAL	
\$ 187,000		\$ 187,000	

JUSTIFICATION

Reflects the transfer of \$187,000 from the Marina Replacement Accumulative Capital Outlay Fund - Services and Supplies budget to the Marina del Rey Boat Launch Restroom Renovation Project, Capital Project No. 89158 , to fully fund the project.

AUTHORIZED SIGNATURE Penelope Rodriguez, DFMI

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---	<input type="checkbox"/> ACTION	<input type="checkbox"/> APPROVED AS REQUESTED
	<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> APPROVED AS REVISED
AUDITOR-CONTROLLER	BY	CHIEF EXECUTIVE OFFICER
B.A. NO.	DATE	BY
		DATE

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input checked="" type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	CEO, Budget & Operations Management		
<b>SUBJECT</b>	Negotiated Exchange of Property Tax Revenue as a Result of Proposed Annexation Joint Resolution		
<b>PROGRAM</b>	N/A		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>	None		
<b>COST &amp; FUNDING</b>	Total cost:	Funding source:	
	\$0	N/A	
	TERMS (if applicable): Parcel adjustments at 1/100 of a cent, loss per \$1,000 of adjusted assessed value.		
	Explanation: Tax transfer and future revenue growth is negligible and has minimal impact to the County.		
<b>PURPOSE OF REQUEST</b>	Approve and adopt the attached Joint Resolution between the Board of Supervisors, as the governing body of the County of Los Angeles, Consolidated Fire Protection District, and the Los Angeles County Flood Control District, and on behalf of the LA County Library, and Road District No. 5; the City Council of the City of La Verne; and the County Sanitation District No. 21 of Los Angeles County, based on the negotiated exchange of property tax revenue as a result of the proposed Reorganization No. 2019-04, to annex approximately 19.44± acres of uninhabited territory to the City of La Verne and County Sanitation District No. 21 of Los Angeles County		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	The parcel owner is seeking to subdivide the property for the future development of nine lots consisting of seven single-family residential lots, one debris basin lot, and one open space lot. The proposed annexation to the City of La Verne is necessary in order to obtain utility connections, such as water and sewer services.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how: N/A		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how: N/A		

<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Doyle Chow, Principal Analyst, (213) 893-0055, <a href="mailto:dchow@ceo.lacounty.gov">dchow@ceo.lacounty.gov</a>
----------------------------------	--

**BOARD OF  
SUPERVISORS**

Hilda L. Solis  
First District

Holly J. Mitchell  
Second District

Lindsey P. Horvath  
Third District

Janice Hahn  
Fourth District

Kathryn Barger  
Fifth District



**Chief  
Executive  
Office.**

**COUNTY OF LOS ANGELES**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, CA 90012  
(213) 974-1101  
ceo.lacounty.gov

**Chief Executive Officer**  
Fesia A. Davenport

"To Enrich Lives Through Effective and Caring Service"

December 19, 2023

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:

**JOINT RESOLUTION BETWEEN THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE CITY COUNCIL OF THE CITY OF LA VERNE, AND THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM THE ANNEXATION OF UNINCORPORATED TERRITORY KNOWN AS REORGANIZATION NO. 2019-04 TO THE CITY OF LA VERNE (FIFTH DISTRICT) (3-VOTES)**

**SUBJECT**

This action is to adopt the Joint Resolution for the Negotiated Exchange of Property Tax Revenue (Joint Resolution) associated with the reorganization involving the detachment of unincorporated territory from the County of Los Angeles (County), the Consolidated Fire Protection District, and the annexation of said territory to City of La Verne (City) and County Sanitation District No. 21 of the County.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed Joint Resolution is either not subject to the provisions of the California Environmental Quality Act (CEQA), for the reasons stated herein and the reasons reflected in the record, or were independently considered as part of the Mitigated Negative Declaration prepared and adopted by the City and that the County, acting as a responsible agency, is relying on said Mitigated Negative Declaration pursuant to Public Resources Code Section 21167.3.
2. Adopt the attached Joint Resolution between the Board of Supervisors (Board), as the governing body of the County, Consolidated Fire Protection District, the County Flood Control District, on behalf of the LA County Library, and Road District No. 5; the City Council of the City; and the County Sanitation District No. 21 of the County, based on the negotiated exchange of property tax revenue



as a result of the proposed Reorganization No. 2019-04, to annex approximately 19.44± acres of uninhabited territory to the City and County Sanitation District No. 21 of the County.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The City Council of the City and the Board of Directors of County Sanitation District No. 21 of the County have adopted the Joint Resolution based on the negotiated exchange of property tax revenue resulting from the proposed annexation of unincorporated territory to the City and County Sanitation District No. 21 of the County. The territory consists of 19.44± acres of uninhabited territory located north of the intersection of Baseline Road and Japonica Avenue in unincorporated County adjacent to the City. The parcel owner is seeking to subdivide the property for the future development of nine lots consisting of seven single-family residential lots, one debris basin lot, and one open space lot. The proposed annexation to the City is necessary in order to obtain utility connections, such as water and sewer services.

The City has its own fire department. Therefore, the annexation area will be detached from the Consolidated Fire Protection District and annexed to the City.

In order for the Local Agency Formation Commission (LAFCO) for the County to proceed with the required hearings on the proposed reorganization, the Board, as the governing body of the County, the Consolidated Fire Protection District, the County Flood Control District, and on behalf of the LA County Library, and Road District No. 5, must adopt the Joint Resolution.

### **FISCAL IMPACT/FINANCING**

The adopted Joint Resolution will transfer \$1,152 in base property tax revenue and 0.215063832 of annual property tax increment from the County General Fund to the City, as contained in the Joint Resolution. The adjustment to the County's base will be made in the fiscal year following the filing of the statement of boundary change for Annexation No. 2019-04 with the California State Board of Equalization.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to Part 3, Title 5 of the California Government Code, commencing with Section 56000, the City adopted a resolution and filed an application with LAFCO to initiate proceedings for annexation of the subject territory to the City.

Section 99 of the California Revenue and Taxation Code (R & T Code) requires that prior to the effective date of any jurisdictional change, the governing bodies of all agencies whose service area, or service responsibilities will be altered by such change must address the fiscal impacts of the proposed annexation by negotiating a reallocation of property tax revenue between the affected agencies and approve and accept such reallocation by resolution. The City Council of the City and the Board of Directors of the County Sanitation District No. 21 of the County has adopted the negotiated Joint Resolution, as required by Section 99 of the R & T Code.

Adoption of the Joint Resolution by the Board will allow LAFCO to schedule the required public hearings to consider testimony on the proposed annexation. LAFCO will subsequently take action to approve, approve with changes, or disapprove the proposal for the annexation.

County Counsel has reviewed the Joint Resolution and has approved as to form.

## **ENVIRONMENTAL DOCUMENTATION**

Some of the actions contemplated by the proposed Joint Resolution are not a project pursuant to CEQA because they are an activity that is excluded from the definition of a project by Section 15378(b) of the State CEQA Guidelines. These proposed actions are an administrative activity of the government, which will not result in direct, or indirect changes to the environment.

Some of the actions contemplated by the proposed Joint Resolution were considered as a part of the Mitigated Negative Declaration prepared and adopted by the City, as lead agency, on September 20, 2021. The County as a responsible agency is relying on said Mitigated Negative Declaration for these actions pursuant to Public Resources Code Section 21167.3.

The City's Mitigated Negative Declaration for which the County relies on can be found at: <https://ca-laverne.civicplus.com/AgendaCenter/ViewFile/Item/50?fileID=327>.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Upon the effective date of the annexation, the City will become responsible for providing municipal services to the annexing territory.

## **CONCLUSION**

At such time as the recommendation is approved by the Board, please return one approved copy of this letter and four signed originals of the Joint Resolution to LAFCO, one approved copy of this letter and a copy of the Joint Resolution to the Chief Executive Office Policy Implementation and Alignment Branch, and one copy of this approved letter and a copy of the Joint Resolution to the Auditor-Controller, Tax Division.

The Honorable Board of Supervisors

12/19/2023

Page 4

Respectfully submitted,

FESIA A. DAVENPORT  
Chief Executive Officer

FAD:JMN:MM  
JFO:DC:pp

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Auditor-Controller  
Fire  
LA County Library  
Public Works  
Local Agency Formation Commission

## ENCLOSURE

**JOINT RESOLUTION BETWEEN THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES, THE CITY COUNCIL OF THE  
CITY OF LA VERNE, AND THE BOARD OF DIRECTORS OF THE  
COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES  
COUNTY APPROVING AND ACCEPTING THE NEGOTIATED  
EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM  
THE ANNEXATION OF UNINCORPORATED TERRITORY KNOWN  
AS REORGANIZATION NO. 2019-04 TO THE CITY OF LA VERNE**

**JOINT RESOLUTION OF THE BOARD OF SUPERVISORS, AS THE GOVERNING  
BODY OF THE COUNTY OF LOS ANGELES, THE CONSOLIDATED FIRE  
PROTECTION DISTRICT OF LOS ANGELES COUNTY, AND THE LOS ANGELES  
COUNTY FLOOD CONTROL DISTRICT,  
AND THE  
CITY COUNCIL OF THE CITY OF LA VERNE, THE BOARD OF DIRECTORS OF THE  
COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY AND THREE  
VALLEYS MUNICIPAL WATER DISTRICT, APPROVING AND ACCEPTING THE  
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM THE  
ANNEXATION OF TERRITORY KNOWN AS REORGANIZATION 2019-04 TO THE  
CITY OF LA VERNE AND COUNTY SANITATION DISTRICT NO. 21 OF LOS  
ANGELES COUNTY AND DETACHMENT FROM COUNTY ROAD DISTRICT NO. 5  
AND THE CONSOLIDATED FIRE PROTECTION DISTRICT**

**WHEREAS**, the applicant initiated proceedings with the Local Agency Formation Commission for Los Angeles County (LAFCO) for the annexation of territory identified as Reorganization 2019-04 to the City of La Verne (City);

**WHEREAS**, pursuant to Section 99 of the California Revenue and Taxation Code, for specified jurisdictional changes, the governing bodies of affected agencies shall negotiate and determine the amount of property tax revenue to be exchanged between the affected agencies;

**WHEREAS**, the area proposed for annexation is identified as Reorganization 2019-04 and approximately 19.44± acres of uninhabited territory will annex to the City of La Verne and County Sanitation District No. 21 of Los Angeles County and detach from the Consolidated Fire Protection District of Los Angeles County; and affected territory is located north of the intersection of Baseline Road and Japonica Avenue;

**WHEREAS**, the County and City subsequently determined that the boundary of the proposed annexation area should be extended to the center of Baseline Road to ensure the efficient and reliable provision of services to the annexation area; and

**WHEREAS**, the Board of Supervisors of the County of Los Angeles (County), as governing body of the County, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control District, and on behalf of Road District No. 5, and the LA County Library; the City Council of the City; and the governing bodies of the Three Valleys Municipal Water District and the County Sanitation District No. 21 of Los Angeles County, have determined the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation of the unincorporated territory identified as Reorganization 2019-04, and detachment from County Road District No. 5, is as set forth below:

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The negotiated exchange of property tax revenue between the County and the City, resulting from Reorganization 2019-04 is approved and accepted for the reorganization of territory to the City of La Verne in Tax Rate Area 05111.

2. For the fiscal year commencing in the year after the filing of the statement of boundary change for Reorganization 2019-04 with the Board of Equalization pursuant to Government Code sections 54902 and 57204, and every fiscal year thereafter, property tax revenue received by County Road District No. 5, attributable to Reorganization 2019-04, shall be transferred to the County, and the County Road District No. 5 share in the annexation area shall be reduced to zero.

3. For the fiscal year commencing in the year after the filing of the statement of boundary change for Reorganization 2019-04 with the Board of Equalization pursuant to Government Code sections 54902 and 57204, and every fiscal year thereafter, a base of One Thousand, One Hundred, and Fifty-two Dollars (\$1,152) in base property tax revenue attributable to Reorganization 2019-04, and 0.215063832 of annual property tax increment attributable to Reorganization 2019-04 shall be transferred from the County of Los Angeles to the City of La Verne.

4. For the fiscal year commencing in the year after the filing of the statement of boundary change for Reorganization 2019-04 with the Board of Equalization pursuant to Government Code sections 54902 and 57204, 0.183257162 of annual property tax increment attributable to Reorganization 2019-04 shall be transferred from the Consolidated Fire Protection District to the County, and the Consolidated Fire Protection District share shall be reduced to zero.

5. For the fiscal year commencing in the year after the filing of the statement of boundary change for Reorganization 2019-04 with the Board of Equalization pursuant to Government Code sections 54902 and 57204, 0.004578855 of annual property tax increment attributable to Reorganization 2019-04 shall be transferred from various agencies to the County Sanitation District No. 21 of Los Angeles County, and the various agencies share shall be reduced accordingly.


6. The City and County agree that the boundary of the area to be annexed into the City pursuant to Reorganization 2019-04 shall extend to the centerline of Baseline Road and the City shall take all actions necessary, and submit any information or documentation required, to effectuate such extension of the annexation.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the following vote:

**ABSENT:**

**ABSTAIN:**

Mayor  
City of La Verne, California

  
City Clerk  
City of La Verne

(Signed in Counterpart)





PASSED, APPROVED AND ADOPTED this 6th day of September,  
2023 by the following vote:


AYES: 7

ABSENT: 0

NOES: 0

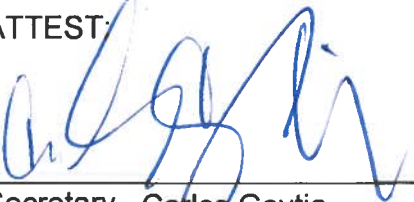
ABSTAIN: 0

Three Valleys Municipal Water District

  
\_\_\_\_\_  
Signature

Jody Roberto, President  
\_\_\_\_\_  
Print Name and Title

ATTEST:

  
\_\_\_\_\_  
Secretary, Carlos Goytia

/

(Signed in Counterpart)

PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of September,  
2023 by the following vote:

AYES: Eight (8)

ABSENT: Two (2)

NOES: None

ABSTAIN: None

County Sanitation District No. 21  
of Los Angeles County

Cory C. Moss

Signature

Cory C. Moss

Print Name and Title

ATTEST:

Kimberly A. Christensen

Secretary

/

/

/

/

/

/

/

/

/

/

/

/

(Signed in Counterpart)

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023			
<b>BOARD MEETING DATE</b>	12/19/2023			
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>			
<b>DEPARTMENT(S)</b>	Los Angeles County Development Authority (LACDA)			
<b>SUBJECT</b>	Amendment to PeopleSoft Technical Support Services Contract			
<b>PROGRAM</b>	Information Technology			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:			
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A			
<b>COST &amp; FUNDING</b>	<table border="1" style="width: 100%;"> <tr> <td>Total cost: \$801,680</td><td>Funding source: LACDA's Fiscal Year 2023-24 Operating Budget</td></tr> </table>		Total cost: \$801,680	Funding source: LACDA's Fiscal Year 2023-24 Operating Budget
Total cost: \$801,680	Funding source: LACDA's Fiscal Year 2023-24 Operating Budget			
	TERMS (if applicable): The Contract term is five years and the LACDA is in Year 4 of the Contract. The Contract will be extended by seven months to January 31, 2025.			
	Explanation: The Amendment extends the term by seven months and increases the maximum Contract amount \$728,800 plus \$72,880 (10%) in pool dollars to a total of \$801,680 for the remainder of the Contract.			
<b>PURPOSE OF REQUEST</b>	To authorize a Contract Amendment with Mythics, Inc. (Mythics) to extend the term and to increase the maximum Contract amount to enable the LACDA to upgrade its Oracle PeopleSoft PeopleTools, Financial and Supply Chain Management (FSCM), and Human Capital Management (HCM) software.			
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	LACDA entered into a Contract with Mythics on July 1, 2019, for Peoplesoft FSCM and HCM license support and maintenance. This increase is for Mythics to provide professional PeopleSoft consulting services to assist LACDA information technology staff to upgrade Oracle Peoplesoft PeopleTools, FSCM, and HCM to the most current versions available at the time of the upgrade. Funds have been included through the LACDA's annual budget approval process, The LACDA's FY 2023-2024 will include an additional \$728,800, plus \$72,880 in pool dollars for unforeseen costs.			
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:			
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:			
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Cesar Delgado, Acting IT Manager, (626) 586-1707 <a href="mailto:Cesar.Delgado@lacda.org">Cesar.Delgado@lacda.org</a>			

December 19, 2023

Honorable Board of Commissioners  
Los Angeles County Development Authority  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Commissioners:

**AMENDMENT TO THE PEOPLESOFT TECHNICAL SUPPORT SERVICES  
CONTRACT  
(ALL DISTRICTS) (3 VOTE)**

**CIO RECOMMENDATION: ( X ) APPROVE**

**SUBJECT**

This letter requests approval of Amendment Three to the Los Angeles County Development Authority's (LACDA) Contract with Mythics, Inc. (Mythics) for Oracle PeopleSoft Support Services to extend the term and to increase the maximum Contract amount to support the upgrade of the LACDA's Oracle PeopleSoft PeopleTools, Financial and Supply Chain Management (FSCM), and Human Capital Management (HCM) software to the most current supported versions.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Approve and authorize the Executive Director or his designee to execute the attached Amendment Three to the existing Contract with Mythics to extend the term by seven months to January 31, 2025, and to increase the maximum Contract amount by \$728,800 plus \$72,880 (10%) in pool dollars for unforeseen costs, increasing the total compensation under the Contract up to \$3,295,641.

2. Authorize the Executive Director to incorporate up to \$801,680 of program funds into the LACDA's approved Fiscal Year 2023-2024 budget for the cost increases.
3. Find that approval of an Amendment to the existing Contract for Peoplesoft Technical Support Services is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.
4. Authorize the Executive Director or his designee, upon his determination and as necessary and appropriate under terms of the contract, to amend the Contract to add or delete services and utilize pool dollars, and if necessary, terminate for convenience the Contract with Mythics.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this action is to authorize a Contract Amendment with Mythics to enable the LACDA to purchase professional services to assist LACDA information technology (IT) staff to upgrade its Oracle PeopleSoft PeopleTools, FSCM, and HCM software to the most current supported versions.

The LACDA uses Oracle PeopleSoft software for its Enterprise Resource Planning (ERP) system suite that supports its financial management, human resources management and purchasing operations. The Oracle PeopleSoft software versions currently used by the LACDA are no longer supported and does not include tax updates, which require workarounds from LACDA staff for tax reporting documents. To avoid any business disruptions or other workarounds, it is necessary to upgrade to the latest versions supported by Oracle PeopleSoft.

On June 11, 2019, the Board approved a Contract with Mythics for Oracle PeopleSoft Licensing and Technical Support Services for a term of five years, from July 1, 2019 through June 30, 2024, for a maximum contract sum of \$1,079,533.81. Under this Contract, Mythics provides software support services for Oracle PeopleSoft HCM and FSCM.

On September 15, 2020, the Board approved Contract Amendment One to increase the maximum Contract amount by \$820,764 plus \$82,077 in pool dollars for a total of \$1,982,375 to purchase additional Oracle PeopleSoft FSCM enterprise licenses and support fees to comply with the LACDA's Oracle Enterprise License Agreement (ELA) requirements.

On October 4, 2022, the Board approved Contract Amendment Two to increase the maximum Contract amount by \$465,080 plus \$46,508 in pool dollars for a total of

\$2,493,963 to purchase additional Oracle PeopleSoft HCM/FSCM enterprise licenses and support fees maintain Oracle ELA compliance.

This proposed Amendment Three would increase the maximum Contract amount by \$728,800 plus \$72,800 in pool dollars for a total of \$801,680 to purchase professional services to support the upgrade PeopleTools, FSCM, and HCM to the most current software versions, and to extend the Contract term by seven months to January 31, 2025 to allow time to complete the upgrade.

The LACDA will return to the Board in late 2024 for a new contract for PeopleSoft support, after conducting a competitive solicitation.

### **FISCAL IMPACT/FINANCING**

There is no impact on the County General Fund. The remaining Contract term will include an additional \$728,800, and the LACDA is setting aside \$72,800 in pool dollars for unforeseen costs. Funds will be included through the LACDA's annual budget approval process. The maximum contract amount increase for the remainder of the Contract will be \$801,680, including the pool dollars. Because federal funding is used for the Contract, the LACDA requested and received approval from the U.S. Department of Housing and Urban Development for the extension.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In compliance with Board Policy 6.020 "Chief Information Office Board Letter", the Office of Information Office (OCIO) has reviewed the IT components of this request and recommends approval. The OCIO determined that this recommended action will allow the LACDA to achieve software currency and effectively support its business operations, and does not include any new IT items that would necessitate a formal CIO analysis.

The Contract Amendment with Mythics has been reviewed by County Counsel and is attached in substantially final form.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed activities are exempt from the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (b)(3), because they involve activities that will not have a physical impact on or result in any physical changes to the environment. These activities are not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378, because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

Honorable Board of Commissioners

December 19, 2023

Page 4

**IMPACT ON CURRENT SERVICES AND PROJECTS**

The purchase of the Oracle PeopleSoft professional services will allow the LACDA to maintain software currency with its Oracle PeopleSoft software and effectivity support its business operations. The software will continue to be instrumental in meeting the LACDA's core business requirements for Finance, Human Capital Management and Procurement.

Respectfully submitted,

Reviewed by:

EMILIO SALAS  
Executive Director  
Los Angeles County Development Authority

PETER LOO  
Acting Chief Information Officer  
County of Los Angeles

Enclosures

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023							
<b>BOARD MEETING DATE</b>	12/19/2023							
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input checked="" type="checkbox"/> 5 <sup>th</sup>							
<b>DEPARTMENT(S)</b>	Los Angeles County Development Authority (LACDA)							
<b>SUBJECT</b>	APPROVAL OF DISASTER RECOVERY MULTIFAMILY HOUSING PROGRAM FUNDING AND ENVIRONMENTAL DOCUMENTATION FOR A MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT IN UNINCORPORATED ALTADENA							
<b>PROGRAM</b>	Housing Investment and Finance							
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:							
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A							
<b>COST &amp; FUNDING</b>	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Total cost: \$3,141,177</td><td style="width: 50%;">Funding source: Disaster Recovery Multifamily Housing Program (DR-MHP) funds</td></tr> <tr> <td colspan="2">TERMS (if applicable):</td></tr> <tr> <td colspan="2">Explanation: The recommended loan to EAH will provide a total of up to \$3,141,177 in DR-MHP funds. This amount is included in the LACDA's Fiscal Year 2023-2024 budget.</td></tr> </table>		Total cost: \$3,141,177	Funding source: Disaster Recovery Multifamily Housing Program (DR-MHP) funds	TERMS (if applicable):		Explanation: The recommended loan to EAH will provide a total of up to \$3,141,177 in DR-MHP funds. This amount is included in the LACDA's Fiscal Year 2023-2024 budget.	
Total cost: \$3,141,177	Funding source: Disaster Recovery Multifamily Housing Program (DR-MHP) funds							
TERMS (if applicable):								
Explanation: The recommended loan to EAH will provide a total of up to \$3,141,177 in DR-MHP funds. This amount is included in the LACDA's Fiscal Year 2023-2024 budget.								
<b>PURPOSE OF REQUEST</b>	2052 Lake Avenue Apartments is a proposed new construction 100% affordable housing development that will consist of 58 units reserved for homeless households. There is currently a single medical office building on site that is home to three doctor's offices. The existing building will be demolished prior to construction. In its place will be the construction of a four-story, 58-unit, multifamily residential building.							
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	In 2020 and 2021, the California Department of Housing and Community Development (HCD) announced the availability of DR-MHP funds for the rehabilitation, reconstruction, and/or new construction of affordable multifamily housing in designated areas impacted by the wildfires, flooding, mudflows, and debris flows in October and December of 2017, July – September and November 2018. In November 2021, the LACDA completed a Request for Proposals process for the use of the County's DR-MHP funds and received seven applications. After evaluation and scoring of the applications, one project, 2052 Lake Avenue Apartments, was selected and recommended to HCD for approval.							
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:							
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:							
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Lynn Katano, Director of Housing Investment & Finance, (626) 586-1806 <a href="mailto:Lynn.Katano@lacda.org">Lynn.Katano@lacda.org</a>							



December 19, 2023

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

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

Dear Supervisors and Commissioners:

**APPROVAL OF DISASTER RECOVERY MULTIFAMILY HOUSING PROGRAM  
FUNDING AND ENVIRONMENTAL DOCUMENTATION FOR A MULTIFAMILY  
AFFORDABLE HOUSING DEVELOPMENT IN UNINCORPORATED ALTADENA  
(DISTRICT 5) (3 VOTES)**

**SUBJECT**

This letter recommends that the Board approve a loan totaling up to \$3,141,177 in Disaster Recovery Multifamily Housing Program (DR-MHP) funds allocated to the County of Los Angeles (County) by the California Department of Housing and Community Development (HCD) to fund the development of the 2052 Lake Avenue Apartments affordable multifamily rental housing development in unincorporated Altadena, selected through a Request for Proposals issued by the Los Angeles County Development Authority (LACDA).

**IT IS RECOMMENDED THAT THE BOARD OF SUPERVISORS:**

1. Find that this action is exempt from the California Environmental Quality Act (CEQA), for the reasons stated in this Board Letter and in the record of the project.

2. Approve a loan to EAH, Inc. (EAH) a California non-profit public benefit corporation, or an LACDA-approved assignee, using up a total of \$3,141,177 in DR-MHP funds.

**IT IS RECOMMENDED THAT THE BOARD OF COMMISSIONERS OF THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY:**

1. Find that this action is exempt from CEQA, for the reasons stated in this Board letter and in the record of the project.
2. Authorize the Executive Director or designee to negotiate, execute, and if necessary, amend, or reduce the loan agreement with EAH, or their LACDA-approved assignee, and all related documents, including but not limited to documents to subordinate the loan to construction and permanent financing, and any intergovernmental, interagency, or inter-creditor agreements necessary for the implementation of the development, following approval as to form by County Counsel.
3. Authorize the Executive Director or designee to reallocate the LACDA funding set aside for affordable housing at the time of project funding, as needed and within the project's approved funding limit, in line with the project's needs, and within the requirements for each funding source.

**PURPOSE /JUSTIFICATION OF RECOMMENDED ACTION**

2052 Lake Avenue Apartments is a proposed new construction 100% affordable housing development that will consist of 58 units reserved for homeless households. The property is located in Altadena, on the Lake Avenue commercial corridor between Morada Place and Boston Street. There is currently a single medical office building on site that is home to three doctor's offices. The existing building will be demolished prior to construction. In its place will be the construction of a four-story, 58-unit, multifamily residential building serviced by an elevator. Unit mix includes 57 one-bedroom units and one two-bedroom manager's unit reserved for a full-time manager. The ground floor will include a community room, two courtyards, exercise room, computer lab, and laundry room. There will also be a leasing office and offices for property management and on-site services for residents. All residential units will have a full kitchen and bath and comply with accessibility and sustainability requirements.

Approval is requested to ensure that the project is awarded DR-MHP funds allocated to the County by HCD, conditioned upon HCD's approval and funding commitment.

### **FISCAL IMPACT/FINANCING**

On April 6, 2021, the Board authorized the LACDA to incorporate DR-MHP grant funds from HCD into its budget, as needed. The recommended loan to EAH will provide a total of up to \$3,141,177 in DR-MHP funds. This amount is included in the LACDA's Fiscal Year 2023-2024 budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On May 1, 2020, HCD announced the availability of approximately \$66,000,000, as appropriated under Public Laws 115-123, for the DR-MHP 2017 to provide grant funding for the rehabilitation, reconstruction, and/or new construction of affordable multifamily housing in designated areas impacted by the wildfires, flooding, mudflows, and debris flows in October and December of 2017. The amount of DR-MHP 2017 grant funds available to the County of Los Angeles for project and activity delivery costs is an amount not to exceed \$590,987.00.

On January 28, 2021, HCD also announced the availability of approximately \$250,000,000, as appropriated under Public Laws 115-254 and 116-20, for the DR-MHP 2018 to provide grant funding for the rehabilitation, reconstruction, and/or new construction of affordable multifamily housing in designated areas impacted by the wildfires in July – September and November 2018. The amount of DR-MHP 2018 grant funds available to the County of Los Angeles for project and activity delivery costs is an amount not to exceed \$2,708,009.53.

On April 6, 2021, the Board authorized the LACDA to act as an agent of the County in the administration of the DR-MHP and authorized the Executive Director of the LACDA, or his designee, to take any and all necessary steps for the administration of the DR-MHP. Additionally, the Board approved Resolutions to receive up to \$590,987.00 in 2017 DR-MHP grant funds and to receive up to \$2,708,009.53 in 2018 DR-MHP grant funds.

In November 2021, the LACDA completed a Request for Proposals process for the use of DR-MHP funds and received seven applications. After evaluation and scoring of the applications, one project, 2052 Lake Avenue Apartments, was selected and recommended to HCD for approval. HCD has provided a conditional commitment and is currently reviewing the environmental assessment. The LACDA is seeking funding approval from the Board of Commissioners, conditioned upon the HCD's approval and funding commitment.

On June 14, 2022, the Board approved a loan to EAH, or an LACDA-approved assignee, for \$7,000,000 in Affordable Housing Trust Funds, as a result of an award made through Notice of Funding Availability Round 27.

On August 9, 2022, the Board authorized the LACDA to amend the allocation of funding and the Standard Agreement for the 2017 DR-MHP funds to incorporate 2018 DR-MHP

grant funds in the amount of \$2,708,005.53 for an aggregate, not to exceed amount of \$3,298,996.53 for the rehabilitation, reconstruction and/or new construction of affordable multifamily housing in designated areas impacted by wildfires, flooding, mudflows and debris flows in October and December of 2017 and July-September and November 2018.

The loan agreement with EAH, or an LACDA-approved assignee, and related documents will incorporate affordability restrictions, target assisted populations, and contain provisions requiring the developer to comply with all applicable federal, state, and local laws. The loan will be evidenced by a promissory note and secured by a deed of trust, with the term of affordability enforced by a recorded regulatory agreement.

The loan agreement and related documents for this project will reflect the respective tenant population set-asides and indicate that the assisted units will be affordable to households earning no more than 30% of the median income for the Los Angeles-Long Beach Metropolitan Statistical Area, adjusted for family size, as established by the U.S. Department of Housing and Urban Development. The loan agreement will require that the affordable housing units be set aside for a period of 55 years. Subject to various underwriting requirements, the developer may be required by the LACDA or other lenders to create a single asset entity to designate ownership of the project. This "assignee" will be an LACDA-approved single asset entity created by the developer prior to execution of the loan agreement and all related loan documents.

This letter recommends that the Executive Director, upon approval by County Counsel, have the authority to execute and amend the loan agreement with EAH as needed. Amendments may be necessary in cases where project specifics change after execution of the loan agreement.

The recommended authority to reduce any loan below the amounts stated in this action is requested in cases where the financing shows the maximum loan amount is not needed by the project. In this case, any reduction in a loan amount would occur during project underwriting and would take place prior to execution of any loan agreement.

This letter also recommends that the Executive Director have the authority to reallocate funds set aside for affordable housing development at the time of project funding to better align project funds with available resources. This may include using different funding sources previously approved by the Board for affordable housing development. Any reallocation of funds will be made within the project's approved funding limit, in line with project needs, and within the requirements for each funding source.

Approving the project will allow the County, through the LACDA, to provide funding for affordable housing development.

## **ENVIRONMENTAL DOCUMENTATION**

Honorable Board of Supervisors & Commissioners

December 19, 2023

Page 5

Providing DR-MHP grant funds for the 2052 Lake Avenue Apartments project is exempt from CEQA pursuant to section 21080.10 of the Public Resources Code and SB 406 based upon the written findings incorporated in the record setting forth the basis of the exemption.

**IMPACT ON CURRENT PROGRAM**

The recommended loan of DR-MHP funds will increase the supply of affordable housing in the County.

Respectfully submitted,

EMILIO SALAS  
Executive Director

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023			
<b>BOARD MEETING DATE</b>	12/19/2023			
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>			
<b>DEPARTMENT(S)</b>	Los Angeles County Development Authority (LACDA)			
<b>SUBJECT</b>	Contract for Fleet Management Services			
<b>PROGRAM</b>	Administrative Services			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:			
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A			
<b>COST &amp; FUNDING</b>	<table border="1" style="width: 100%;"> <tr> <td>Total cost: \$7,500,000</td><td>Funding source: LACDA program funds</td></tr> </table>		Total cost: \$7,500,000	Funding source: LACDA program funds
Total cost: \$7,500,000	Funding source: LACDA program funds			
	TERMS (if applicable): The Contract will be funded with a total of up to \$7,500,000 LACDA program funds over a six-year period.			
	Explanation: Funding is included in the LACDA's approved Fiscal Year 2023-2024 budget and will be included in future fiscal year budgets as needed through the LACDA's annual budget process.			
<b>PURPOSE OF REQUEST</b>	The purpose of this recommended action is to enter a Contract with Enterprise to provide approximately 85 leased (60-month) vehicles with a full maintenance service program to replace existing leased vehicles. In addition, should the LACDA find existing leased vehicles to have low mileage or lack of availability, the LACDA may purchase and place the vehicle on a full maintenance plan, which will provide a greater short- and long-term benefit to the LACDA.			
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	The LACDA has had previous contracts with Enterprise for similar services and Enterprise has provided successful services to the LACDA and has significantly reduced fleet costs for the agency. The Contract with Enterprise will replace existing leased vehicles with new models and continue to allow staff to rent additional vehicles from Enterprise daily as needed. The current vehicle leases will continue until December 31, 2023, under the existing contract, and this Contract will continue to service the existing leased vehicles and provide new leased vehicles on or shortly after January 1, 2024.			
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:			
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:			
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Kathy Thomas, Chief of Operations, (626) 586-1844 <a href="mailto:Kathy.Thomas@lacda.org">Kathy.Thomas@lacda.org</a>			

December 19, 2023

Honorable Board of Commissioners  
Los Angeles County Development Authority  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Commissioners:

**APPROVE A CONTRACT FOR FLEET MANAGEMENT SERVICES  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

This letter recommends approval of a contract with Enterprise Fleet Management, Inc., a Delaware Statutory dba Enterprise Fleet Management, Inc., (Enterprise) to provide fleet management services to the Los Angeles County Development Authority (LACDA).

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that approval of a contract for fleet management services is not subject to the provisions of the California Environmental Quality Act (CEQA) because the action will not have the potential for causing a significant effect on the environment.
2. Authorize the Executive Director, or designee to negotiate, execute, and if necessary, terminate a six-year contract with Enterprise for fleet management services, and related documents (Contract), in the amount of \$7,500,000 using program funds included in the LACDA's approved Fiscal Year 2023-2024 budget and future fiscal year budgets, to be effective January 1, 2024 following approval as to form by County Counsel and execution by all parties.

3. Authorize the Executive Director, or designee to execute necessary amendments to the Contract, following approval as to form by County Counsel, to modify the scope of work to address unforeseen issues or make other non-monetary changes necessary for the administration and implementation of the Contract.
4. Authorize the Executive Director to increase the compensation by an amount not to exceed 10% of the Contract for any unforeseen, needed fleet management services.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this recommended action is to enter a Contract with Enterprise to provide approximately 85 leased (60-month) vehicles with a full maintenance service program to replace existing leased vehicles. In addition, should the LACDA find existing leased vehicles to have low mileage or lack of availability, the LACDA may purchase and place the vehicle on a full maintenance plan, which will provide a greater short- and long-term benefit to the LACDA.

The LACDA has had previous contracts with Enterprise for similar services and Enterprise has provided successful services to the LACDA and has significantly reduced fleet costs for the agency.

The Contract with Enterprise will replace existing leased vehicles with new models and continue to allow staff to rent additional vehicles from Enterprise daily as needed. The current vehicle leases will continue until December 31, 2023, under the existing contract, and this Contract will continue to service the existing leased vehicles and provide new leased vehicles on or shortly after January 1, 2024.

### **FISCAL IMPACT/FINANCING**

There is no impact on the County general fund.

The Contract will be funded with a total of up to \$7,500,000 LACDA program funds over a six-year period. Funding is included in the LACDA's approved Fiscal Year 2023-2024 budget and will be included in future fiscal year budgets as needed through the LACDA's annual budget process.

A 10% contingency, in the amount of \$750,000, is being set aside for unforeseen costs, using the same source of funds.



## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Enterprise will provide to the LACDA leased vehicles, a full maintenance service program, and bill-back maintenance services (collectively, fleet management services) for LACDA use.

Enterprise has agreed to the LACDA standard terms and conditions to the Contract. The LACDA has negotiated a mutual indemnification clause with Enterprise, which is similar to LACDA's previous contracts with Enterprise. The Contract has been approved by County Counsel, LACDA Risk Management staff, and Enterprise and is attached to this letter. Should Enterprise require additional or replacement personnel during the term of the Contract, Enterprise will give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program and General Relief Opportunity for Work (GROW) program who meet the minimum qualification for the open positions. LACDA will refer GAIN/GROW participants by job category to Enterprise.

## **CONTRACTING PROCESS**

On June 8, 2022, the LACDA issued a Request for Proposals (RFP) to solicit proposals to provide fleet management services. Announcements were issued to 115 prospective vendors through the LACDA's vendor list website. An announcement was also posted on the County's WebVen website.

On July 20, 2022, three proposals were received and formally evaluated by a three-member evaluation panel. Enterprise was determined to be the highest ranked and responsible proposer and is being recommended for the contract award.

The Summary of Outreach Activities is provided as Attachment A.

## **ENVIRONMENTAL DOCUMENTATION**

This action is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34(a)(3) because it involves administrative activities that will not have a physical impact on or result in any physical changes to the environment. The action is not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

Honorable Board of Commissioners  
December 19, 2023  
Page 4

**IMPACT ON CURRENT PROJECT**

The Contract will provide for the continuation of current leased vehicles, replacement leased vehicles at the end of the leases, and a full maintenance service program.

Respectfully submitted,

EMILIO SALAS  
Executive Director

Enclosures

## **ATTACHMENT A**

### Summary of Outreach Activities

#### Fleet Management Services

On June 8, 2022, the following outreach was initiated to identify a contractor for fleet management services to provide leased vehicles with maintenance service programs for the LACDA.

##### A. Announcement

On June 8, 2022, announcements were posted on the LACDA's and County WebVen websites for 42 days and released over 115 email notices to firms identified on both websites. Thirty-nine (39) firms downloaded a copy of the solicitation package.

##### B. Request for Proposal Results

On July 20, 2022, the firms submitted proposals. All three proposals were evaluated and based on the RFP requirements and rating process. The final scores were as follows:

<u>Bidder</u>	<u>Score</u>
Enterprise Fleet Management, Inc.	1,208
Element Fleet Management	982
Elite Auto Network Corp	636

Enterprise Fleet Management, Inc. was selected as the firm most qualified to provide fleet management services for the LACDA.

##### A. Minority/Woman Ownership

<u>Bidder</u>	<u>Ownership</u>
Enterprise Fleet Management, Inc.	Non-Minority
Element Fleet Management	Non-Minority
Elite Auto Network Corp	Minority/Women

The LACDA conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the LACDA.

The recommended award of Contract is being made in accordance with the LACDA's policies and federal regulations, and without regard to race, creed, color, or gender.

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023	
<b>BOARD MEETING DATE</b>	12/19/2023	
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>	
<b>DEPARTMENT(S)</b>	Los Angeles County Department of Parks and Recreation	
<b>SUBJECT</b>	<b>DELEGATE AUTHORITY TO ACCEPT GRANT FUNDS FROM THE REGIONAL PARK AND OPEN SPACE DISTRICT FOR THE WHITTIER NARROWS RECREATION AREA PLAY AREA D-9 REPLACEMENT PROJECT AND FROM THE STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH INTEGRATED CLIMATE ADAPTATION AND RESILIENCY PROGRAM FOR THE KENNETH HAHN STATE RECREATION AREA REGIONAL CLIMATE RESILIENCE AMENITIES PROJECT</b>	
<b>PROGRAM</b>		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No    N/A	
	If Yes, please explain why:	
<b>DEADLINES/ TIME CONSTRAINTS</b>		
<b>COST &amp; FUNDING</b>	Total cost: \$3,500,000  \$2,755,000	Funding source: Regional Park and Open Space District (RPOSD)  State of California Office of Planning and Research Integrated Climate Adaptation and Resiliency Program (ICARP)
	TERMS (if applicable):	
	Explanation:	
<b>PURPOSE OF REQUEST</b>	Find the proposed actions are not a project under the California Environmental Quality Act. Delegate authority to the Director of the Department of Parks and Recreation, or her designee, as the agent of the County, to accept grant funds, conduct all negotiations, and execute and submit all documents including, but not limited to, applications, agreements, deed restrictions, amendments, and payment requests which may be necessary for the completion of the Whittier Narrows Recreation Area Play Area D-9 Replacement Project from the Regional Park and Open Space District's annual allocation funding, under the Los Angeles County Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure of 2016 (Measure A) in the amount of \$3,500,000 and the Kenneth Hahn State Recreation Area Regional Climate Resilience Amenities Project from the State of California Office of Planning and Research Integrated Climate Adaptation and Resiliency Program in the amount of \$2,755,000.	

<b>BACKGROUND</b> (include internal/external issues that may exist including any related motions)	No issues to report
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain how: The proposed projects will serve disadvantaged and severely disadvantaged communities.
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: Priority 7 – Sustainability Kenneth Hahn Regional Climate Resilience Amenities Project will fund a project to protect communities from climate risks.
<b>DEPARTMENTAL CONTACTS</b>	Luva Robinson, Grants Manager – (626) 588-5246, <a href="mailto:lrobinson@parks.lacounty.gov">lrobinson@parks.lacounty.gov</a> Faith Parducho, Grants Section Head – (626) 588-5249, <a href="mailto:fparducho@parks.lacounty.gov">fparducho@parks.lacounty.gov</a>



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
*"Parks Make Life Better!"*

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

December 19, 2023

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:

**DELEGATE AUTHORITY TO ACCEPT GRANT FUNDS  
FROM THE REGIONAL PARK AND OPEN SPACE DISTRICT  
FOR THE WHITTIER NARROWS RECREATION AREA  
PLAY AREA D-9 REPLACEMENT PROJECT AND FROM THE  
STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH  
INTEGRATED CLIMATE ADAPTATION AND RESILIENCY PROGRAM FOR  
THE KENNETH HAHN STATE RECREATION AREA  
REGIONAL CLIMATE RESILIENCE AMENITIES PROJECT  
(SUPERVISORIAL DISTRICTS 1 & 2) (3 VOTES)**

**SUBJECT**

The Department of Parks and Recreation is requesting delegated authority to accept grant funds from the Regional Park and Open Space District for the Whittier Narrows Recreation Area Play Area D-9 Replacement Project and from the State of California Office of Planning and Research Integrated Climate Adaptation and Resiliency Program for the Kenneth Hahn Regional Climate Resilience Amenities Project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the proposed actions are not a project under the California Environmental Quality Act for the reasons stated in this Board letter and in the project records.
2. Delegate authority to the Director of the Department of Parks and Recreation, or her designee, as the agent of the County, to accept grant funds, conduct all negotiations, and execute and submit all documents including, but not limited to, applications, agreements, deed restrictions, amendments, and payment requests which may be necessary for the completion of the Whittier Narrows Recreation Area Play Area D-9

Replacement Project from the Regional Park and Open Space District's annual allocation funding, under the Los Angeles County Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure of 2016 (Measure A) in the amount of \$3,500,000 and the Kenneth Hahn State Recreation Area Regional Climate Resilience Amenities Project from the State of California Office of Planning and Research Integrated Climate Adaptation and Resiliency Program in the amount of \$2,755,000.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find the proposed Whittier Narrows Recreation Area Play Area D-9 Replacement Project (WNRA Play Area Project) and Kenneth Hahn Regional Climate Resilience Amenities Project (KHSRA Resilience Project) exempt from the California Environmental Quality Act (CEQA) and allow the Department of Parks and Recreation (Department) to accept grant funds and execute the necessary grant documents with the Regional Park and Open Space District (RPOSD) and the State of California Office of Planning and Research Integrated Climate Adaptation and Resiliency Program (ICARP) to complete the project.

#### **Whittier Narrows Recreation Area Play Area D-9 Replacement Project**

The proposed WNRA Play Area Project is in Area D within Whittier Narrows Recreation Area (WNRA), 750 S. Santa Anita Ave, South El Monte. WNRA is an expansive and popular 1,492-acre park that includes lakes for non-motorized boating and fishing, biking and hiking trails, an equestrian center with staging areas and trails, a nature center, play areas, multipurpose sports fields, fitness zones, tennis courts, and picnic areas. The existing play areas are showing signs of wear and tear due to their heavy use, popularity, and age. The scope of work for the WNRA Play Area Project includes replacement and refurbishment of the existing playgrounds, paths of travel, landscaping, irrigation systems, accessibility upgrades, shade tree planting, informational/interpretive signage, and related improvements. The total project cost is \$3,500,000.

#### **Kenneth Hahn Regional Climate Resilience Amenities Project**

The proposed KHSRA Resilience Project is in Kenneth Hahn State Recreation Area, 4100 S. La Cienega Blvd, Los Angeles. The project scope of work features resilient amenities including approximately 99,000 square feet of parking lot resurfacing with cool pavement, hydration/water bottle filling stations, shade structures, Wi-Fi extended and boosted locations, and approximately 10,900 square feet of native, drought-tolerant landscape. Long-term project outcomes are to protect communities from the region's greatest current and future climate risks - extreme heat, increasing temperatures, and drought - through cooling and water-saving infrastructure. The total project cost is \$2,755,000.

### **Implementation of Strategic Plan Goals,**

The recommended actions will further the Board-approved County Strategic Plan Goals: Make Investments that Transform Lives (Goal I) and Support the Wellness of the Community (Goal II) by improving and enhancing recreational opportunities to benefit County residents.

### **FISCAL IMPACT/FINANCING**

Approval of the recommended actions will not have an impact on net County Cost.

#### **Operating Budget Impact**

If the grants are awarded, the Department may need one-time and ongoing costs for operation and maintenance upon completion of the projects. If needed, the Department will submit a funding request to the Chief Executive Office (CEO), as part of the annual budget process.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On June 11, 2019, the Board delegated authority to the Director of Parks and Recreation, or her designee, to accept grants up to \$2 million. The grants from RPOSD and ICARP exceed \$2 million.

The Department will be required to comply with the requirements of the grant agreement. County Counsel is consulted prior to execution of the grant agreement.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed actions are not subject to the CEQA because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed actions to accept and execute grant agreements with RPOSD and ICARP are organizational or administrative activities of government, which will not result in direct or indirect physical changes to the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of these actions will not have any impact on current services or projects.

#### **CONCLUSION**

Upon approval by the Board, please instruct the Executive Office-Clerk of the Board, to forward one adopted copy to the Chief Executive Office and one adopted copy to the Department of Parks and Recreation.



The Honorable Board of Supervisors  
December 19, 2023  
Page 4

Should you have any questions, please contact Luva Robinson at (626) 588-5246 or lrobinson@parks.lacounty.gov, Faith Parducho at (626) 588-5249 or fparducho@parks.lacounty.gov, or Astrid Ochoa at (626) 588-5355 or aochoa2@parks.lacounty.gov.

Respectfully submitted,

NORMA E. GARCÍA-GONZÁLEZ  
Director

NEGG:JS:FP:ab

Attachments

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



# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

CLUSTER AGENDA REVIEW DATE	12/6/2023	
BOARD MEETING DATE	12/19/2023	
SUPERVISORIAL DISTRICT AFFECTED	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input checked="" type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>	
DEPARTMENT(S)	Department of Parks and Recreation	
SUBJECT	<b>APPROVE SOLE SOURCE CONTRACT WITH ANGELEYE TECHNOLOGIES, INC. FOR DROWNING DETECTION SYSTEM SUPPORT AND MAINTENANCE SERVICE AT THE JESSE OWENS SWIMMING POOL, GREATER WHITTIER REGIONAL AQUATIC CENTER, AND SAN GABRIEL VALLEY AQUATIC CENTER</b>	
PROGRAM	Sole Source Service Agreement	
AUTHORIZES DELEGATED AUTHORITY TO DEPT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SOLE SOURCE CONTRACT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain why: The Drowning Detection System (DDS) incorporates proprietary underwater and aerial cameras designed specifically to work with proprietary software to construct a 3-D model of the pool bottom and water surface. The DDS software uses artificial intelligence to analyze the computer model to recognize swimmers in distress and identify their exact position, then generates an audible alarm inside the facility office and notifies all lifeguard staff via wearable technology, such as handheld devices and watches.	
DEADLINES/ TIME CONSTRAINTS	Sole Source Service Agreement is set to commence on January 1, 2024, to allow for continuation of services.	
COST & FUNDING (REVENUE TO THE COUNTY)	Total Annual Revenue: \$	1. Funding source: New Facilities, total cost for services \$449,400 for a five-year term with a one five-year extension option. The total contract amount includes a one-time cost of \$37,000 to upgrade the existing wireless network at Jesse Owens Community Regional Park.  2. Upon the completion of the San Gabriel Valley Aquatic Center Aquatic Center an amendment will be executed to add an additional amount not to exceed \$49,110 annually.
	TERMS (if applicable): The Department of Parks and Recreation (DPR) is requesting the Board's approval and authorization to execute a five-year Service Agreement with AngelEye Technologies, Inc. for technical support, system maintenance, and operation of the DDS.	
PURPOSE OF REQUEST	The DPR is requesting the Board's approval and authorization for the Director of Parks and Recreation, or designee, to execute a five-year Service Agreement with AngelEye Technologies, Inc. for technical support, system maintenance, and operation of a DDS at Jesse Owens Community	

	Regional Park, Greater Whittier Regional Aquatic Center, and the San Gabriel Valley Aquatic Center for continued and uninterrupted services to the public.
<b>BACKGROUND</b> (include internal/external issues that may exist including any related motions)	<p>The DDS was installed at the pool at Jesse Owens Park in 2017 and has been successful in assisting lifeguards in providing exceptional safety for our swimmers. The DDS was initially installed as part of a pilot program, which consisted of a 90-day testing period. During the 90-day testing period, staff conducted functionality tests and operational trainings. As a result, staff found a significant decrease in drowning detection response times. Initial testing provided for an average drowning detection response time of eight seconds, which was reduced to three seconds at the conclusion of the testing period. The decrease in response time was directly attributed to the DDS.</p> <p>Additionally, on March 31, 2020, the Board approved a 30-year ground lease with the Whittier Union High School District for the construction of the Whittier Aquatic Center located at 8028 Pioneer Boulevard, Whittier, in the incorporated Los Angeles County community of West Whittier-Los Nietos. The Whittier Aquatic Center was completed in October 2020 and has an Olympic-size competition pool and a practice pool, both of which are equipped with the DDS. Furthermore, on August 4, 2020, the Board approved a Motion for the creation of the San Gabriel Valley Aquatic Center. The San Gabriel Valley Aquatic Center will also include an Olympic-size competition pool and a practice pool, both of which have been designed to be equipped with the DDS and is scheduled to be completed in December 2024.</p> <p>The DDS is a complete hardware and software package designed specifically for public and other intensive-use pools. The DDS incorporates proprietary underwater and aerial cameras designed specifically to work with proprietary software to construct a 3-D model of the pool bottom and water surface. The DDS software uses artificial intelligence to analyze the computer model to recognize swimmers in distress and identify their exact position then generates an audible alarm inside the facility office and notifies all lifeguard staff via wearable technology, such as handheld devices and watches. The notification pinpoints the exact location of the anomaly within the pool and requires manual confirmation from staff to clear any alarms. The system is designed to overcome common challenges that influence pool safety such as shadows, glare, reflection, noise, and distractions from poolside visitors. The DDS, in conjunction with our highly trained lifeguard staff, provides the highest level of safety currently available using industry leading software and hardware. Furthermore, the DDS utilizes an advanced software algorithm to facilitate the monitoring, detection, and notification of potential submersion incidents at equipped County Pools.</p>
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:

<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please state which one(s) and explain how:
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: RUBEN LOPEZ, CHIEF, CONTRACTS AND PROCUREMENT DIVISION (626) 588-5300, <a href="mailto:rlopez@parks.lacounty.gov">rlopez@parks.lacounty.gov</a> DENNIS MORELOS, CONTRACTS SECTION HEAD (626) 588-5260, <a href="mailto:dmorelos@parks.lacounty.gov">dmorelos@parks.lacounty.gov</a>



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
*"Parks Make Life Better!"*

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

December 19, 2023

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:

**RECOMMENDATION TO APPROVE SOLE SOURCE  
CONTRACT WITH ANGELEYE TECHNOLOGIES, INC. FOR  
DROWNING DETECTION SYSTEM SUPPORT AND MAINTENANCE SERVICES  
(SUPERVISORIAL DISTRICT 1, 2, 4) (3-VOTES)**

**SUBJECT**

Approval of the recommended actions will allow the Department of Parks and Recreation to award a sole source service contract to AngelEye Technologies, Inc., for technical support, system maintenance, and operation of a Drowning Detection System at County pools.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed actions are not a project under the California Environmental Quality Act for the reasons stated in this Board Letter and the record.
2. Authorize the Director of Parks and Recreation, or her designee, to execute a sole source service contract with AngelEye Technologies, Inc., for an initial term of five (5) years, for a total contract amount of \$449,400, with one five-year extension option for technical support, system maintenance, and operation of a Drowning Detection Systems at Jesse Owens Community Regional Park and Greater Whittier Regional Aquatic Center. The total contract amount includes a one-time cost of \$37,000 to upgrade the existing wireless network at Jesse Owens Community Regional Park.
3. Authorize the Director of Parks and Recreation, or her designee, to execute an amendment for technical support, system maintenance, and operation of a Drowning Detection Systems at the San Gabriel Valley Aquatic Center, upon substantial completion of the Aquatic Center and approval as to form by County Counsel, at an amount not to exceed \$49,110 annually.

4. Authorize the Director of Parks and Recreation, or her designee, to execute future amendment(s) approved as to form by County Counsel to exercise the five year extension option, increase or decrease the total contract amount by no more than ten percent, suspend or terminate the contract, or assign rights or delegation of duties should the recommended Contractor merge, be acquired, or otherwise change entities, if deemed necessary, provided that sufficient funding is available.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS**

A Drowning Detection System (DDS) installed at various County of Los Angeles (County) pools managed by the Department of Parks and Recreation (Department) assists lifeguards in providing exceptional monitoring for the safety of swimmers. The DDS software is uniquely optimized for individual pools, with all software upgrades and updates handled exclusively by AngelEye Technologies, Inc. and cannot be replicated by any other system and/or contractor. The DDS is the only drowning detection system in the market that utilizes wearable technology and an evolving algorithm that continually accounts for and adjust for environmental and operational conditions. Furthermore, the DDS utilizes an advanced software algorithm to facilitate the monitoring, detection, and notification of potential submersion incidents at equipped County Pools. The installed DDS at County pools require ongoing technical support system maintenance, and operation services. Additionally, Department staff have been trained in the DDS and requiring staff to be trained in multiple DDS systems would cause safety issues.

The Department has spent approximately \$2 million on the installation of The DDS at three pool facilities. The DDS for the Jesse Owens Community Regional Park and the Greater Whittier Regional Aquatic Center (Whittier Aquatic Center) have been installed and are operational. The Department anticipates the full installation of a DDS at the future San Gabriel Valley Aquatic Center.

Approval of the recommended actions will find that they are not subject to the California Environmental Quality Act (CEQA) and will enable the Department to provide services at the Jesse Owens Community Regional Park, the Greater Whittier Regional Aquatic Center (Whittier Aquatic Center), and the future San Gabriel Valley Aquatic Center.

#### **Implementation of Strategic Plan Goals**

The recommended actions support the County's Strategic Plan Goal II, Strategy II.2 Support the Wellness of Our Communities, specifically Strategy II.2., Increase Focus on Prevention Initiatives. The proposed contract will also promote Goal III, Realize Tomorrow's Government Today by pursuing Strategy III.2.3, Support implementation of technological enhancements and acquisitions that increase efficiency.

#### **FISCAL IMPACT/FINANCING**

The annual cost for this agreement is \$82,480 for both Jesse Owens Park and the Whittier Aquatic Center and the total amount for the five-year term is \$449,400 in Fiscal Year (FY) 2023-24. In addition, the Department will incur a one-time cost of \$37,000 to upgrade the existing wireless network at Jesse Owens Park.

### **OPERATING BUDGET IMPACT**

Based on the recommended actions, the Department's Operating Budget has sufficient funding for the one-time costs of \$37,000 and ongoing operating costs of \$82,480. The approved FY 2022-23 funding request for the Greater Whittier Regional Aquatic Center includes ongoing funding for the maintenance of the DDS. The Department will submit a funding request to the Chief Executive Office for the maintenance of a DDS for the San Gabriel Valley Aquatic Center in the FY 2024-25 Recommended Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

AngelEye Technologies, Inc., is the sole proprietor for the DDS. The DDS functions assist lifeguards by providing the full benefits of an advanced software algorithm to facilitate the monitoring, detection, and notification of potential submersion incidents at equipped County Pools.

The DDS was installed at the pool at Jesse Owens Park in 2017 and has been successful in assisting lifeguards in providing exceptional safety for over 95,000 swimmers during a wide variety of swim programs. The DDS was initially installed as part of a pilot program, which consisted of a 90-day testing period. During the 90-day testing period, staff conducted functionality tests and operational trainings. As a result, staff found a significant decrease in drowning detection response times. Initial testing provided for an average drowning detection response time of eight seconds, which was reduced to three seconds at the conclusion of the testing period. The decrease in response time was directly attributed to the DDS.

The Design-Build Request for Proposal solicitation documents for the Whittier Aquatic Center and San Gabriel Valley Aquatic Centers included specifications for the DDS and were processed in accordance with standard County solicitation practices.

On March 31, 2020, your Board approved a 30-year ground lease with the Whittier Union High School District for the construction of the Whittier Aquatic Center located at 8028 Pioneer Boulevard, Whittier, in the incorporated Los Angeles County community of West Whittier-Los Nietos. The Whittier Aquatic Center has an Olympic-size competition pool and a practice pool, both of which are equipped with the DDS. Furthermore, on August 4, 2020, your Board approved a Motion for the creation of the San Gabriel Valley Aquatic Center. The San Gabriel Valley Aquatic Center will also include Olympic-size competition pool and a practice pool, both of which have been designed to be equipped with the DDS.



The Whittier Aquatic Center was completed in October 2022 and includes at no cost to the County, a one-year DDS service warranty that expires on October 31, 2023. The San Gabriel Valley Aquatic Center has a completion date of December 2024 and also has at no cost to the County, a one-year DDS service warranty that expires December 31, 2025.

The Contract includes all County required provisions, including Jury Service, Safely Surrendered Baby Law, Zero Tolerance Policy on Human Trafficking, Fair Chance Employment Practices, the County Policy of Equity, Counterparts and Electronic Signatures and Representations, Direct Deposit or Electronic Funds Transfers, and updated Indemnification and Insurance provisions.

The CEO's Risk Management Office has approved the insurance coverage, indemnification and liability provisions included in the Contract.

County Counsel has approved the Contract as to form.

### **ENVIRONMENTAL DOCUMENTATION**

The recommended actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code and Section 15378(b) of the State CEQA Guidelines. The proposed action to approve the software maintenance, hardware maintenance, and on-going technical support is an organizational or administrative activity of government which will not result in direct or indirect physical changes to the environment.

### **CONTRACTING PROCESS**

In accordance with Board Policy No. 5.100 (Sole Source Contracts), the Department sent the Board a Notice of Intention to Negotiate a Sole Source Contract (Attachment I) with AngelEye Technologies, Inc. on October 11, 2022. The required Sole Source Checklist (Attachment II) identifying and justifying the need for a sole source agreement has been approved by the CEO.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of these actions will further enhance the County's goal in preventive safety measures to a wide variety of swim programs. There are no anticipated impacts to the current public services and/or projects associated with the proposed action. These services are currently being provided under a sole source purchase order which is scheduled to expire on December 31, 2023.

### **CONCLUSION**

Each Supervisor  
December 19, 2023  
Page 5

It is requested that three adopted copies of the action taken by your Board be forwarded to the Department.

Should you have any questions please contact Mr. Dennis Morelos at (626) 588-5260 or via email at [dmorelos@parks.lacounty.gov](mailto:dmorelos@parks.lacounty.gov), Mr. Ruben Lopez at (626) 588-5278 or via email at [rlopez@parks.lacounty.gov](mailto:rlopez@parks.lacounty.gov), or Ms. Astrid Ochoa at (626) 588-5355 or via email at [aocchoa2@parks.lacounty.gov](mailto:aocchoa2@parks.lacounty.gov).

Respectfully submitted,

Norma E. García-González  
Director

NEGG:AB:MR  
RL:DM:AR:rc

Enclosure

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



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
*"Parks Make Life Better!"*

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

October 11, 2022

TO: Supervisor Holly J. Mitchell, Chair  
Supervisor Hilda L. Solis  
Supervisor Sheila Kuehl  
Supervisor Janice Hahn  
Supervisor Kathryn Barger

FROM: Norma E. García-González

SUBJECT: **NOTIFICATION OF INTENT TO NEGOTIATE A SOLE SOURCE AGREEMENT WITH ANGELEYE TECHNOLOGIES, INC.**

The purpose of this memorandum is to comply with Board Policy 5.100, Sole Source Contracts, regarding contracting policy requirements for sole source contracts. The County of Los Angeles Department of Parks and Recreation (DPR) intends to enter into negotiations for a new sole source contract with AngelEye Technologies, Inc. (AngelEye) to provide software maintenance and on-going technical support for the AngelEye Lifeguard Drowning Detection System (AngelEye LifeGuard) at Jesse Owens Community Regional Park, the Whittier Aquatic Center, and the future San Gabriel Valley Aquatic Center (collectively, County Pools).

## **BACKGROUND**

The AngelEye LifeGuard is a complete hardware and software package designed specifically for public and other intensive-use pools. AngelEye LifeGuard incorporates proprietary underwater and aerial cameras designed specifically to work with proprietary software to construct a 3-D model of the pool bottom and water surface. AngelEye software uses artificial intelligence to analyze the computer model to recognize swimmers in distress and identify their exact position. AngelEye LifeGuard then generates an audible alarm inside the facility office and notifies all lifesaving staff via wearable technology, such as handheld devices and watches. The notification pinpoints the exact location of the anomaly within the pool and requires manual confirmation from staff to clear any alarms. The system is designed to overcome common challenges that influence pool safety such as shadows, glare, reflection, noise, and distractions from poolside visitors. AngelEye LifeGuard, in conjunction with our highly trained lifesaving staff, provides the highest level of safety currently available using industry leading software and hardware.

DPR operates and maintains Jesse Owens Community Regional Park (Jesse Owens Park) in South Los Angeles. The AngelEye Lifeguard was installed at the pool at Jesse Owens Park in 2017 and has been successful in assisting lifeguards in providing exceptional safety for our swimmers. AngelEye Lifeguard was initially installed as part of a pilot program, which consisted of a 90-day testing period. During the 90-day testing period, staff conducted functionality tests and operational trainings. As a result, staff found a significant decrease in drowning detection response times. Initial testing provided for an average drowning detection response time of eight seconds, which was reduced to three seconds at the conclusion of the testing period. The decrease in response time was directly attributed to AngelEye LifeGuard.

Additionally, on March 31, 2020, your Board approved a 30-year ground lease with the Whittier Union High School District for the construction of the Whittier Aquatic Center located at 8028 Pioneer Boulevard, Whittier, in the incorporated Los Angeles County community of West Whittier-Los Nietos. The Aquatic Center will be completed in the Fall 2022. The Whittier Aquatic Center has an Olympic-size competition pool and a practice pool, both of which are equipped with the AngelEye LifeGuard. Furthermore, on August 4, 2020, your Board approved a Motion for the creation of the San Gabriel Valley Aquatic Center. The San Gabriel Valley Aquatic Center will also include an Olympic-size competition pool and a practice pool, both of which have been designed to be equipped with the AngelEye LifeGuard. The Design-Build Request for Proposal solicitation documents for the Whittier and San Gabriel Valley Aquatic Centers included specifications for AngelEye Lifeguard and were processed in accordance with standard County solicitation practices.

## **SOLE SOURCE JUSTIFICATION**

Negotiating a sole source contract with AngelEye to provide technical support and system maintenance, along with staff training and access to real-time video and system reporting for the existing and planned AngelEye Lifeguard at County Pools will result in the best economic benefit to the County and ensure that our constituents continue to be provided with an unparalleled safety while enjoying County Pools. DPR has spent approximately \$2 million on the installation of AngelEye LifeGuard at County Pools. Replacing the existing drowning detection system with another vendor's system would require the County to pay for the removal of the AngelEye hardware and software systems and the reinstallation of an alternate system, requiring significant construction work, including draining and closing the pools, and retraining lifesaving and maintenance staff, at an estimated cost of several hundred thousand dollars per pool. Additionally, prior to the selection of AngelEye LifeGuard, a vendor capability survey was performed against DPR-specific requirements where AngelEye capabilities exceeded other potential vendors.

Most importantly, the lives it has helped and will continue to save is incalculable. Since its installation at the Jesse Owens Park Pool in 2017, AngelEye Lifeguard has successfully assisted lifesaving staff to keep over 95,000 swimmers safe during a wide variety of swim programs.

## CONCLUSION

The anticipated term for the new contract will be for five years commencing upon Board of Supervisors approval.

DPR will proceed with negotiations of a contract with AngelEye unless otherwise instructed by your Board within the next 30 days. DPR will work closely with County Counsel during the contracting process.

If you have any questions, please contact me at (626) 588-5337 or you may contact Ms. Malou Rubio, Administrative Deputy at (626) 588-5293.

NEGG:AB:MR  
RL:SS:rc

c: Board of Supervisors, Executive Office (C. Zavala)  
Chief Executive Officer  
County Counsel  
Parks Deputies (G. Duran-Medina, L. Muraida, M. Chong-Castillo, D. Gonzalez, S. Nemer)

## SOLE SOURCE CHECKLIST

Department Name: \_\_\_\_\_

- ☐ New Sole Source Contract
- ☐ Sole Source Amendment to Existing Contract

Date Existing Contract First Approved: \_\_\_\_\_

Check (✓)	<b>JUSTIFICATION FOR SOLE SOURCE CONTRACTS AND AMENDMENTS</b> Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source (monopoly) for the service exists; performance and price competition are not available. A monopoly is an <i>“Exclusive control of the supply of any service in a given market. If more than one source in a given market exists, a monopoly does not exist.”</i>
	➤ Compliance with applicable statutory and/or regulatory provisions.
	➤ Compliance with State and/or federal programmatic requirements.
	➤ Services provided by other public or County-related entities.
	➤ Services are needed to address an emergent or related time-sensitive need.
	➤ The service provider(s) is required under the provisions of a grant or regulatory requirement.
	➤ Services are needed during the time period required to complete a solicitation for replacement services; provided services are needed for no more than 12 months from the expiration of an existing contract which has no available option periods.
	➤ Maintenance and support services are needed for an existing solution/system during the time to complete a solicitation for a new replacement solution/system; provided the services are needed for no more than 24 months from the expiration of an existing maintenance and support contract which has no available option periods.
	➤ Maintenance service agreements exist on equipment which must be serviced by the original equipment manufacturer or an authorized service representative.
	➤ It is more cost-effective to obtain services by exercising an option under an existing contract.
	➤ It is in the best economic interest of the County (e.g., significant costs and time to replace an existing system or infrastructure, administrative cost and time savings and excessive learning curve for a new service provider, etc.). In such cases, departments must demonstrate due diligence in qualifying the cost-savings or cost-avoidance associated with the best economic interest of the County.

\_\_\_\_\_  
Chief Executive Office

\_\_\_\_\_  
Date

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Public Works		
<b>SUBJECT</b>	ENVIRONMENTAL SERVICES CORE SERVICE AREA RESOLUTION OF SUMMARY VACATION SANITARY SEWER EASEMENTS EAST OF BONNIE BEACH PLACE AND SOUTH OF MEDFORD STREET IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES (SUPERVISORIAL DISTRICT 1) (3 VOTES)		
<b>PROGRAM</b>			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>			
<b>COST &amp; FUNDING</b>	Total cost: \$10,000	Funding source: B03	
	TERMS (if applicable):		
	Explanation: Mr. Brian L. Caster of Caster Properties, Inc., on behalf of LA Medford Storage II, LLC., the underlying property owner, paid \$10,000, which is the cost to process the vacation.		
<b>PURPOSE OF REQUEST</b>	Public Works is seeking Board approval to vacate the sanitary sewer easements east of Bonnie Beach Place and south of Medford Street in the unincorporated community of East Los Angeles.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	Mr. Caster requested the vacation of the easements to release the encumbrance on the properties and allow for development of a public storage facility. The existing sanitary sewer facility has been abandoned and relocated outside of the development area.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: Sustainability—The recommended actions will allow for the County to relinquish rights, which will promote fiscal sustainability and reduce the County's exposure to potential liabilities.		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Shari Afshari, Deputy Director, (626) 458-4008, <a href="mailto:safshari@pw.lacounty.gov">safshari@pw.lacounty.gov</a>		



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 19, 2023

IN REPLY PLEASE

REFER TO FILE: **SMP-5**

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:

**ENVIRONMENTAL SERVICES CORE SERVICE AREA  
RESOLUTION OF SUMMARY VACATION  
SANITARY SEWER EASEMENTS EAST OF BONNIE BEACH PLACE  
AND SOUTH OF MEDFORD STREET  
IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to vacate the sanitary sewer easements east of Bonnie Beach Place and south of Medford Street in the unincorporated community of East Los Angeles, which are no longer needed for public use.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed project is exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project.
2. Find that the easements for sanitary sewer purposes east of Bonnie Beach Place and south of Medford Street, in the unincorporated community of East Los Angeles, are no longer required for public use and can be vacated pursuant to Section 5400 of the California Health and Safety Code.
3. Find that the easements for sanitary sewer purposes east of Bonnie Beach Place and south of Medford Street, in the unincorporated community of East Los Angeles, have been superseded by relocation pursuant to Section 8333 of the California Streets and Highways Code.



4. Adopt the Resolution of Summary Vacation of Sanitary Sewer Easements east of Bonnie Beach Place and south of Medford Street pursuant to Section 8335 of the California Streets and Highways Code.
5. Upon approval, authorize the Director of Public Works or his designee to record the certified original resolution with the Registrar-Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find that the project is exempt from the California Environmental Quality Act (CEQA) and will allow the County to vacate the sanitary sewer easements east of Bonnie Beach Place and south of Medford Street, in the unincorporated community of East Los Angeles, since they have been superseded by relocation and are no longer needed for public use.

The proposed vacation of the easements was requested by Mr. Brian L. Caster of Caster Properties, Inc., on behalf of LA Medford Storage II, LLC, the underlying property owner. The purpose of the vacation is to release the encumbrance on the properties and allow for development of a public storage facility. The existing sanitary sewer facility has been abandoned and relocated outside of the development area.

The underlying property owner will benefit from this transaction as the vacation of easements will allow for further development of their property.

#### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, by allowing the County to vacate the easements, which will promote fiscal sustainability and reduce the County's exposure to potential liabilities.

#### **FISCAL IMPACT/FINANCING**

There will be no significant impact to the County General Fund.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The total area of the easements to be vacated contains approximately 2,362± square feet as shown on the enclosed map (Enclosure A).

The County's interest in the easements for sanitary sewer purposes were acquired per Instrument No. 1329, recorded on April 25, 1927; Instrument No. 1121, recorded on July 14, 1927; and Instrument No. 20200723179, recorded on July 1, 2020, all filed with the Registrar-Recorder/County Clerk.

The California Health and Safety Code, Section 5400, provides that the County Board of Supervisors may vacate easements for sewage or drainage purposes whenever it determines the easements are no longer needed for public use.

The California Streets and Highways Code, Section 8333, provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation.

The California Streets and Highways Code, Section 8335, provides that upon making the required finding, the legislative body of a local agency may effectuate the summary vacation of a street, highway, or public service easement by adopting a resolution of summary vacation.

The enclosed "Resolution of Summary Vacation of Sanitary Sewer Easements east of Bonnie Beach Place and south of Medford Street" (Enclosure B) has been approved by County Counsel as to form and it will be recorded. Adoption and subsequent recordation of the Resolution will terminate the County's rights and interest in the easements and will result in the properties being unencumbered by the easements.

#### **ENVIRONMENTAL DOCUMENTATION**

The proposed project is exempt from CEQA. The project, which is the vacation of the easements, is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15305 and 15321 of the CEQA Guidelines relating to minor alterations in land use, limitations, and actions to enforce or revoke entitlement for use issued and adopted by the regulatory agency.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The recommended actions will have no significant impact on current County services or projects.

The Honorable Board of Supervisors  
December 19, 2023  
Page 4

**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Survey/Mapping & Property Management Division.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

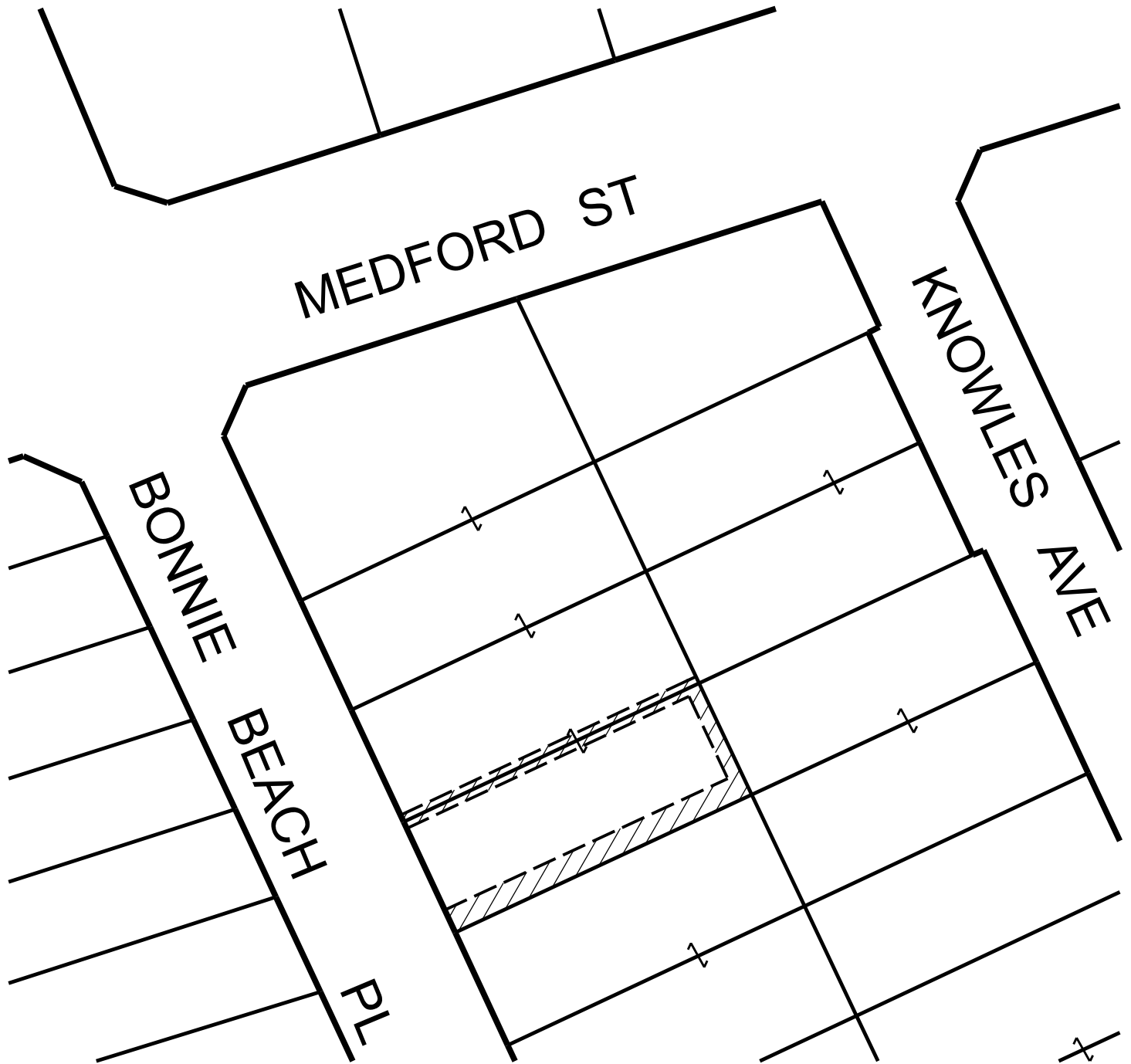
MP:GE:mr

Enclosures

c: Auditor-Controller (Accounting Division–Asset Management)  
Chief Executive Office (Chia-Ann Yen)  
County Counsel  
Executive Office

# Enclosure A

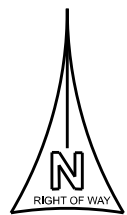
**PROPOSED VACATION OF  
SANITARY SEWER EASEMENTS  
EAST OF BONNIE BEACH PLACE  
AND SOUTH OF MEDFORD STREET**



**LEGEND**



SEWER EASEMENTS TO BE VACATED  
TOTAL AREA: 2,362 ± SQ. FT.



0 15 30 45 60  
FEET  
SCALE

# **Enclosure B**

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA:

- [illegible]

The foregoing resolution was adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

CELIA ZAVALA  
Executive Officer of the  
Board of Supervisors of  
the County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON  
County Counsel

By  \_\_\_\_\_  
Deputy



## EXHIBIT A

Project Name: Sewer Easements east of Bonnie Beach  
Place and south of Medford Street  
**BONNIE BEACH PLACE 9-1 VAC**

Includes: Parcel Nos. 9-1VAC.1 and 9-1VAC.2  
A.I.N. 5224-026-035  
R.D. 142  
I.M. 129-217  
S.D. 1  
LD19000736

### LEGAL DESCRIPTION

#### **PARCEL NO. 9-1VAC** (Vacation of Sanitary Sewer Easement):

That certain 3-foot wide strip of land, in Lot 12, Block G, Tract No. 6479, as shown on map recorded in Book 75, pages 1 through 5, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described in deed to said county, recorded on April 25, 1927, as Instrument No. 1329, in Book 6664, pages 122 and 123, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 390± square feet

#### **PARCEL NO. 9-1VAC.1** (Vacation of Sanitary Sewer Easement):

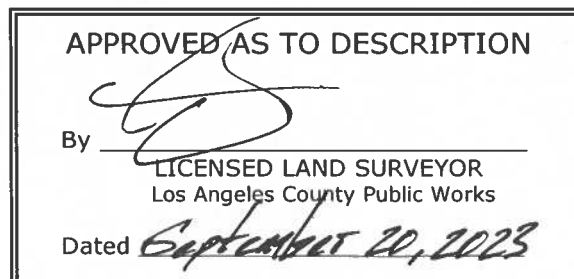
That portion of that certain parcel of land, in Lot 11, above-mentioned Block G, described in deed to above-mentioned county, recorded on July 14, 1927, as Instrument No. 1121 in Book 6742, pages 121 and 122, of Official Records, in the office of above-mentioned Registrar-Recorder/County Clerk.

Containing: 672± square feet

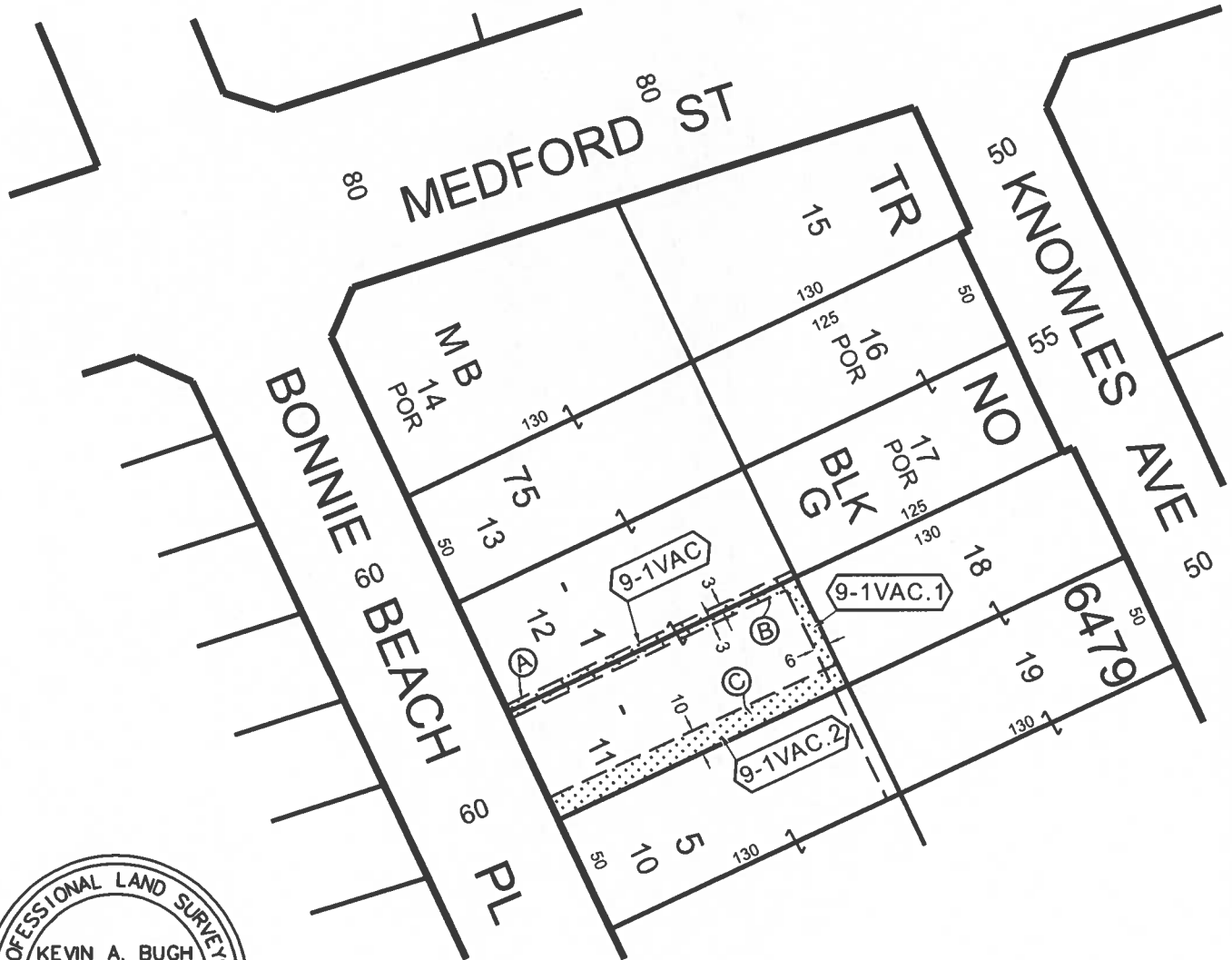
#### **PARCEL NO. 9-1VAC.2** (Vacation of Sanitary Sewer Easement):

That certain 10-foot wide strip of land, in above-mentioned Lot 11, described in deed to above-mentioned county, recorded on July 1, 2020, as Document No. 20200723179, of Official Records, in the office of above-mentioned Registrar-Recorder/County Clerk.

Containing: 1,300± square feet



# EXHIBIT B



BY:  DATE: 9.20.2023  
LICENSED LAND SURVEYOR



## LEGEND



SEWER EASEMENTS TO BE VACATED  
TOTAL AREA: 2,362 ± SQUARE FEET

(A)

3' WIDE EASEMENT TO  
THE COUNTY OF LOS ANGELES  
FOR SANITARY SEWER PURPOSES  
PER BK 6664 PGS 122-123

(B)

3' AND 6' WIDE EASEMENTS TO  
THE COUNTY OF LOS ANGELES  
FOR SANITARY SEWER PURPOSES  
PER BK 6742 PGS 121-122

(C)

10' WIDE EASEMENT TO  
THE COUNTY OF LOS ANGELES  
FOR SANITARY SEWER PURPOSES  
PER DOC NO. 20200723179  
RECORDED ON 7/1/2020

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

## LOS ANGELES COUNTY PUBLIC WORKS SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

I.M. 129-217  
S.D. 1  
R.D. 142

## SEWER EASEMENTS EAST OF BONNIE BEACH PLACE AND SOUTH OF MEDFORD STREET

BONNIE BEACH PLACE (9)

DATE  
9/20/2023

SCALE:  
NO SCALE

A.I.N  
5224-026-035

PREPARED BY  
C. MAR

REVIEWED BY  
N. SALAZAR

PROJECT I.D.  
MPV0000232

PROJECT NO.  
LD19000736

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Public Works		
<b>SUBJECT</b>	Award of services contract for On-Call Tire Recycling Program		
<b>PROGRAM</b>			
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>	The current contract has been extended for a maximum of 6 months with a potential expiration date of April 30, 2024.		
<b>COST &amp; FUNDING</b>	Total cost: \$2,379,379	Funding source:  Funding for these services is included in the Solid Waste Management Fund (GD1-Services and Supplies) and Road Fund (B03-Services and Supplies) Fiscal Year 2023-24 Budgets. Funds to finance the contract's optional years and 10 percent additional funding for contingencies will be requested through the annual budget process.	
	TERMS (if applicable):  This contract will be for a term of 2 years with two 1-year renewal options and a month-to-month extension up to 6 months for a maximum potential contract term of 54 months.		
	Explanation: N/A		
<b>PURPOSE OF REQUEST</b>	Public Works is seeking Board approval to award a services contract to The Peterson Group, Inc., for the on-call tire recycling program throughout Los Angeles County.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	Approval of the recommended action will award a services contract to The Peterson Group, Inc., to provide on-call and intermittent Countywide tire recycling program services. The work to be performed will consist of organizing, promoting, and conducting tire collection events (where residents drop-off waste tires free of charge to be recycled); providing roll-off services for tires at government maintenance yards; and recycling of tires collected. The purpose of the program services is to divert tires from our local landfills which have diminishing-capacity and to prevent the illegal dumping of tires within our roadways and on vacant land, thus improving the quality of life of communities and the environment.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain how:  On every contract solicitation, Public Works notifies over 25,000 subscribers in our "Do Business with Public Works" website. Public Works also notifies all Small Businesses registered with the Department of Economic Opportunity and advertise in regional and		

	small newspapers in each Supervisorial district. Public Works follows Federal contracting laws where applicable, State laws, Public Contract Code and all Board contracting policies.
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how:  These recommendations support Board Priorities No. 7, Sustainability. The tire recycling services will protect the environment while keeping our communities clean.
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email:  Coby Skye, Deputy Director, (626) 458-4016, cell (562) 212-9500, <a href="mailto:cskye@pw.lacounty.gov">cskye@pw.lacounty.gov</a>



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE:

December 19, 2023

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:

**SERVICES CONTRACT  
ENVIRONMENTAL SERVICES CORE SERVICE AREA  
AWARD OF SERVICES CONTRACT FOR  
ON-CALL TIRE RECYCLING PROGRAM  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to award a services contract to The Peterson Group, Inc., for the on-call tire recycling program throughout Los Angeles County.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the contract work is categorically exempt from the provisions of the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project.
2. Award the contract to The Peterson Group, Inc., for the on-call tire recycling program. This contract will be for a term of 2 years with two 1-year renewal options and a month-to-month extension up to 6 months for a maximum potential contract term of 54 months and a maximum potential contract sum of \$2,379,379.

3. Delegate authority to the Director of Public Works or his designee to execute the contract; to renew the contract for each additional renewal option and extension period if, in the opinion of the Director of Public Works or his designee, The Peterson Group, Inc., has successfully performed during the previous contract period, and the services are still required; to approve and execute amendments to incorporate necessary changes within the scope of work; and to suspend work if, it is in the best interest of the County to do so.
4. Delegate authority to the Director of Public Works or his designee to annually increase the contract amount up to an additional 10 percent of the annual contract sum, which is included in the maximum potential contract sum for unforeseen additional work within the scope of the contract, if required.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended action will award a services contract to The Peterson Group, Inc., to provide on-call and intermittent Countywide tire recycling program services. The work to be performed will consist of organizing, promoting, and conducting tire collection events (where residents drop-off waste tires free-of-charge to be recycled); providing roll-off services for tires at government maintenance yards; and recycling of tires collected.

The purpose of the program is to divert tires from our local landfills which have diminishing-capacity and to prevent the illegal dumping of tires within our roadways and on vacant land, thus improving the quality of life of communities and the environment.

#### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy II.3, Make Environmental Sustainability our Daily Reality, Objective II.3.4, Reduce Waste Generation and Recycle and Reuse Waste Resources, by contracting with the contractor that has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The amount for the initial 2-year term is \$961,365; the amount for the first optional term is \$480,682.50; the amount for the second optional term is \$480,682.50; and the amount for the month-to-month extension up to 6 months is \$240,341.25, plus 10 percent of the annual contract amount for unforeseen additional work within the scope of the contract.

The annual contract amount includes \$64,687.50 for the processing of tires that were illegally dumped on County streets and those collected at tire recycling events. Any unused authorized amounts up to 25 percent from the previous contract terms will roll over into subsequent renewal terms. The contract will be for an initial term of 2 years with two 1-year renewal options and a month-to-month extension up to 6 months for a maximum potential contract term of 54 months with an estimated maximum potential contract sum of \$2,379,379. This amount is based on the unit prices quoted by the contractor and our estimated annual utilization of the contractor's services. The County may also authorize an extension of time to the contract's maximum potential term, not to exceed 180 days, with no additional funding.

Funding for these services is included in the Solid Waste Management Fund (GD1-Services and Supplies) and Road Fund (B03-Services and Supplies) Fiscal Year 2023-24 Budgets. Funds to finance the contract's optional years and 10 percent additional funding for contingencies will be requested through the annual budget process.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The recommended contractor, The Peterson Group, Inc., is located in Irvine, California. This contract will commence upon the Board's approval and execution by both parties, whichever occurs last, for a period of 2 years. With the Board's delegated authority, Public Works may renew the contract for two 1-year renewal options and a month-to-month extension up to 6 months for a maximum potential total contract term of 54 months. The County may also authorize an extension of time to the contract's maximum potential term, not to exceed 180 days, with no additional funding.

The current contract has been extended for a maximum of 6 months with a potential expiration date of April 30, 2024. The award of this contract will continue the current service by the recommended contractor.

County Counsel will review the contract as to form (Enclosure A) prior to approval. The recommended contract with The Peterson Group, Inc., was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements.

A standard service contract has been used that contains terms and conditions in compliance with the Board's ordinances, policies, and programs. Enclosure B reflects the proposers' utilization participation and community business enterprise program information. Data regarding the proposers' minority participation is on file with Public Works. The contractor was selected upon final analysis and consideration without regard to race, creed, sex, or color.

Public Works has evaluated and determined that the contracted service is required on an on-call and intermittent basis; therefore, Proposition A (County Code Chapter 2.121) and the Living Wage Program (County Code Chapter 2.201) do not apply to this contract.

#### **ENVIRONMENTAL DOCUMENTATION**

These services are categorically exempt from the provisions of the California Environmental Quality Act. These services, to collect and recycle tires, are within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15330(c) of the California Environmental Quality Act because it consists of a minor cleanup action taken to minimize and eliminate the release of hazardous waste. In addition, based on the proposed project records, these services will comply with all applicable regulations, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code Section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

#### **CONTRACTING PROCESS**

On January 11, 2023, a notice of the Request for Proposals was placed on the County's "Doing Business with Los Angeles County" website (Enclosure C), "Do Business with Public Works" website, and Twitter. In addition, advertisements were placed in the *Los Angeles Daily Journal*, *Los Angeles Sentinel*, *La Opinión*, *The Daily Breeze*, *The Signal (Santa Clarita)*, *World Journal*, *Watts Times*, *The Malibu Times*, *Press Telegram*, and *Pasadena Star News*. Also, Public Works informed 1,406 Local Small Business Enterprises, 153 Disabled Veteran Business Enterprises, 147 Social Enterprises, 748 Community Business Enterprises, 271 independent contractors, various business development centers, and municipalities about this business opportunity.



On January 31, 2023, two proposals were received. All proposals were evaluated by an evaluation committee consisting of Public Works staff. The evaluation was based on criteria described in the Request for Proposals, which included the price, experience, work plan, and references, utilizing the informed averaging methodology for applicable criteria. Based on this evaluation, it is recommended that this contract be awarded to the highest rated, responsive, and responsible lowest cost proposer, The Peterson Group, Inc., located in Irvine, California. Public Works notified the applicable union of this solicitation.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The award of this contract will continue the services without disruption to the public and will not result in the displacement of any County employees as these services are presently contracted with the private sector.

**CONCLUSION**

Please return one adopted copy of this Board letter to Public Works, Business Relations and Contracts Division.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

MP:SK:sc

Enclosures

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel  
Executive Office

AGREEMENT FOR  
ON-CALL TIRE RECYCLING PROGRAM (BRC0000405)

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and The Peterson Group, Inc., a California Corporation, located at 18851 Bardeen Avenue, Suite 230, Irvine, California 92612, (hereinafter referred to as CONTRACTOR). COUNTY and CONTRACTOR are each a Party and collectively referred to as the Parties.

WITNESSETH

FIRST: The CONTRACTOR, for the consideration hereinafter set forth and the acceptance by the Board of Supervisors (Board) of said COUNTY of the CONTRACTOR'S Proposal filed with the COUNTY on January 31, 2023, hereby agrees to provide services as described in this Contract for On-Call Tire Recycling Program (BRC0000405).

SECOND: This AGREEMENT, together with Exhibit A, Scope of Work; Exhibit B, Service Contract General Requirements; Exhibit C, Internal Revenue Service Notice 1015; Exhibit D, Safely Surrendered Baby Law Posters; Exhibit E, Defaulted Property Tax Reduction Program; and Exhibit F, Performance Requirements Summary; the CONTRACTOR'S Proposal, all attached hereto; the Request for Proposals; and Addenda to the Request for Proposals, all of which are incorporated herein by reference, are agreed by the COUNTY and the CONTRACTOR to constitute the Contract.

THIRD: The COUNTY agrees, in consideration of satisfactory performance of the foregoing services in strict accordance with the Contract specifications to the satisfaction of the Director of Public Works, to pay the CONTRACTOR pursuant to the Schedule of Prices set forth in the Proposal and attached hereto as Form PW-2, an amount not to exceed the maximum potential contract sum of \$2,379,379 for the entire contract, plus 25 percent of the remaining amount unused from the previous Contract terms, or such greater amount as the Board may approve (Maximum Contract Sum). The sum for the initial 2-year term is \$961,365; the sum for the first option term is \$480,682.50; the sum for the second and final option term is \$480,682.50; and the sum for a month-to-month extension for up to 6 months is \$240,341.25.

FOURTH: This Contract's initial term will be for a period of 2 years commencing upon the Board's approval and execution of this Agreement by both Parties, whichever occurs last. The COUNTY will have the sole option to renew this Contract term for up to two additional one-year periods and six month-to-month extensions, for a maximum total Contract term of 4 years and 6 months. Each such option will be exercised at the sole discretion of the COUNTY. The COUNTY, acting through the Director, may give a written notice of intent to renew this Contract at least 10 days prior to the end of each term. At the sole discretion of the COUNTY, in lieu of renewing the Contract for the full 1 year, this Contract may be renewed on a month-to-month basis, upon written notice to the CONTRACTOR at least 10 days prior to the end of a term. Further, in accordance with Section 2.A.3 of Exhibit B, Service Contract General Requirements, the COUNTY may, at

its sole discretion, authorize extensions of time to the Contract's term, to the extent that extensions of time for Contractor performance do not impact either scope or amount of this Contract, provided the aggregate of all such extensions during the life of this Contract will not exceed 180 days. The Director will provide a written notice of nonrenewal at least 10 days before the last day of any term, in which case this Contract will expire as of midnight on the last day of that term. Where all option years have been exercised, the Director will not provide a written notice of nonrenewal.

FIFTH: The CONTRACTOR will bill monthly, in arrears, for the work performed during the preceding month. Work performed will be billed at the unit prices quoted in Form PW-2, Schedule of Prices.

SIXTH: Public Works will make payment to the CONTRACTOR within 30 days of receipt and approval of a properly completed and undisputed invoice. However, should the CONTRACTOR be certified by the COUNTY as a Local Small Business Enterprise, payment will be made in accordance with Board of Supervisors Policy No. 3.035, Small Business Liaison and Prompt Payment Program. Each invoice must be in triplicate (original and two copies) and must itemize the work completed. The invoices must be submitted to:

Los Angeles County Public Works  
Attention Fiscal Division, Accounts Payable  
P.O. Box 7508  
Alhambra, CA 91802-7508

SEVENTH: In no event will the aggregate total amount of compensation paid to the CONTRACTOR exceed the amount of compensation authorized by the Board. Such aggregate total amount is the Maximum Contract Sum.

EIGHTH: The CONTRACTOR understands and agrees that only the designated Public Works Contract Manager is authorized to request or order work under this Contract. The CONTRACTOR acknowledges that the designated Contract Manager is not authorized to request or order any work that would result in the CONTRACTOR earning an aggregate compensation in excess of this Contract's Maximum Contract Sum.

NINTH: The CONTRACTOR must not perform or accept work requests from the Contract Manager or any other person that will cause the Maximum Contract Sum of this Contract to be exceeded. The CONTRACTOR must monitor the balance of this Contract's Maximum Contract Sum. When the total of the CONTRACTOR'S paid invoices, invoices pending payment, invoices yet to be submitted, and ordered services reaches 75 percent of the Maximum Contract Sum, the CONTRACTOR must immediately notify the Contract Manager in writing. The CONTRACTOR must send written notification to the Contract Manager when this Contract is within 6 months from expiration of the term as provided for hereinabove.

TENTH: No cost-of-living adjustment will be granted for the optional renewal periods.

ELEVENTH: In the event that terms and conditions, which may be listed in the CONTRACTOR'S Proposal, conflict with the COUNTY'S specifications, requirements, and terms and conditions as reflected in this AGREEMENT including, but not limited to, Exhibits A through F, inclusive, the COUNTY'S provisions will control and be binding.

TWELFTH: The CONTRACTOR agrees in strict accordance with the Contract specifications and conditions to meet the COUNTY'S requirements.

THIRTEENTH: This Contract constitutes the entire agreement between the COUNTY and the CONTRACTOR with respect to the subject matter of this Contract and supersedes all prior and contemporaneous agreements and understandings. This CONTRACT may be signed by the Parties hereto in separate counterparts, including both counterparts that are executed on paper and counterparts that are in the form of electronic signatures. Electronic signatures include facsimile or e-mail electronic signatures. Each executed counterpart will be deemed an original. All counterparts, taken together, constitute the executed Agreement.

The Parties hereby acknowledge and agree that electronic records and electronic signatures, as well as facsimile signatures, used in connection with the execution of this Agreement and electronic signatures, facsimile signatures or signatures transmitted by electronic mail in so-called pdf format will be legal and binding and will have the same full force and effect as if a paper original of this Agreement had been delivered and had been signed using a handwritten signature. Contractor and County (i) agree that an electronic signature, whether digital or encrypted, of a Party to this Agreement is intended to authenticate this writing and to have the same force and effect as a manual signature, (ii) intend to be bound by the signatures (whether original, faxed or electronic) on any document sent or delivered by facsimile, or electronic mail, or other electronic means, (iii) are aware that the other Party will rely on such signatures, and (iv) hereby waive any defenses to the enforcement of the terms of this Agreement based on the foregoing forms of signature. If this Agreement has been executed by electronic signature, all Parties executing this document are expressly consenting under the United States Federal Electronic Signatures in Global and National Commerce Act of 2000 (E-SIGN) and California Uniform Electronic Transactions Act (UETA)(Cal. Civ. Code § 1633.1, et seq.), that a signature by fax, e-mail or other electronic means will constitute an Electronic Signature to an Electronic Record under both E-SIGN and UETA with respect to this specific transaction.

//  
//  
//  
//  
//  
//  
//  
//  
//  
//  
//

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Director of Public Works

APPROVED AS TO FORM:

DAWYN R. HARRISON  
County Counsel

By \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Type/Print Name

THE PETERSON GROUP, INC.

By \_\_\_\_\_  
Its President

\_\_\_\_\_  
Type/Print Name

By \_\_\_\_\_  
Its Secretary

\_\_\_\_\_  
Type/Print Name

**PROPOSERS' UTILIZATION PARTICIPATION AND COMMUNITY BUSINESS ENTERPRISE PROGRAM INFORMATION FOR  
ON-CALL TIRE RECYCLING PROGRAM**

**SELECTED FIRMS**

<b>Proposer Name (Prime with subcontractors* listed below) *only subcontractors with Utilization Participation are listed.</b>	<b>Local Small Business Enterprise (LSBE)</b>	<b>Small Business Enterprise (SBE)</b>	<b>Minority</b>	<b>Women-Owned</b>	<b>Disadvantaged Business</b>	<b>Disabled Veteran Business Enterprise</b>	<b>Social Enterprise</b>	<b>Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning-Owned Business Enterprise</b>
<b>The Peterson Group, Inc.</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

**NON-SELECTED FIRMS**

<b>Proposer Name (Prime with subcontractors* listed below) *only subcontractors with Utilization Participation are listed.</b>	<b>Local Small Business Enterprise (LSBE)</b>	<b>Small Business Enterprise (SBE)</b>	<b>Minority</b>	<b>Women-Owned</b>	<b>Disadvantaged Business</b>	<b>Disabled Veteran Business Enterprise</b>	<b>Social Enterprise</b>	<b>Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning-Owned Business Enterprise</b>
<b>Ware Disposal, Inc.</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>Y</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Huls Environmental Management LLC DBA Sustainable Environmental Management Company	<b>N/A</b>	<b>Y</b>	<b>Y</b>	<b>N/A</b>	<b>Y</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

\*Information provided by proposers in response to the Request for Proposal. On final analysis and consideration of award, vendors were selected without regard to race, creed, gender, or color.

**PROPOSERS' UTILIZATION PARTICIPATION AND COMMUNITY BUSINESS ENTERPRISE PROGRAM INFORMATION FOR  
ON-CALL TIRE RECYCLING PROGRAM**

<b>FIRM INFORMATION*</b>		The Peterson Group, Inc.	Ware Disposal, Inc.
<b>BUSINESS STRUCTURE</b>		Corporation	Corporation

CULTURAL/ETHNIC COMPOSITION		NUMBER / % OF OWNERSHIP	
OWNERS/PARTNERS	Black/African American	0	0
	Hispanic/Latino	0	0
	Asian or Pacific Islander	0	0
	American Indian	0	0
	Filipino	0	0
	White	1/100%	2/100%
	<i>Female (included above)</i>	0	1

COUNTY CERTIFICATION		
CBE	N	Y
LSBE	N	N

<b>OTHER CERTIFYING AGENCY</b>	N/A	Women's Business Enterprise National Council
--------------------------------	-----	--

\*Information provided by proposer in response to the Request for Proposal. On final analysis and consideration of award, vendors were selected without regard to race, creed, gender, or color.



(/LACoBids/)

lacounty.gov

Home (/LACoBids/) / Admin (/LACoBids/Admin) / Open Solicitations (/LACoBids/Admin/BidList)

Solicitation Detail

Soliciation Number:	BRC0000405		
Title:	On-Call Tire Recycling Program		
Department:	Public Works		
Bid Type:	Service	Bid Amount:	\$900,000.00
Commodity:	CONSULTING SERVICES - COMMUNICATIONS - PUBLIC RELATIONS		



**Description:**

PLEASE TAKE NOTICE that Public Works requests proposals for the On-Call Tire Recycling Program (BRC0000405) contract. This contract has been designed to have a potential maximum contract term of 4 years, consisting of an initial 2-year term and potential additional two 1-year option renewals. The total contract amount of this service is estimated to be \$900,000 for the initial 2-year term. The Request for Proposals (RFP) with contract specifications, forms, and instructions for preparing and submitting proposals may be accessed at <http://pw.lacounty.gov/brcd/servicecontracts/> or may be requested from Ms. Amber Albert at (626) 458-4199 or [aalbert@pw.lacounty.gov](mailto:aalbert@pw.lacounty.gov) or Ms. Victoria Frausto at (626) 300-2652 or [vfrausto@pw.lacounty.gov](mailto:vfrausto@pw.lacounty.gov), Monday through Thursday, 7 a.m. to 5 p.m.

PLEASE CHECK THE WEBSITE FREQUENTLY FOR ANY CHANGES TO THIS SOLICITATION. ALL ADDENDA AND INFORMATIONAL UPDATES WILL BE POSTED AT <http://pw.lacounty.gov/brcd/servicecontracts>.

"Do Business with Public Works" Website Registration

All interested proposers for this RFP are strongly encouraged to register at <http://pw.lacounty.gov/general/contracts/opportunities/>. Only those firms registered for this RFP through the website will receive automatic notification when any update to this RFP is made. The County does not have an obligation to notify any proposers other than through the Public Works website's automatic notification system.

Doing Business with Local Small Business Enterprise, Disabled Veteran Business Enterprise, and Social Enterprise

The County strongly encourages participation from firms, primes, and subcontractors, which are certified in the County's Local Small Business Enterprise (LSBE), Disabled Veteran Business Enterprise (DVBE), and Social Enterprise (SE) Preference Programs. The County's LSBE, DVBE, and SE Preference Programs require firms to complete a certification process to receive certain benefits allowed only for LSBE, DVBE, and SE, such as a 15 percent price preference, not to exceed \$150,000, when applicable, and LSBE Prompt Payment Program. The following link provides additional information on being County certified LSBE, DVBE, and SE: <http://dcba.lacounty.gov>.

**Minimum Mandatory Requirements:** At the time of proposal submission, proposers must meet all minimum requirements set forth in the RFP documents including, but not limited to:

1. Proposing entity or its supervising employees(s) must have a minimum of 3 years of experience in any of the following fields with emphasis on waste reduction: tire recycling, solid waste recycling, solid waste management, or solid waste education. This requirement must be held by the proposer and using a subcontractor to meet this requirement, is not allowed.
2. Proposing entity must identify a tire hauler in their proposal who will be assigned to this contract, if awarded. The hauler must have an active registered Tire Program Identification

Number (TPID) for hauling of tires, issued by the California Department of Resources Recycling and Recovery (<http://www.calrecycle.ca.gov/Tires/TPID/>). The TPID must be identified in the proposal. Subcontractors may be used to meet this minimum requirement.

3. Proposing entity must identify a tire recycler in their proposal who will be assigned to this contract, if awarded. The recycler must have an active registered TPID for storing and recycling of tires, issued by the California Department of Resources Recycling and Recovery (<http://www.calrecycle.ca.gov/Tires/TPID/>). The TPID must be identified in the proposal. Subcontractors may be used to meet this minimum requirement.

There will be no proposers' conference for this solicitation. The deadline to submit written questions for a response is Thursday, January 19, 2023, by or before 5:30 p.m.

The deadline to submit proposals is Tuesday, January 31, 2023, at 5:30 p.m. Please direct your questions to Ms. Albert or Ms. Frausto.

#### IMPORTANT NOTICE

Submission of proposals will only be accepted electronically using BidExpress or electronic proposals via universal serial bus drive or compact disk to the Cashier's Office in Public Works Headquarters located on the Mezzanine Floor, 900 South Fremont Avenue, Alhambra, California 91803. Submission of hard copy proposals will not be accepted.

#### PROPOSALS MUST BE SUBMITTED ELECTRONICALLY USING THE FOLLOWING METHOD:

##### Electronic Submission of Proposals

In lieu of submitting electronic proposals to the Cashier's Office, you may submit proposals electronically on [www.bidexpress.com](http://www.bidexpress.com), a secure online bidding service website.

To submit your proposals electronically, register with BidExpress, prior to the due date above. A new registration page must be signed, notarized, and received by BidExpress customer support for processing before the due date. An Infotech/BidExpress Set-up Guide is included as Attachment 6 for reference. There is a nominal service fee to use BidExpress.

Please note, each upload of file in BidExpress is limited to 10 MB per file up to 50 files for a total of 500 MB. Proposers shall plan ahead and allow sufficient time to account for the registration and file size limitations before the proposal submission deadline to complete the uploading of proposal files. If proposer submits a proposal through BidExpress, proposer should not send hard copies, compact disc, or any other materials to the County via mail.

Proposals received after the closing date and time specified in this Notice of Request for Proposals will be rejected by Public Works as nonresponsive.

Less

<b>Open Day:</b>	1/11/2023	<b>Close Date:</b>	1/31/2023 5:30:00 PM
------------------	-----------	--------------------	----------------------

Contact Name:	Amber Albert	Contact Phone:	(626) 458-4199
Contact Email:	aalbert@pw.lacounty.gov		
Last Changed On:	1/11/2023 8:51:36 AM		
Attachment File (0) :	<a href="#">+ Click here to download attachment files.</a>		

[Update \(/LACoBids/Admin/UpdateBid/ODcyNTgzMTExMjM3\)](#)Powered by ISD | [Contact Us](#)

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023	
<b>BOARD MEETING DATE</b>	12/19/2023	
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>	
<b>DEPARTMENT(S)</b>	Public Works	
<b>SUBJECT</b>	Memorandum of Agreement between the County of Los Angeles, the Los Angeles County Flood Control District, and the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, and West Hollywood for planning, design, and construction of the Ballona Creek Bacteria Total Maximum Daily Load project	
<b>PROGRAM</b>	Unincorporated Area Stormwater Quality Program	
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
<b>DEADLINES/ TIME CONSTRAINTS</b>	The project has started construction. Thus, timely execution of the agreement is needed to pay the County and District's contribution to the Cities of Culver City and Los Angeles to help avoid delay in the project completion and meeting regulatory deadlines.	
<b>COST &amp; FUNDING</b>	Total cost: \$2,553,784.98 (for County and District contribution)	Funding source: <ul style="list-style-type: none"> <li>Public Works General Fund (County): \$1,053,784.98</li> <li>Public Works Flood Fund (District): \$1,500,000</li> </ul>
	TERMS (if applicable):	
	Explanation: Funding for County and District contributions toward the project's planning, design, and construction has been included in Fiscal Years 2022-23 and 2023-24 Budgets of the Public Works General and Flood Funds.	
<b>PURPOSE OF REQUEST</b>	Public Works is seeking Board approval for the Director of Public Works to enter into a Memorandum of Agreement with partner cities to financially contribute to the planning, design, and construction costs associated with this mutually beneficial project.	
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	The project involves three new low-flow diversion facilities within the Ballona Creek Watershed. The project improves the water quality of Ballona Creek and downstream waters, including Ballona Creek Estuary and Santa Monica Bay. Additionally, the project helps augment water supply by enhancing water reuse.	
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain how: N/A due to this being a City-lead project	
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: The project supports Board Priority No. 5: Environmental Health by improving water quality and potentially increasing water supply.	
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Mark Pestrella, Deputy Director, Office (626) 458-4012, Cell (626) 476-6792, <a href="mailto:mpestrella@pw.lacounty.gov">mpestrella@pw.lacounty.gov</a>	

December 19, 2023

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:

**WATER RESOURCES CORE SERVICE AREA  
DELEGATE AUTHORITY FOR THE COUNTY OF LOS ANGELES AND THE  
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO ENTER INTO A  
MEMORANDUM OF AGREEMENT WITH THE CITIES OF BEVERLY HILLS,  
CULVER CITY, INGLEWOOD, LOS ANGELES, AND WEST HOLLYWOOD FOR  
PLANNING, DESIGN, AND CONSTRUCTION OF THE BALLONA CREEK BACTERIA  
TOTAL MAXIMUM DAILY LOAD PROJECT  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, and the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute a Memorandum of Agreement, including subsequent amendments, to financially contribute to the planning, design, and construction costs associated with the following regional facilities: Low Flow Treatment Facility 1 at Ballona Creek; Low-Flow Treatment Facility 2 at Sepulveda Channel; and Mesmer Low-Flow Diversion Facility at Centinela Creek. These three regional facilities are collectively known as the Ballona Creek Bacteria Total Maximum Daily Load Project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Acting as a responsible agency for the Ballona Creek Bacteria Total Maximum Daily Load Project under the California Environmental Quality Act, consider the Environmental Impact Report, prepared and adopted by the City of Los Angeles as lead agency; certify that the Board has independently reviewed, considered, and reached its own conclusions regarding the environmental effects of Public Works' approvals related to the Ballona Creek Bacteria Total Maximum Daily Load Project; and find that the proposed actions are within the scope of the Final Environmental Impact Report prepared by the City of Los Angeles as lead agency.

2. Authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, to enter into a Memorandum of Agreement with the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, and West Hollywood to contribute a total not-to-exceed amount of \$1,053,784.98 in Fiscal Year 2023-24 for planning, design, and construction costs associated with the Ballona Creek Bacteria Total Maximum Daily Load Project.
3. Authorize the Director of Public Works or his designee, on behalf of the County of Los Angeles, to execute any necessary amendments, including extensions of term, to this Memorandum of Agreement provided that any amendments do not increase the amount of the County of Los Angeles' funding contribution by more than 10 percent.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Acting as a responsible agency for the Ballona Creek Bacteria Total Maximum Daily Load Project under the California Environmental Quality Act, consider the Environmental Impact Report, prepared and adopted by the City of Los Angeles as lead agency; certify that the Board has independently reviewed, considered, and reached its own conclusions regarding the environmental effects of Los Angeles County Flood Control District's approvals related to the Ballona Creek Bacteria Total Maximum Daily Load Project; and find that the proposed actions are within the scope of the Final Environmental Impact Report prepared by the City of Los Angeles as lead agency.
2. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to enter into a Memorandum of Agreement with the Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, and West Hollywood to contribute a total not-to-exceed amount of \$1,500,000 in Fiscal Years 2023-24 and 2024-25 for planning, design, and construction costs associated with the Ballona Creek Bacteria Total Maximum Daily Load Project.
3. Authorize the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute any necessary amendments, including extensions of term, to this Memorandum of Agreement provided that any amendments do not increase the amount of the Los Angeles County Flood Control District's funding contribution.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find that the Ballona Creek Bacteria Total Maximum Daily Load Project is within the scope of the project impacts analyzed in the Final Environmental Impact Report and authorize funding contributions toward the implementation of the project, aimed at improving the water quality of the Ballona Creek and Santa Monica Bay and increasing the region's local water supply resilience.

In June 2006, the Los Angeles Regional Water Quality Control Board adopted a Basin Plan Amendment establishing the Ballona Creek, Ballona Estuary, and Sepulveda Channel Bacteria Total Maximum Daily Load (TMDL) to address bacteria pollutants being discharged into Ballona Creek. Typical sources of bacteria pollutants include animal and pet waste, which can be mobilized by overwatering of lawns. The Cities of Beverly Hills, Culver City, Inglewood, Los Angeles, and West Hollywood (Cities); the County of Los Angeles; and the Los Angeles County Flood Control District are required to comply with this Bacteria TMDL.

As part of the plan to address the Bacteria TMDL, the Cities, County, and District have collectively partnered to develop the Ballona Creek Bacteria TMDL Project, which will be led by the Cities of Los Angeles and Culver City. During dry weather, the project will divert urban runoff from approximately 90 percent of the watershed for treatment to improve the water quality. The project is comprised of three regional facilities: Low-Flow Treatment Facility 1 at Ballona Creek (LFTF-1); Low-Flow Treatment Facility 2 at Sepulveda Channel (LFTF-2); and Mesmer Low-Flow Diversion Facility at Centinela Creek (Mesmer).

The City of Los Angeles will operate and maintain LFTF-1 and LFTF-2, and the City of Culver City will operate and maintain Mesmer to ensure proper function and performance. The Cities, County, and District expect to implement a separate Memorandum of Agreement (MOA) regarding the operation and maintenance costs for the project.

## **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy II.3, Make Environmental Sustainability our Daily Reality, Objective II.3.1 Improve Water Quality, Reduce Water Consumption, and Increase Water Supplies; and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability by developing cooperative partnerships with local agencies to reduce costs and leverage resources and by implementing projects in compliance with the Municipal Separate Storm Sewer System Permit, which improves stormwater quality and increases local water supply.

### **FISCAL IMPACT/FINANCING**

The Cities and the County have agreed to split facility costs based on the jurisdictional land area within each facilities' drainage area and environmental permitting costs based on the jurisdictional land area within the entire Ballona Creek Watershed. The District will not contribute based on land area due to its negligible land footprint within the watershed; however, it has provided significant support in obtaining various required permits and covered several permitting fees. In addition, the District has committed to contributing \$1,500,000 toward the completion of LFTF-1. The Cities of Los Angeles and Culver City have applied for funds from the Safe, Clean Water Program (SCWP) toward the construction of the project. The City of Los Angeles was awarded \$15,000,000 in SCWP funding toward LFTF-1 and LFTF-2. The City of Culver City was awarded \$950,000 in SCWP funding toward Mesmer. The City of Culver City also received Proposition 1 Integrated Regional Water Management funding in the amount of \$607,847 and Caltrans funding in the amount of \$230,000 toward the Mesmer facility.

The initial, environmental, and permitting expenditures (planning) for the project are estimated at \$1,114,767. The design and construction costs for LFTF-1, LTFTF-2, and Mesmer are estimated at \$64,476,326.55, \$28,209,000, and \$2,103,192, respectively. As shown in Exhibit A of the MOA, the County's not-to-exceed contribution amount toward the planning, design, and construction of the project (after accounting for funds from SCWP, Proposition 1, Caltrans, and District contribution), is \$1,053,784.98. As the project owners, the Cities of Los Angeles and Culver City will act as the lead agencies and project implementers under the MOA and will administer all necessary contracts to complete the project by June 2025.

The County's total not-to-exceed contribution of \$1,053,784.98 for the planning, design, and construction of the project was included in the Public Works General Fund (Fund A01, Other Charges) Fiscal Year 2022-23 Budget. This funding has been carried over in the Public Works General Fund (Fund A01, Other Charges) Fiscal Year 2023-24 Budget during the Supplemental Budget phase. Funding for any amendments to the cost of operation and maintenance, not to exceed 10 percent, will be requested through the annual budget process. The District's not-to-exceed contribution of \$1,500,000 is available in the Public Works Flood Fund (Fund B07, Other Charges) Fiscal Year 2023-24 Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed MOA has been reviewed and approved, as to form, by County Counsel.



## **ENVIRONMENTAL DOCUMENTATION**

The City of Los Angeles, as the lead agency, prepared a Final Environmental Impact Report (EIR), consulted with the County and the District, and adopted the Final EIR for the project on June 29, 2018. In entering into the MOA, the County and the District are acting as responsible agencies for the project because they are funding the planning, design, and construction of the project.

The County and the District have independently reviewed and considered the EIR in determining that they will approve the project and thereby allow the Cities of Los Angeles and Culver City to construct, operate, and maintain the project. It has been determined that the significant adverse environmental effects of the project have either been reduced to an acceptable level through mitigation or are outweighed by the specific considerations of the project. A copy of the Final EIR, Statement of Overriding Considerations, and related documentation is available at:

[https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-wp/s-lsh-wwd-wp-ewmp/s-lsh-wwd-wp-ewmp-bc?\\_af.ctrl-state=wj7g7au0r\\_82](https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-wp/s-lsh-wwd-wp-ewmp/s-lsh-wwd-wp-ewmp-bc?_af.ctrl-state=wj7g7au0r_82)

Documents and other materials constituting the record of the proceedings are located at Public Works, 1000 South Fremont Avenue, Building A9 East, 1st Floor, Alhambra, CA 91803. The custodian of such documents is Stormwater Quality Division.

On June 29, 2018, the City of Los Angeles filed a Notice of Determination with the County Clerk in accordance with Section 21152 of the California Public Resources Code.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impact on current services or projects as a result of the recommended actions.

The Honorable Board of Supervisors  
December 19, 2023  
Page 6

**CONCLUSION**

Please return one adopted copy of this letter to the Public Works, Stormwater Quality Division.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

MP:ML:dw

Enclosure

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel (Grace Chang)  
Executive Office

MEMORANDUM OF AGREEMENT

between

THE CITY OF LOS ANGELES

and

THE COUNTY OF LOS ANGELES, THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AND THE CITIES OF BEVERLY HILLS, CULVER CITY, INGLEWOOD, AND WEST HOLLYWOOD

regarding the

COST SHARING AND IMPLEMENTATION OF THE BALLONA CREEK BACTERIA TMDL PROJECT

This Memorandum of Agreement (“Agreement”) is made and entered into as of the earlier of June 30, 2023 or date of the last signature set forth below by and between: the City of Los Angeles, a municipal corporation; the County of Los Angeles, a political subdivision of the State of California; the Los Angeles County Flood Control District (“LACFCD”), a body corporate and politic; the City of Beverly Hills, a municipal corporation; the City of Culver City, a municipal corporation; the City of Inglewood, a municipal corporation; and the City of West Hollywood, a municipal corporation. Collectively, these entities shall be known herein as “Parties” or individually as “Party”.

RECITALS

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region (“LA Regional Board”) adopted the National Pollutant Discharge Elimination System (“NPDES”) Municipal Separate Storm Sewer System (“MS4”) Permit Order No. R4-2012-0175 (“2012 MS4 Permit”) on November 8, 2012, which was superseded by the Regional Phase I MS4 NPDES Permit Order No. R4-2021-0105 (“2021 Regional Phase I MS4 Permit”);

WHEREAS, the 2012 MS4 Permit became effective on December 28, 2012 and requires that the County of Los Angeles, the LACFCD, and 84 of the 88 cities (excluding Long Beach, Avalon, Palmdale, and Lancaster) within Los Angeles County comply with the requirements of the MS4 Permit; and

WHEREAS the 2021 Regional Phase I MS4 Permit became effective on September 11, 2021 and requires that the County of Los Angeles, LACFCD, 85 incorporated cities within the coastal watersheds of Los Angeles County, Ventura County Watershed Protection District, County of Ventura, and 10 incorporated cities within Ventura County are subject to waste discharge requirements for their municipal separate storm sewer system (“MS4”) discharges originating from within their jurisdictional boundaries composed of stormwater and non-stormwater;

WHEREAS, the 2012 MS4 Permit and 2021 Regional Phase I MS4 Permit identified the Parties as responsible for compliance with the MS4 Permit requirements pertaining to the Ballona Creek Watershed in the Santa Monica Bay Watershed Management Area; and

WHEREAS, the City of Los Angeles (“City”), on behalf of the Parties, submitted a letter to the LA Regional Board on February 3, 2022 that requested an extension to the Time Schedule Order (“TSO”) to implement the dry weather bacteria limitations applicable to the Ballona Creek Watershed as set forth in the 2012 MS4 Permit and 2021 Regional Phase I MS4 Permit; and

WHEREAS, the LA Regional Board granted the Parties the TSO No. R4-2015-0108 that became effective upon the adoption date of May 14, 2015; and

WHEREAS, the Parties submitted a Pollution Prevention Plan (“PPP”) which was approved by the LA Regional Board on March 18, 2016 which outlined LFTF-1, LFTF-2, and the Mesmer Low Flow Diversion as the planned compliance solutions; and

WHEREAS, the City of Los Angeles led the overall regulatory requirements, environmental review, and permitting for the three proposed facilities; and

WHEREAS, the City of Los Angeles led the design and construction of Low Flow Treatment Facility #1 (“LFTF-1”) and Low Flow Treatment Facility #2 (“LFTF-2”); and

WHEREAS, the City of Culver City led the design and construction of the Mesmer Low Flow Diversion; and

WHEREAS, the Cities of Los Angeles and Culver City will henceforth be referred to as the “Project Implementers” of their respective scope; and

WHEREAS, all Parties have a robust history of collaborating on watershed-wide water quality and regulatory efforts, punctuated by monthly meetings dating back to 2013, and the approval and implementation of the Ballona Creek Enhanced Watershed Management Program and the Ballona Creek Coordinated Integrated Monitoring Program; and

WHEREAS, all Parties are committed to pursuing opportunities to enhance water quality, increase local water supply, and provide numerous benefits to the watershed’s communities; and

WHEREAS, the three unique facilities known as LFTF-1, LFTF-2 and the Mesmer Low Flow Diversion are collectively known as the Ballona Creek Bacteria TMDL Project (“Project”) and will be implemented with the background, scope, budget, funding, and timeline as outlined in Section 1 of this agreement to achieve compliance with TSO No. R4-2015-0108, the 2012 MS4 Permit, and 2021 Regional Phase I MS4 Permit; and

WHEREAS, the Project Implementers, through multiple funding sources, have front-funded several years of Project development and agree to front-fund the remaining Project costs for Project management, engineering design, permits, construction management, and construction, as outlined in Exhibit A.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties do hereby agree as follows:

## **SECTION 1. PROJECT INFORMATION**

### **A. Background**

In June 2006, the Los Angeles Regional Water Quality Control Board adopted a Basin Plan Amendment establishing the Ballona Creek, Ballona Estuary, and Sepulveda Channel Bacteria Total Maximum Daily Load (TMDL). The Bacteria TMDL became effective in May 2008. The Bacteria TMDL was amended in June 2012 and the amendment became effective in July 2014. The requirements of the Bacteria TMDL were incorporated into the 2012 MS4 Permit and retained in the 2021 Regional Phase I MS4 Permit. These requirements include receiving water limitations (RWLs) based on the TMDL targets, water quality-based effluent limitations (WQBELs) based on the TMDL waste load allocations (WLAs), as well as a schedule to attain the RWLs and WQBELs. The final compliance date to attain the RWLs and the WQBELs during dry weather was April 2, 2013. The Cities of Los Angeles, Beverly Hills, Culver City, Inglewood, and West Hollywood, the County of Los Angeles and LACFCD anticipated that additional time would be necessary to comply with bacteria WQBELs and RWLs during dry weather as set forth in the MS4 Permit, and requested and were granted a Time Schedule Order (TSO) by the Regional Board. The TSO (Order No. R4-2015-0108) is effective from May 14, 2015, to December 15, 2019, to implement three regional facilities: LFTF-1, LFTF-2, and the Mesmer Low Flow Diversion.

Due to the complexity of the facilities and multiple permit requirements that involve Federal, State, and local levels, the Parties are currently in negotiations with the LA Regional Board to obtain an extension of the TSO deadline to allow for the completion of the Project according to the Project schedule.

The purpose and need of the proposed Project is to meet the dry weather Bacteria TMDL targets for Fresh Waters Designated for Limited Water Contact Recreation (LREC) presented below:

1. Geometric Mean Limits: E. coli density shall not exceed 126 MPN/100 mL.
2. Single Sample Limits: E. coli density shall not exceed 576 MPN/100 mL.

The Bacteria TMDL defines dry weather flow in Ballona Creek as the flow in the creek on days with no or less than 0.1 inch of rain at least three days after a rain event. As noted above, the Parties

plan to comply with the dry weather Bacteria TMDL requirements through the development of the following three facilities:

1. LFTF-1 at Ballona Creek led by the City of Los Angeles.
2. LFTF-2 at Sepulveda Channel led by the City of Los Angeles.
3. Mesmer Low Flow Diversion at Centinela Creek led by the City of Culver City.

## B. Location and Scope

I. Low Flow Treatment Facility 1 (LFTF-1) is located along the Ballona Creek main stem, one block north of the intersection of Jefferson Boulevard and Raintree Circle at the City of Los Angeles's North Outfall Treatment Facility (NOTF) located at 10201 Jefferson Blvd. in the City of Culver City. The facility will retrofit the NOTF, which was originally designed for discharging sewer overflows (after treatment) into Ballona Creek. The NOTF has been abandoned for over 20 years as the local sewer conveyance system has been upgraded, and it will now be repurposed to improve the water quality in Ballona Creek.

Proposed facility components include:

- Saw-cut channel across Ballona Creek for diversion of dry weather runoff.
- Lift station with five pumps with a maximum design capacity of 29 million gallons per day (mgd).
- Ozonation facility for disinfection of 6 mgd (disinfection target: reduce E. coli from 10,000 Most Probable Number per 100 milliliters (MPN/100 mL) to less than 50 MPN/100 mL). Ozone will be generated onsite and does not require transport of chemicals. Disinfected water will be returned to Ballona Creek to assist in bacteria standards downstream of the facility being met.
- Diversion connection to the North Outfall Sewer (NOS) to convey a maximum of 23 mgd to the Hyperion Water Reclamation Plant.

II. Low Flow Treatment Facility 2 (LFTF-2) is located along Sepulveda Channel, next to its intersection with Culver Boulevard, at an existing water quality monitoring facility in the City of Los Angeles. A new facility is being proposed for disinfection of all dry weather flow in this channel.

Proposed facility components include:

- Saw-cut channel across Sepulveda Channel for diversion of dry weather runoff.
- Lift station with two pumps with a maximum design capacity of 1.3 mgd.
- Ozonation facility for disinfection of up to 1.3 mgd (disinfection target: reduce E. coli from 10,000 MPN/100 mL to less than 50 MPN/100 mL). Ozone will be generated onsite and does not require transport of chemicals.

- Outlet for returning disinfected flow to Sepulveda Channel. Disinfected water will be returned to Sepulveda Channel to assist in bacteria standards downstream of the facility being met. There will be no diversion to the sewer system because of sewer conveyance constraints at this location.

III. The Mesmer Low Flow Diversion is located along Centinela Creek, near its intersection with Jefferson Boulevard, and involves repurposing the existing Mesmer pump station located adjacent to Centinela Creek to service dry weather runoff instead of wastewater.

Proposed facility components include:

- Small diversion berm and grate inlet in the low flow portion of the channel
- A diversion pipe installed using trenchless methods to convey dry weather flow to the pump station
- Retrofit the Mesmer pump station to convey up to 0.96 mgd of dry weather flow to the sewer.

A map of the three facilities and their associated drainage areas in the Ballona Creek Watershed is in Exhibit C.

### C. Budget and Funding

As a regional, watershed-wide Project, made up of three individual facilities, the Ballona Creek Bacteria TMDL Project incurs expenditures associated with the construction of each individual facility as well as combined regulatory requirements such as permitting and environmental review. These facility costs and shared Project costs are shown in Exhibit A. The Parties have agreed to split all facility hard costs based on land area within each facilities' drainage area and split shared regulatory Project costs per land area within the Ballona Creek Watershed overall, except for the contribution by the LACFCD. The LACFCD is a named Project partner but will not contribute based on land area per its negligible footprint within the watershed. The LACFCD, however, has provided significant support receiving various required permits and covered several permitting fees. In addition, the LACFCD has committed to contributing \$1,500,000.00 towards the completion of Low Flow Treatment Facility #1. These supplemental funds are reflected in Exhibit A. Land area percentages are shown in Exhibit A.

The Cities of Los Angeles and Culver City have applied for funds, on behalf of all Parties, from the Safe, Clean Water Program. The City of Los Angeles was awarded \$15 million dollars towards Low Flow Treatment Facilities #1 and #2. The City of Culver City's Mesmer Low Flow Diversion was awarded \$950,000.00 towards the Mesmer Low Flow Diversion. These supplemental funds are reflected in Exhibit A. Additionally, the City of Culver City was awarded \$607,847 in Proposition 1 Round 1 Integrated Regional Water Management (IRWM) Implementation Grant funds, and \$230,000 from Caltrans in Cooperative Implementation Agreement grant funds.

#### D. Schedule

1. Low Flow Treatment Facility #1 is expected to be constructed by June 2025.
2. Low Flow Treatment Facility #2 is expected to be constructed by June 2025.
3. The Mesmer Low Flow Diversion is expected to be constructed by July 2023.

## **SECTION 2. AGREEMENT OF THE PARTIES**

A. The Parties agree to cooperatively finance the planning, design, and construction of three regional facilities: LFTF-1, LFTF-2, and the Mesmer Low Flow Diversion.

B. The Parties shall fully cooperate with one another to attain the purposes of this Agreement.

C. This Agreement shall become effective on the earlier of June 30, 2023 or the date of final execution by the Parties and it shall remain and continue in effect until eighteen months after Project completion.

D. The Parties agree that any substantiated costs incurred by the Project Implementers prior to the execution date of this Agreement shall be cost-shared under this Agreement according to the amounts specified in Exhibit A.

E. The Project Implementers agree to complete the following tasks, if each task has not already completed at the time of Agreement execution:

1. Complete 100 percent design plans and specifications for each Project Implementer's respective facility/ies:

- a. For the City of Los Angeles, Low Flow Treatment Facilities #1 and #2
- b. For the City of Culver City, Mesmer Low Flow Diversion

2. As to each Project Implementer's respective facility/ies, complete the environmental documentation and obtain necessary approvals in compliance with the California Environmental Quality Act (CEQA) for that/those facility/ies and acquire all necessary permits. These permits include the Clean Water Act Section 401 Water Quality Certification, the Clean Water Act Section 404 Permits, Los Angeles County Flood Control District Permits, River and Harbors Act Section 408 Permits, and Section 1602 Permit from the California Department of Fish and Wildlife.

3. As to each Project Implementer's respective facility/ies, advertise the facility/ies for construction bids, to award and administer the construction contract(s) and to cause the facility/ies to be constructed in accordance with the said plans and specifications.



4. Use other Parties' funds solely for costs of services rendered for work called for by Agreement. These funds shall be used for direct Project administration, planning, design, engineering, and construction associated with the development of plans, designs, and specifications described by Agreement.

5. Make changes or modifications to the plans and specifications for the Project as necessitated by unforeseen or unforeseeable conditions encountered during final design and/or construction and to consult with all other Parties on any fundamental design changes.

6. Upon approval of the Agreement by the other Parties, prepare and send invoice(s) for the funds as described in Exhibit A in January of each appropriate fiscal year.

7. Project Implementers agree to calculate and invoice additional Project costs that have been discussed and deemed reasonable and necessary by the Parties for Project completion. The Project Implementers will charge a 5% administrative fee to the subtotal for each Party, except for that of the LACFCD, as shown in Tables F1 and F2 of Exhibit A for administration and reporting related to SCWP and other potential shared funding sources, permitting, and other administrative tasks.

8. Submit a reimbursement(s) to other Parties of any unused funds within 120 calendar days after expiration/termination of this Agreement.

9. The Project Implementers shall provide all Parties with copies of all progress and expenditure reports, as well as all quarterly and annual reports that are required to be submitted to the Los Angeles County Flood Control District for Safe, Clean Water Program funding. Such reports shall be provided within 5 working days after submission to the Safe, Clean Water Program.

10. Use generally acceptable accounting practices applicable to public agencies to account for, transfer, and reimburse funds deposited for Project.

11. Upon request, provide construction documents and specifications to other Parties' staff for review.

12. Acknowledge all other Parties as Project partners in all material, publications, press releases, signage, and communications related to the Project.

13. Each Project Implementer will indemnify and hold other Parties and their governing board, officers, employees, and agents harmless from and against any claims, demands, liability, damages, fines, costs and expenses, including, without limitation, attorney fees and costs of litigation and claims involving bodily injury, death or personal injury of any person or property damage of any nature whatsoever, including any environmental damage or harm, arising out of any gross negligence or willful misconduct on the part of that Project Implementer in connection

with the Project Implementer's responsibilities under this Agreement. The provisions of this Section 2.E.13 shall survive expiration or termination of this Agreement.

F. All other Parties agree to:

1. Finance the Project Implementers for costs associated with the implementation of the Project, up to a maximum amount described in Tables H1 and H2 of Exhibit A.

2. Upon approval of this Agreement by all Parties, to pay the Project Implementers the allocated invoice amounts in Tables H1 and H2 of Exhibit A, for the Project; which will be paid in two payments. The invoices will be sent in January of each appropriate fiscal year, after execution of this Agreement. Payments will be sent within 90 days of receipt of invoices from the Project Implementers.

3. Participate in Project meetings, make decisions, provide technical assistance, and provide directions to the City of Los Angeles regarding the Project in a timely manner; however, the Project Implementers' determination regarding the Project will be considered as final.

4. The Contract Administrator for each Party will be the signatory on this Agreement and/or his/her appropriate and appointed designee as shown in Exhibit B.

5. To acknowledge every Project Partner in all material, publications, press releases, signage, and communications relating to the Project.

6. All other Parties will indemnify and hold the Project Implementers and their respective governing board, officers, employees, and agents harmless from and against any claims, demands, liability, damages, fines, costs and expenses, including, without limitation, attorney fees and costs of litigation and claims involving bodily injury, death or personal injury of any person or property damage of any nature whatsoever, including any environmental damage or harm, arising out of any gross negligence or willful misconduct on the part of that Party in connection with the Party's responsibilities under this agreement. The provisions of this Section 2.F.6 shall survive expiration or termination of this Agreement.

G. All Parties Mutually Understand and Agree:

1. This Agreement may be executed in separate parts by Parties. This Agreement shall become effective on the date of final execution by the Parties and it shall remain and continue in effect until eighteen months after Project completion, unless extended or sooner terminated by mutual written agreement by all Parties. All work described in Section 1, shall be completed by the expiration of this Agreement.

2. The Project Implementers shall have the right to reject all bids after notifying all Parties and may re-advertise the Project if the Project Implementers deem such action to be in the best interests of the group.

3. The design, construction, and Project management for Project will be performed in accordance with said plans and specifications following the City of Los Angeles and City of Culver City's standards and practices current as of the date of performance.

4. Each Party shall have no additional financial obligation to the other party under this Agreement, except as herein expressly provided.

5. The Project will have a projected useful service life of 50 years.

6. In determining the amount of each Parties' contribution described in Exhibit A, the actual implementation costs for Project, and therefore each Parties' portion thereof, shall be proportionally reduced by the amount of Regional Safe Clean Water Program funding for the implementation of Project that are secured by the Project Implementers on behalf of all Parties (if any).

7. This Agreement may be modified only by mutual written consent of all Parties. Adjustments of a non-material or typographical nature that do not require amendment to this Agreement may be made by the mutual written consent of all Contract Administrators or their delegates.

8. This Agreement shall be governed, interpreted under, construed, and enforced in accordance with the laws of the State of California.

9. If any provision of this Agreement shall be determined by any court to be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement shall not be affected and shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this Agreement.

10. All Parties have been represented by counsel in the preparation and negotiation of this Agreement and this Agreement shall be deemed drafted and construed by all Parties so as to not be construed against any of them if deemed ambiguous.

11. All Parties shall be required to make staff reasonably available, if requested, to participate and provide input at scheduled meetings, design workshops, community meetings and workshops, construction meetings, etc. for the Project.

12. Upon completion of the Project, the Project Implementers will assume ownership of their respective Project facilities and become responsible for their proper operation and

maintenance for the service life of those facilities. The Parties expect to implement a separate Agreement regarding the operation and maintenance costs of these facilities.

13. Any Party may exit the Agreement by giving the other Parties 90 calendar days written notice by certified mail with return receipt requested. In the event of exit by any Party, that Party no longer will have the compliance coverage associated with the facilities, which have been designed to meet water quality objectives of the MS4 Permit, TMDL, and Time Schedule Order from the date of the exit forward. All Parties shall be responsible for any reasonable and non-cancelable obligation incurred in the performance of Agreement until the date of the notice to exit, but only up to the unpaid balance of funding authorized under Agreement. Any resulting shortfall following any Party's exit will be shared equally by the remaining Parties to this Agreement.

14. In the event that performance on the part of any Party hereto is delayed or suspended as a result of circumstances beyond the reasonable control and without the fault and negligence of said Party, none of the Parties shall incur any liability to the other Parties as a result of such delay or suspension. Circumstances deemed to be beyond the control of the Parties hereunder include, but are not limited to, acts of God or of the public enemy; insurrection; acts of the Federal government or any unit of State or local government in either sovereign or contractual capacity; fires; floods; earthquakes; pandemics; epidemics; quarantine restrictions; strikes; freight embargoes or delays in transportation, to the extent that they are not caused by the Parties willful or negligent acts or omission, and to the extent that they are beyond the Party's reasonable control.

15. The provisions of this Section 2.G shall survive expiration or termination of this Agreement.

### **SECTION 3. NOTICES**

All notices, demands, or requests shall be addressed to the contact information indicated in Exhibit B.

### **SECTION 4. COMPLETE AGREEMENT**

This Agreement contains the full and complete Agreement between the Parties related to the Project. No verbal agreement or conversation with any officer or employee of any Party shall affect or modify any of the terms and conditions of this Agreement.

### **SECTION 5. EXECUTION**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on their behalf, respectively, as follows:

**CITY OF LOS ANGELES**

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

By: \_\_\_\_\_

Aura Garcia, President

Board of Public Works

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

By: \_\_\_\_\_

Director

Barbara Romero, General Manager and

LA Sanitation and Environment

ATTEST:

By: \_\_\_\_\_

Holly L. Wolcot

City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_

Adena M Hopenstand

Deputy City Attorney

**CITY OF BEVERLY HILLS**

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

By: \_\_\_\_\_

Lilli Bosse

Mayor

ATTEST:

By: \_\_\_\_\_

Huma Ahmed

City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

By: \_\_\_\_\_

Laurence S. Wiener

City Attorney

By: \_\_\_\_\_

Nancy Hunt-Coffey

City Manager

By: \_\_\_\_\_

Shana Epstein

Director of Public Works

**CITY OF CULVER CITY**

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

By: \_\_\_\_\_

John Nachbar

City Manager

APPROVED AS TO CONTENT:

By: \_\_\_\_\_

Yanni Demitri,

Public Works Director

APPROVED AS TO FINANCING:

By: \_\_\_\_\_

Lisa Soghor

Chief Financial Officer

APPROVED AS TO FORM:

By: \_\_\_\_\_

Heather Baker

City Attorney



**CITY OF INGLEWOOD**

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

By: \_\_\_\_\_

James T. Butts, Jr.

Mayor

ATTEST:

By: \_\_\_\_\_

Aisha L. Thompson

City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_

Kenneth R. Campos

City Attorney

**CITY OF WEST HOLLYWOOD**

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

By: \_\_\_\_\_

David Wilson

City Manager

ATTEST:

By: \_\_\_\_\_

Melissa Crowder

City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_

Lauren Langer

City Attorney

**LOS ANGELES COUNTY FLOOD CONTROL DISTRICT**

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

By: \_\_\_\_\_

Mark Pestrella

Director of Public Works

APPROVED AS TO FORM:

Dawyn R. Harrison

County Counsel

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

By: \_\_\_\_\_

Grace V. Chang, Principal Deputy

**UNINCORPORATED COUNTY OF LOS ANGELES**

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

By: \_\_\_\_\_

Mark Pestrella

Director of Public Works

APPROVED AS TO FORM:

Dawyn R. Harrison

County Counsel

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

By: \_\_\_\_\_

Grace V. Chang, Principal Deputy

## EXHIBIT A

### Total Cost-Sharing and Invoicing for the Ballona Creek Bacteria TMDL Project

#### *Section A - Cost Sharing Plan for Initial, Environmental, and Permitting Expenditures for the Ballona Creek Bacteria TMDL Project (all 3 Facilities).*

**Table A1.** Initial, Environmental, and Permitting Expenditures for the Ballona Creek Bacteria TMDL Project (all 3 Facilities).

Item	Cost
Initial Study	\$85,192.00
CEQA Process / Draft and Final EIR	\$350,000.00
401 Permit Application	\$28,358.00
1602 Permit Application	\$15,000.00
On Call Consultant Services for Permit Support	\$591,601.00
Odor and Emissions Study	\$8,355.00
Ozone Bench Scale Tests	\$36,261.00
<b>TOTAL:</b>	<b>\$1,114,767.00</b>

**Table A2.** External Funding Sources Contributing Towards Initial, Environmental, and Permitting Expenditures for the Ballona Creek Bacteria TMDL Project (all 3 Facilities).

Funding Source	Cost
None	\$0.00
<b>TOTAL:</b>	<b>\$0.00</b>
<b>Remaining Costs for Cost Sharing:</b>	<b>\$1,114,767.00</b>

**Table A3.** Drainage Area of Each Partner Agency within the Combined Drainage Area of All Three Facilities.

Agency	Acres of Drainage Area Between All Three Facilities	Rounded Percentage
City of Los Angeles	60,048.73	84.14%
City of Beverly Hills	3,658.20	5.13%
City of West Hollywood	1,211.04	1.70%
City of Inglewood	1,929.64	2.70%
City of Culver City	1,848.87	2.59%
Unincorporated LA County	2,666.95	3.74%
<b>TOTAL:</b>	<b>71,363.43</b>	<b>100.00%</b>

**Table A4.** Contributions by Partner Agency to the Initial, Environmental, and Permitting Expenditures for the Ballona Creek Bacteria TMDL Project (all 3 Facilities).

Agency	Total Contributions to Project Aspect
City of Los Angeles	\$938,020.25
City of Beverly Hills	\$57,144.68
City of West Hollywood	\$18,917.64
City of Inglewood	\$30,142.88
City of Culver City	\$28,881.17
Unincorporated LA County	\$41,660.38
<b>TOTAL:</b>	<b>\$1,114,767.00</b>

**Section B - Cost Sharing Plan for Low Flow Treatment Facility #1.**

**Table B1.** Expenditures for Low Flow Treatment Facility #1.

Item	Cost
Design and Construction Management Costs	\$11,599,000.00
Construction Costs	\$52,874,000.00
Electrical Utility Service	\$3,326.55
<b>TOTAL:</b>	<b>\$64,476,326.55</b>

**Table B2.** External Funding Sources Contributing Towards Low Flow Treatment Facility #1.

Agency	Cost
Regional Safe Clean Water Program Funds (reference Table G1)	\$12,110,846.15
LACFCD Contribution	\$1,500,000.00
<b>TOTAL:</b>	<b>\$13,610,846.15</b>
<b>Remaining Costs for Cost Sharing:</b>	<b>\$50,865,480.40</b>

**Table B3.** Drainage Area of Each Partner Agency within the Drainage Area of Low Flow Treatment Facility #1.

Agency	Acres of Drainage Area of Low Flow Treatment Facility #1	Rounded Percentage
City of Los Angeles	45,924.45	86.84%
City of Beverly Hills	3,658.20	6.92%
City of West Hollywood	1,211.04	2.29%
City of Inglewood	373.99	0.71%
City of Culver City	884.78	1.67%
Unincorporated LA County	832.86	1.57%
<b>TOTAL:</b>	<b>52,885.32</b>	<b>100.00%</b>

**Table B4.** Contributions by Partner Agency to the Design and Construction Expenditures for Low Flow Treatment Facility #1.

Agency	Total Contributions to Project Aspect
City of Los Angeles	\$44,170,465.67
City of Beverly Hills	\$3,518,483.02
City of West Hollywood	\$1,164,786.97
City of Inglewood	\$359,706.27
City of Culver City	\$850,987.76
Unincorporated LA County	\$801,050.73
<b>TOTAL:</b>	<b>\$50,865,480.40</b>



**Section C - Cost Sharing Plan for Low Flow Treatment Facility #2.**

**Table C1.** Expenditures for Low Flow Treatment Facility #2.

Item	Cost
Design, Construction Management, Geotechnical Testing & Construction Design Support Costs	\$5,123,000.00
Construction Costs	\$21,086,000.00
Electrical Utility Service	\$2,000,000.00
<b>TOTAL:</b>	<b>\$28,209,000.00</b>

**Table C2.** External Funding Sources Contributing Towards Low Flow Treatment Facility #2.

Agency	Cost
Regional Safe Clean Water Program Funds (reference Table G1)	\$2,889,153.85
<b>TOTAL:</b>	<b>\$2,889,153.85</b>
<b>Remaining Costs for Cost Sharing:</b>	<b>\$25,319,846.15</b>

**Table C3.** Drainage Area of Each Partner Agency within the Drainage Area for Low Flow Treatment Facility #2.

Agency	Acres of Drainage Area of Low Flow Treatment Facility #2	Rounded Percentage
City of Los Angeles	12,454.79	98.72%
City of Beverly Hills	0.00	0.00%
City of West Hollywood	0.00	0.00%
City of Inglewood	0.00	0.00%
City of Culver City	129.62	1.03%
Unincorporated LA County	31.86	0.25%
<b>TOTAL:</b>	<b>12,616.28</b>	<b>100.00%</b>

**Table C4.** Contributions by Partner Agency to the Design and Construction Expenditures for Low Flow Treatment Facility #2.

Agency	Total Contributions to Project Aspect
City of Los Angeles	\$24,995,748.87
City of Beverly Hills	\$0.00
City of West Hollywood	\$0.00
City of Inglewood	\$0.00
City of Culver City	\$260,136.78
Unincorporated LA County	\$63,940.42
<b>TOTAL:</b>	<b>\$25,319,826.08</b>

***Section D - Cost Sharing Plan for the Mesmer Low Flow Diversion.***

**Table D1.** Expenditures for the Mesmer Low Flow Diversion.

Item	Cost
Design and Construction Management Costs	\$717,522.00
Construction Costs	\$1,385,670.00
<b>TOTAL:</b>	<b>\$2,103,192.00</b>

**Table D2.** External Funding Sources Contributing Towards the Mesmer Low Flow Diversion.

Agency	Cost
Regional Safe Clean Water Program Funds (reference Table G2)	\$950,000.00
Proposition 1 Round 1 IRWM Funds	\$607,847.00
Caltrans Cooperative Implementation Agreement Funds	\$230,000.00
<b>TOTAL:</b>	<b>\$1,787,847.00</b>
<b>Remaining Costs for Cost Sharing:</b>	<b>\$315,345.00</b>

**Table D3.** Drainage Area of Each Partner Agency within the Drainage Area for the Mesmer Low Flow Diversion.

Agency	Acres of Drainage Area of the Mesmer Low Flow Diversion	Round Percentage
City of Los Angeles	1,669.49	28.48%
City of Beverly Hills	0.00	0.00%
City of West Hollywood	0.00	0.00%
City of Inglewood	1,555.66	26.54%
City of Culver City	834.46	14.23%
Unincorporated LA County	1,802.23	30.75%
<b>TOTAL:</b>	<b>5,861.84</b>	<b>100.00%</b>

**Table D4.** Contributions by Partner Agency to the Design and Construction Expenditures for the Mesmer Low Flow Diversion.

Agency	Total Contributions to Project Aspect
City of Los Angeles	\$89,812.30
City of Beverly Hills	\$0.00
City of West Hollywood	\$0.00
City of Inglewood	\$83,688.67
City of Culver City	\$44,890.82
Unincorporated LA County	\$96,953.21
<b>TOTAL:</b>	\$315,345.00

***Section E - Reconciliation of Subtotals Between the Cities of Los Angeles and Culver City.***

**Table E1.** Reconciliation of Subtotals Between the Cities of Los Angeles and Culver City.

<b>Item</b>	<b>Discussion</b>	<b>Cost</b>
Initial, Environmental, and Permitting Expenditures for the Ballona Creek Bacteria TMDL Project	Amount owed to City of Los Angeles by City of Culver City.	\$28,881.17
Low Flow Treatment Facility #1	Amount owed to City of Los Angeles by City of Culver City.	\$850,987.76
Low Flow Treatment Facility #2	Amount owed to City of Los Angeles by City of Culver City.	\$260,136.78
Mesmer Low Flow Diversion	Amount owed to City of Culver City by City of Los Angeles.	\$(89,812.30)
<b>TOTAL:</b>	<b>Net subtotal owed to City of Los Angeles by City of Culver City.</b>	<b>\$1,050,193.41</b>

***Section F - Subtotal of Partner Agency Contributions and Administrative Fees.***

**Table F1.** Subtotal of Partner Agency Contributions and Administrative Fee to the City of Los Angeles.

Agency	Subtotal Owed to City of Los Angeles	Administrative Fee (5%)	Total
City of Los Angeles	\$70,104,234.79	NA	\$70,104,234.79
City of Beverly Hills	\$3,575,627.70	\$178,791.39	\$3,754,409.09
City of West Hollywood	\$1,183,704.60	\$59,185.23	\$1,242,889.83
City of Inglewood	\$389,849.14	\$19,492.46	\$409,341.60
City of Culver City	\$1,050,193.41	\$52,509.67	\$1,102,703.08
Unincorporated LA County	\$906,651.53	\$45,332.58	\$951,984.11

**Table F2.** Subtotal of Partner Agency Contributions and Administrative Fee to the City of Culver City.

Agency	Subtotal Owed to City of Culver City	Administrative Fee (5%)	Total
City of Los Angeles	\$0.00	\$0.00	\$0.00
City of Beverly Hills	\$0.00	\$0.00	\$0.00
City of West Hollywood	\$0.00	\$0.00	\$0.00
City of Inglewood	\$83,688.67	\$4,184.63	\$87,873.11
City of Culver City	\$44,890.82	NA	\$44,890.82
Unincorporated LA County	\$96,953.21	\$4,847.66	\$101,800.87

***Section G - Division of Regional Safe Clean Water Program Funding.***

**Table G1.** Division of the City of Los Angeles' Regional Safe Clean Water Program Funding Award. (Awarded Round 2 in the Central Santa Monica Bay Watershed Area)

Facility	Drainage Area (Acre)	Percent of Total Drainage Area	Allocated Measure W Funds
Low Flow Treatment Facility #1	52,885.32	80.74%	\$12,110,846.15
Low Flow Treatment Facility #2	12,616.28	19.26%	\$2,889,153.85
<b>TOTAL:</b>	<b>65,501.60</b>	<b>100.00%</b>	<b>\$15,000,000.00</b>

**Table G2.** Division of the City of Culver City's Regional Safe Clean Water Program Funding Award. (Awarded Round 1 in the Central Santa Monica Bay Watershed Area)

Facility	Drainage Area (Acre)	Percent of Total Drainage Area	Allocated Measure W Funds
Mesmer Low Flow Diversion	5,861.81	100.00%	\$950,000
<b>TOTAL:</b>	<b>5,861.81</b>	<b>100.00%</b>	<b>\$950,000</b>

***Section H - Final Invoicing.***

**Table H1.** Final Invoicing Due to the City of Los Angeles.

Agency	Fiscal Year 23/24	Fiscal Year 24/25	Total
City of Los Angeles	NA	NA	NA
City of Beverly Hills	\$1,877,204.55	\$1,877,204.54	<b>\$3,754,409.09</b>
City of West Hollywood	\$621,444.92	\$621,444.91	<b>\$1,242,889.83</b>
City of Inglewood	\$204,670.80	\$204,670.80	<b>\$409,341.60</b>
City of Culver City	\$551,351.54	\$551,351.54	\$1,102,703.08
Unincorporated LA County	\$475,992.06	\$475,992.05	<b>\$951,984.11</b>
LACFCD	\$1,500,000.00	\$0.00	<b>\$1,500,000.00</b>

**Table H2.** Final Invoicing Due to the City of Culver City.

Agency	Fiscal Year 23/24	Fiscal Year 24/25	Total
City of Los Angeles	NA	NA	NA
City of Beverly Hills	NA	NA	NA
City of West Hollywood	NA	NA	NA
City of Inglewood	\$43,936.56	\$43,936.55	\$87,873.11
City of Culver City	NA	NA	NA
Unincorporated LA County	\$50,900.44	\$50,900.43	\$101,800.87



## **EXHIBIT B**

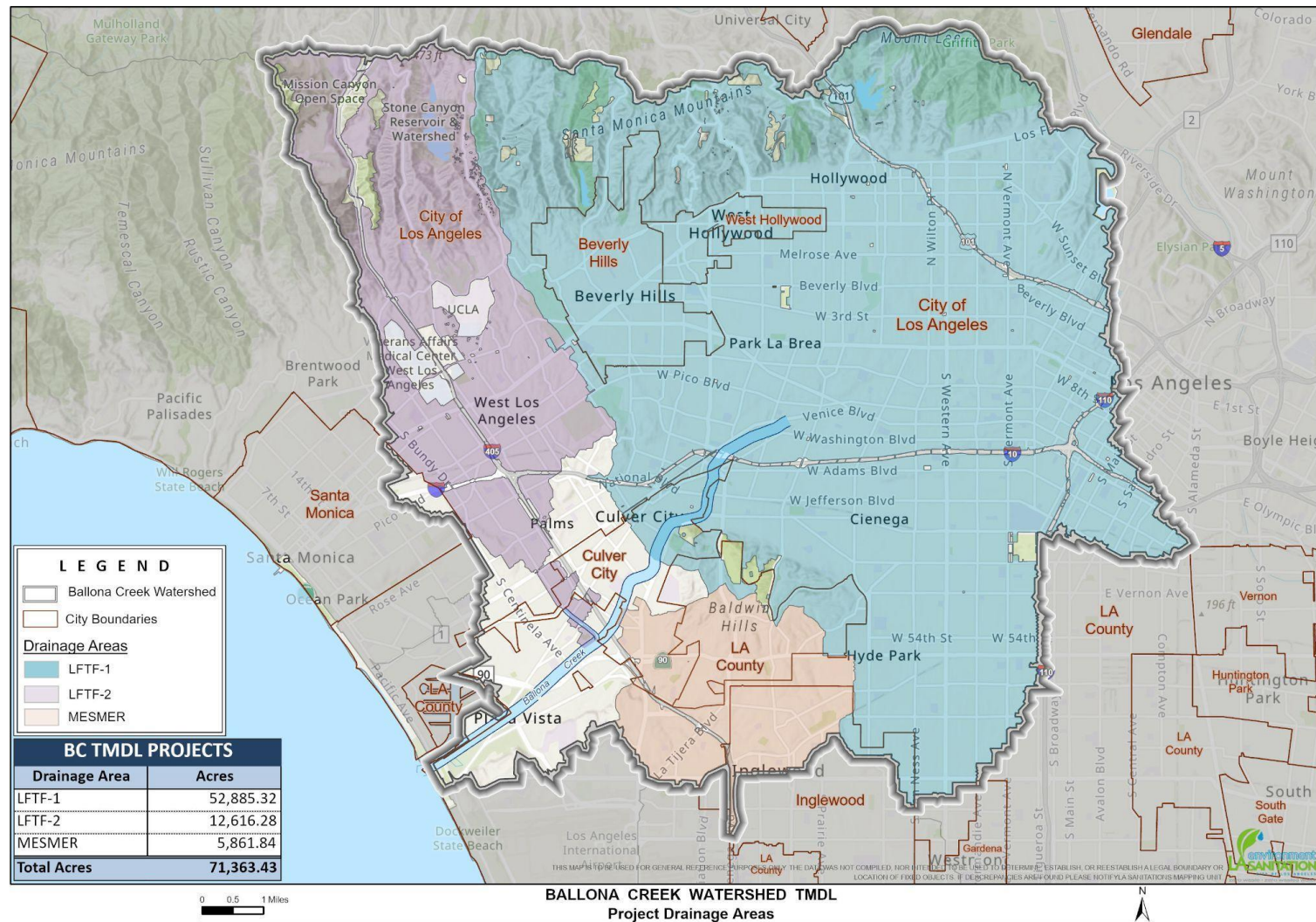
### **Ballona Creek Watershed Agency Representatives**

1. City of Los Angeles  
Watershed Protection Division  
1149 South Broadway Blvd. Los Angeles, CA 90015  
Mail Stop: 1149-756  
  
Party Representative: W. Susie Santilena  
susie.santilena@lacity.org  
Phone No.: (213) 485-0526  
Fax: (213) 485-3939
2. County of Los Angeles,  
Department of Public Works  
Stormwater Quality Division, Building A-9 East, 1st Floor  
1000 South Fremont Ave. Alhambra, CA 91803-1331  
  
Party Representative: Mark A. Lombos, Assistant Deputy Director  
mlombos@pw.lacounty.gov  
Phone No.: (626) 300-4665  
Fax: (626) 300-4620
3. Los Angeles County Flood Control District Department  
Department of Public Works  
Stormwater Quality Division, Building A-9 East, 1st Floor  
1000 South Fremont Ave. Alhambra, CA 91803-1331  
  
Party Representative: Mark A. Lombos, Assistant Deputy Director  
mlombos@pw.lacounty.gov  
Phone No.: (626) 300-4665  
Fax: (626) 300-4620
4. City of Beverly Hills  
Environmental Compliance and Sustainability Programs  
345 Foothill Rd. Beverly Hill, CA 90210  
  
Party Representative: Josette Descalzo  
jdescalzo@beverlyhills.org  
Phone No.: (310) 285-2554  
Fax: (310) 278-1838

5. City of Culver City  
9770 Culver Blvd. 2<sup>nd</sup> Floor, Culver City, CA 90232-0507  
  
Party Representative: Sean Singletary, Environmental Programs & Operations Manager  
sean.singletary@culvercity.org  
Phone No.: (310) 253-6457  
Fax: (310) 253-5626
6. City of Inglewood  
Public Works Department  
1 Manchester Blvd. Inglewood, CA 90301  
  
Party Representative: Lauren Amimoto, Stormwater Coordinator  
lamimoto@cityofinglewood.org  
Phone No.: (310) 412-5192  
Fax: (310) 412-5552
7. City of West Hollywood  
Department of Transportation and Public Works  
8300 Santa Monica Blvd. West Hollywood, CA 90069-6216  
  
Party Representative: Matthew W. Magener, Environmental Programs Coordinator  
mmagener@weho.org  
Phone No.: (323) 848-6894

## EXHIBIT C

### Regional Map of Ballona Creek Watershed and Three Facility Locations



# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023	
<b>BOARD MEETING DATE</b>	12/19/2023	
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>	
<b>DEPARTMENT(S)</b>	Public Works	
<b>SUBJECT</b>	Public Works is seeking Board approval to establish Drainage Benefit Assessment Area (DBAA) No. 36 and to determine and levy an annual assessment on each parcel of real property located in the County unincorporated community of Stevenson Ranch for the purpose of providing funds for the operation and maintenance of a runoff treatment system for Tract 52796.	
<b>PROGRAM</b>	N/A	
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:	
<b>DEADLINES/ TIME CONSTRAINTS</b>	None	
<b>COST &amp; FUNDING</b>	Total cost: \$0	Funding source: N/A
	TERMS (if applicable): N/A	
	Explanation: N/A	
<b>PURPOSE OF REQUEST</b>	The purpose of the recommended actions is to establish DBAA No. 36 and to determine and levy an annual assessment on each parcel of real property located therein. DBAA No. 36 is being formed for the purpose of maintaining and operating a runoff treatment system serving property located in a subdivision of land known as Tract 52796.	
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	<p>The proposed establishment of DBAA No. 36 and the proposed determination and levy of an annual assessment on each parcel of real property located therein is being conducted pursuant to the Benefit Assessment Act of 1982 (Los Angeles County Government Code Section 54703 et seq.). This statute authorizes the County to establish areas of benefit within unincorporated areas and impose an annual benefit assessment on each parcel of real property within these areas that derive a special benefit from drainage services provided by the County to finance the costs associated with the provision of the drainage services. In addition, the proposed levy of the annual assessment on DBAA No. 36 is subject to Proposition 218 (Articles 13C and 13D of the California Constitution).</p> <p>The runoff treatment system specifically benefits properties located in Tract 52796 and also results in general benefits to public roadways located in Tract 52796, all as set forth in the enclosed Engineer's Report for DBAA No. 36 (Engineer's Report).</p>	
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:	

<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: This Board agenda items supports the County Strategic Plan: Strategy II.3, Make Environmental Sustainability our Daily Reality and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The proposed runoff treatment systems will provide for the improvement of stormwater quality, which improves the quality of life in the County and will provide the necessary funds to operate and maintain the runoff treatment system.
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Arthur Vander Vis, Interim Deputy Director, (626) 458-4004, cell phone (626) 485-1864, <a href="mailto:avander@pw.lacounty.gov">avander@pw.lacounty.gov</a> .



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 19, 2023

IN REPLY PLEASE  
REFER TO FILE:

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

DRAFT

Dear Supervisors:

**MUNICIPAL SERVICES CORE SERVICE AREA  
ESTABLISHMENT OF DRAINAGE BENEFIT ASSESSMENT AREA NO. 36 AND  
DETERMINING AND LEVYING OF ASSESSMENTS  
UNINCORPORATED COMMUNITY OF STEVENSON RANCH  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to establish Drainage Benefit Assessment Area No. 36 and to determine and levy an annual assessment on each parcel of real property located in the County unincorporated community of Stevenson Ranch for the purpose of providing funds for the operation and maintenance of a runoff treatment system for Tract 52796.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Receive and file the Engineer's Report prepared by Sikand Engineering, Inc., and approved by Public Works for Drainage Benefit Assessment Area No. 36 regarding the establishment of Drainage Benefit Assessment Area No. 36 and the determination and levy of an annual assessment on each parcel of real property located therein for the purpose of providing funds for the operation and maintenance of a runoff treatment system.
2. Instruct the Executive Officer of the Board to set a date for a public hearing in February 2024 for the Engineer's Report, establish Drainage Benefit Assessment Area No. 36, and determine and levy an annual assessment on each parcel of real property located therein.

DRAFT

3. Instruct the Executive Officer of the Board to cause notice of the filing of the Engineer's Report including the time, date, and place of the public hearing to be published in accordance with Section 6066 of the Los Angeles County Government Code and have posted in at least three conspicuous places within the jurisdiction of the County.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT THE BOARD:**

1. Authorize the tabulation of assessment ballots submitted, and not withdrawn, in support of and in opposition of the proposed assessment and determine whether a majority protest against the proposed assessment exists.
2. If no majority protest against the proposed assessment exists:
  - a. Find that the adoption of a resolution to establish Drainage Benefit Assessment Area No. 36 and to determine and levy an annual assessment on each parcel of real property located in Drainage Benefit Assessment Area No. 36 is exempt from the California Environmental Quality Act.
  - b. Approve and adopt the resolution to establish Drainage Benefit Assessment Area No. 36 and to determine and levy an annual assessment on each parcel of real property located in Drainage Benefit Assessment Area No. 36 either as proposed or as modified by the Board.
3. If a majority protest against the proposed assessment exists, refer the item back to Public Works.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to establish Drainage Benefit Assessment Area (DBAA) No. 36 and to determine and levy an annual assessment on each parcel of real property located therein. DBAA No. 36 is being formed for the purpose of maintaining and operating a runoff treatment system, which will improve stormwater quality serving the properties located in a subdivision of land known as Tract 52796.

The runoff treatment system specifically benefits properties located in Tract 52796 and also results in general benefits to public roadways located in Tract 52796, all as set forth in the enclosed Engineer's Report for DBAA No. 36 (Engineer's Report).

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy II.3, Make Environmental Sustainability our Daily Reality and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The proposed runoff treatment systems will provide for the improvement of stormwater quality, which improves the quality of life in the County. The proposed actions will also provide the necessary funds to operate and maintain the runoff treatment system, which is a condition precedent to the recordation of the final subdivision map for a subdivision of land known as Tract 52796.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

Funding for the operation and maintenance of the runoff treatment system for Tract 52796 is estimated to be \$10,680 annually and will be paid for by annual special assessments on each parcel of real property located in Tract 52796 (\$8,412.64 annually) and by funding from the Special Road District 5 Fund (\$2,267.36 annually), as more specifically set forth in the Engineer's Report to account for the effects of inflation. These costs will be adjusted annually in accordance with the Los Angeles-Riverside-Orange County Consumer Price Index for All Urban Consumers.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The proposed establishment of DBAA No. 36 and the proposed determination and levy of an annual assessment on each parcel of real property located therein is being conducted pursuant to the Benefit Assessment Act of 1982 (Los Angeles County Government Code Section 54703 et seq.). This statute authorizes the County to establish areas of benefit within unincorporated areas and impose an annual benefit assessment on each parcel of real property within these areas that derive a special benefit from drainage services provided by the County to finance the costs associated with the provision of the drainage services. In addition, the proposed levy of the annual assessment on DBAA No. 36 is subject to Proposition 218 (Articles 13C and 13D of the California Constitution).

The Benefit Assessment Act of 1982 requires that the amount of the assessment imposed on any parcel of property must be related to the benefit of the parcel that will be derived from the provision of the service and that the annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service (Los Angeles County Government Code Section 54711).



Additionally, pursuant to Proposition 218:

- No assessment shall be imposed on a parcel of property that exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
- Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel.
- Publicly-owned parcels shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly-owned parcels in fact receive no special benefit.

The Benefit Assessment Act of 1982 and Proposition 218 also require that the following procedures be complied with:

- For the first fiscal year in which an assessment is proposed to be imposed, the Board must cause a detailed Engineer's Report supporting the proposed assessment to be prepared by a registered professional engineer certified by the State and filed with the Executive Officer.
- The Board must conduct a public hearing to hear and consider all public comments, objections, or protests regarding the proposed assessment.
- The Executive Officer is required to cause notice of the filing of the Engineer's Report including the time, date, and place of the public hearing to be published pursuant to Los Angeles County Government Code Section 6066 and posted in at least three conspicuous places within the jurisdiction of the County.
- Public Works must give notice by mail, at least 45 days prior to the date of the public hearing, to the record owner of each parcel within the assessment area including an assessment ballot by which the owner can indicate his or her support or opposition to the proposed assessment.
- At the conclusion of the public hearing, the Executive Officer is required to tabulate the assessment ballots submitted, and not withdrawn, in support of or opposition of the proposed assessment.
- If a majority protest exists (i.e., the assessment ballots in opposition of the proposed assessment exceed the assessment ballots in favor of the proposed assessment, weighted according to the proportional financial obligation of each property), the proposed assessment may not be levied. If there is no majority protest, the Board may adopt or modify the enclosed resolution determining and levying the proposed assessment.

DRAFT

The enclosed resolution and other documents referred to herein have been reviewed and approved as to form by County Counsel.

**ENVIRONMENTAL DOCUMENTATION**

The establishment of DBAA No. 36 is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 21080, subsections (b)(8), of the Public Resources Code and Section 15273, subsection (a), of the CEQA guidelines, since adoption of the proposed resolution forming DBAA No. 36 and determining and levying an annual assessment on each parcel of real property therein is for the purpose of meeting operating expenses.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The establishment of DBAA No. 36 will provide a funding mechanism for maintaining and operating runoff treatment systems, which will improve stormwater quality.

**CONCLUSION**

Please return one adopted copy of this letter and a copy of the signed resolution to Public Works, Land Development Division. Also, please forward one adopted copy of the letter and resolution to the Assessor, Auditor-Controller, and County Counsel.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

MP:JC:la

Enclosures

c: Assessor  
Auditor-Controller  
Chief Executive Office (Chia-Ann Yen)  
County Counsel  
Treasurer and Tax Collector

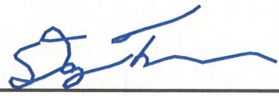
**Engineer's Report**

DRAINAGE BENEFIT ASSESSMENT AREA NO. 36

DRAINAGE SERVICES FOR TRACT NO. 52796

UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES  
STATE OF CALIFORNIA

Prepared by

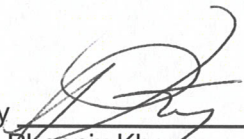
  
Doug Farmer  
Project Engineer  
Sikand Engineering Associates

9-14-2023

RCE No. 49041

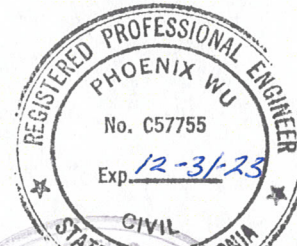


Reviewed by

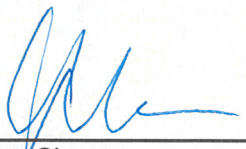
  
Phoenix Khoury  
Senior Civil Engineer  
LA County Dept. of Public Works

9/20/23

RCE No. 57755

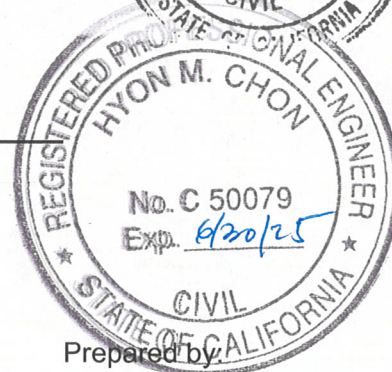


Reviewed by

  
James Chon  
Principal Engineer  
LA County Dept. of Public Works

9/20/23

RCE No. 50079



Prepared for:

Lennar Homes  
2000 Five Point, 3<sup>rd</sup> Floor  
Irvine, CA 92618  
805-295-1624

Prepared by:

Sikand Engineering  
15230 Burbank Blvd. Ste 100  
Van Nuys, CA 91411  
818-787-8550

Date Prepared: September 2023

## ENGINEER'S REPORT

### **DRAINAGE BENEFIT ASSESSMENT AREA NO. 36 DRAINAGE SERVICES FOR TRACT NO. 52796**

#### Certification

In the matter of Drainage Benefit Assessment Area No. 36 for drainage services for Tract No. 52796 in the unincorporated territory of the County of Los Angeles, State of California, I, Doug Farmer, Civil Engineer, have prepared the following Engineer's Report pursuant to the provisions of the Benefit Assessment Act of 1982 (Division 2, Chapter 6.1 of the California Government Code of the State of California) and Article 13D of the California Constitution.



dated on this 22nd day of August 2023

Doug Farmer  
Project Engineer  
Sikand Engineering Associates

## **TABLE OF CONTENTS**

INTRODUCTION		1
PART I	Proposed Services and the Total of the Costs	2-3
PART II	Boundary Map, Assessment Diagram, and Parcels Identified to be Included in the Assessment Area	4
PART III	Special Benefits to be Conveyed	5-6
PART IV	Basis of Assessment	7
PART V	Total Assessments	8
APPENDIX A	Estimated Annual Costs for Each Parcel	9-12
APPENDIX B	Runoff Treatment System Locations	13-18
MAP NO. 1	Boundary Map – Drainage Benefit Assessment Area No. 36	19-20
MAP NO. 2	Assessment Diagram – Drainage	21-24
EXHIBIT A	Legal Description	25-26
EXHIBIT B	Plat	27

## **INTRODUCTION**

Drainage Benefit Assessment Area (DBAA) No. 36 is being formed for the purpose of maintaining and operating runoff treatment systems for Tract No. 52796. The runoff treatment systems, hereafter referred to as "Drainage Facilities", consist of a Water Quality Basin, Automatic Retractable Screens (ARS) and Connector Pipe Screens (CPS) for all catch basins (10 total), and two (2) Triton Catch Basin Filters.

According to the Tentative Tract Map (TTM) 52796 Hydrology Study/ Drainage Concept/ LID (Alliance Engineering 2015), storm water runoff from developed areas including lots, streets, water tank, and tributary manufactured slopes would be treated by the proposed water quality basin, automatic retractable screens, connector pipe screens and catch basin filters.

The Benefit Assessment Act of 1982 (Government Code Section 54703 et. Seq.) authorizes the County to impose an annual benefit assessment on parcels within the unincorporated areas of the County to finance the costs associated with provision of drainage services to these areas.

Government Code Section 54716 provides that, for the first fiscal year in which a benefit assessment is proposed to be imposed by a local agency, the legislative body of the local agency shall cause a written report pertaining to the proposed assessment to be prepared and filed with the clerk of the local agency.

Additionally, Article 13D of the California Constitution, approved by the California voters in November 1996 as Proposition 218, requires that all proposed assessments be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California.

Article 13D of the California Constitution also provides for property owners to determine by assessment ballot whether they approve of the proposed assessment.

This Engineer's Report has been prepared in conformity with the provisions of the Benefit Assessment Act of 1982 and Article 13D of the California Constitution.

The purpose of the proposed assessment is to fund the costs required to operate and maintain the Drainage Facilities required as a condition of approval for Tract No. 52796.

Part I sets forth the improvements, services, and the total of the drainage service costs proposed to be financed by the proposed assessments; Part II sets forth the Boundary Map, Assessment Diagram, and identification of the parcels to be included in the proposed assessment area; Part III sets forth special benefits to be conveyed on the identified parcels and the costs to the proposed assessment area; Part IV sets forth the basis upon which the proposed assessment was calculated; and Part V sets forth the proposed annual and proposed total assessments on each of the identified parcels.

## **PART I**

### **PROPOSED SERVICES AND THE TOTAL OF THE COSTS**

#### **Proposed Services**

The proposed services consist of the operation and maintenance of Drainage Facilities required as a condition of approval for Tract No. 52796. The benefiting parcels are within the unincorporated territory of the County of Los Angeles in the vicinity of the City of Santa Clarita.

The Drainage Facilities are comprised of a water quality basin, 10 ARS & CPS systems and two Triton Basin Filters.

The yearly maintenance and operation for the Drainage Facilities includes but is not limited to inspection, cleaning and replacement of screens and filter media, trash and sediment removal and vegetation maintenance within the water quality basin as needed.

The general nature, location, and extent of the Drainage Facilities are set forth in Appendix B. The As-Built plans for the Drainage Facilities will be on file in the Executive Office of the Board of Supervisors and the Department of Public Works.

#### **The Total of the Costs**

The total estimated annual cost of the proposed services is \$10,680. The basis of the estimated annual cost of the proposed services is set forth in Part IV. Operation and maintenance costs will be incurred until such time as the appropriate legislative body finds alternate funding sources and rescinds/disbands the proposed assessment area. Since it is not feasible to estimate the total of the costs for a proposed assessment that will be incurred indefinitely, the total of the costs for the first 100 years of this assessment is \$1,068,000.00 as indicated in Table 1.

To account for the effects of inflation, operation and maintenance costs will be annually adjusted using the Los Angeles-Riverside-Orange County Consumer Price Index for all Urban Consumers. For the purposes of clarity, the Consumer Price Index adjustments of the operation and maintenance costs have not been specifically included in the estimated annual assessments.

Table 1

Cost of Each Facility						
BMP	Drainage Area(AC)	Manufacturers Model Number	Annual Maintenance	Replacement Cost	Life Cycle O&M Cost PV (100 yr+ Replacement)	Total Annual Cost (Amortized)
Triton Curb Inlet Filter - Culvert C (1)	0.64	REM Triton Filter - TRC10	\$ 600.00	\$ 3,000.00	\$ 66,000.00	\$ 660.00
Triton Curb Inlet Filter - Lateral F-1 (1)	0.67	REM Triton Filter - TRC10	\$ 600.00	\$ 3,000.00	\$ 66,000.00	\$ 660.00
ARS & CPS - Line A - Lateral A-1 PD 2652 (2)	2.12	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line A - Lateral A-2 PD 2652 (2)	2.12	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line A - Lateral A-4 PD 2652 (2)	4.95	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line A - Lateral A-5 PD 2652 (2)	4.95	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line A - Lateral A-7 PD 2652 (2)	1.70	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line A - Lateral A-8 PD 2652 (2)	1.70	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line B - Lateral B-1 PD 2652 (2)	4.65	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line B - Lateral B-2 PD 2652 (2)	4.65	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line B - Lateral B-5 PD 2652 (2)	2.21	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
ARS & CPS - Line B - Lateral B-6 PD 2652 (2)	2.21	G2 ARS-CL / G2 CPS Mod	\$ 100.00	\$ 4,860.00	\$ 58,600.00	\$ 586.00
Water Quality Basin - Lot 105 (3)	37.30	Sierra Terrace Basin	\$ 3,000.00	\$ 25,000.00	\$ 350,000.00	\$ 3,500.00
<b>Total on-site drainage Area</b>	<b>37.30</b>		<b>\$ 5,200.00</b>	<b>\$ 79,600.00</b>	<b>\$ 1,068,000.00</b>	<b>\$ 10,680.00</b>

## Notes

- (1) Maintenance for Triton Filters includes inspection (4 times per year) and replacement of filter media (Every 2 years). Entire unit to be replaced every 50 years
- (2) Maintenance for ARS and CPS units includes inspection (4 times per year) and minor cleaning as needed. Units to be replaced every 10 years.
- (3) Maintenance for Water Quality Basin includes inspection (4 times per year), trash and debris removal as needed, vegetation maintenance as necessary.  
Replacement of top layer (6" to 1') of soil in the basin to restore infiltrative capacity assumed every 50 years.



## **PART II**

### **BOUNDARY MAP, ASSESSMENT DIAGRAM, AND PARCELS IDENTIFIED TO BE INCLUDED IN THE ASSESSMENT AREA**

The area of benefit of DBAA No. 36 will include portions of Assessor's Parcel No.'s 2826-097-003, 2826-020-020, 2826-020-021, 2826-020-022, 2826-020-023, 2826-020-031, 2826-020-032

The Boundary Map (Map No. 1), entitled "Boundary Map for Drainage Benefit Assessment Area No. 36" and the Legal Description (Exhibit A) set forth the boundaries of the assessment area as recommended by this Engineer's Report. In accordance with Section 4 of Article 13D of the California Constitution, publicly-owned parcels within the proposed assessment area will be assessed unless there is clear and convincing evidence that a publicly-owned parcel receives no special benefit.

The Assessment Diagram (Map No. 2), entitled "Assessment Diagram for Proposed Drainage Benefit Assessment Area No. 36, County of Los Angeles, State of California", sets forth each individual parcel of land to be assessed.

### **PART III**

#### **SPECIAL BENEFITS TO BE CONVEYED**

Article 13D of the California Constitution requires the separation of general benefits from special benefits as only special benefits are assessable. Special benefit is defined by Article 13D as "a particular and distinct benefit over and above general benefits conferred on real property located in the assessment area or to the public at large". General enhancement of property value does not constitute a special benefit; however, the specific enhancement of property value is a special benefit. In essence, an assessment, levy, or charge on a parcel must be based on a special and distinct benefit to the parcel and shall not include any general benefits conferred on the public at large including real property within the assessment area.

The total of the costs for the proposed services are assessed over the first 100 years (since it is not feasible to estimate the total of the costs for an assessment that will be incurred indefinitely). The total amount to be assessed for special benefits conferred on the identified parcels within the proposed assessment district for each assessment year is summarized in Appendix A.

#### **Special Benefits**

The proposed services will provide for the operation and maintenance of Drainage Facilities for Tract No. 52796.

Since the project is greater than 1 acre of disturbed area and adds more than 10,000 square feet of impervious surfaces, it is a Designated Project per the Los Angeles County Low Impact Development Standards Ordinance. Per the ordinance, Designated Projects such as this one are required to retain 100 percent of the Storm Water Quality Design Volume (SWQDv) on-site through infiltration, evapotranspiration, stormwater runoff harvest and use, or a combination thereof. The proposed Drainage Facilities will treat and infiltrate 100 percent of the SWQDv.

Therefore, the operation and maintenance of the Drainage Facilities specifically benefit each parcel within DBAA No. 36 by capturing and treating the stormwater runoff from these parcels, as required by the Los Angeles County Low Impact Development Standards Ordinance.

### General Benefit

The proposed services will also provide general benefits to the proposed assessment area and the public at large. General benefits are provided to the public street within the proposed assessment area. The proposed public street storm runoff will be conveyed and treated in the proposed water quality basin and catch basin filters located in the public streets. There are 7.92 acres of County road right of way area within the proposed assessment area. The proposed assessment area is 37.30 acres consisting of the developed areas (street, lots, manufactured slopes, etc.) treated by the BMP's as shown on the Boundary Map (Map No. 1). Therefore, 21.23 percent of the cost of the proposed services is considered a general benefit. This information is summarized in the table below.

	ACREAGE	PERCENTAGE
County Public Road Right of Way	7.92	21.23%
Special Benefit Area	29.38	78.77%
Proposed Total Assessment Area	37.30	100%

### Special Benefit Share of the Proposed Services Costs

The estimated annual cost of the proposed services is \$10,680 as set forth on the Cost of Each Facility table shown on sheet 3. Since the special benefit proportionate share of the total costs is 78.77%, the special benefit share of the estimated annual costs is \$8,412.64.

The special benefit of the services costs will be incurred until such time as the appropriate legislative body finds alternate funding sources and rescinds/disbands the proposed assessment area. Since it is not feasible to estimate the total of the special benefit costs for a proposed assessment that will be incurred indefinitely, the total of the special benefit costs for the first 100 years of this assessment has been calculated by multiplying the estimated special benefit proportionate share of the proposed services costs by 100 and has been determined to be \$841,264.

To account for the effects of inflation, operation and maintenance costs will be annually adjusted using the Los Angeles - Riverside - Orange County consumer price index for all urban consumers. For the purposes of clarity, the consumer price index adjustments of the operation and maintenance costs have not been specifically included in the estimated annual assessments.

## **PART IV**

### **BASIS OF ASSESSMENT**

The proposed assessment is based on the developed area including private lots, HOA slopes, pump station, water tank and private and public streets treated by the BMP's as shown on the approved hydrology/ LID map which equals 37.3 acres. Undeveloped areas including debris basins which are within the watershed boundary of the Drainage Facilities, specifically the Sierra Terrace water quality basin do not receive a special benefit and are excluded from the areas used in the calculating of the basis of assessment. Since the residential lots will have roughly the same developable pad areas, each single-family residential lot will be assessed one benefit unit. The average single-family lot area that contributes to the Drainage Facilities is 8,519 square feet. The pump station, water tank, secondary Emergency Vehicle access road and Homeowner's Association maintained slopes will be assessed one benefit unit for every 8,519 square feet of lot size. See Appendix A and Appendix B for the breakdown.

## **PART V**

### **TOTAL ASSESSMENTS**

The Benefit Assessment Act of 1982 and Article 13D of the California Constitution require that assessments be based on the special benefits that properties within the assessment area receive from the improvements and/or services. The statutes do not specify the allocation method or formula. The assessment engineer analyzes the facts, determines the total assessment, and allocation of the assessment for each parcel. The legislative body, by confirming the Engineer's report, determines the special benefit to each parcel within the assessment area. The final authority with respect to the finding of special benefit rests with the County of Los Angeles Board of Supervisors. After hearing all the testimony and evidence presented at a public hearing, the Board must determine whether or not the assessment allocation has been made in direct proportion to the special benefits received.

Part I sets forth the total of the costs of the proposed improvements and services. Part II sets forth the identified parcels. Part III sets forth the total of the costs to the proposed assessment area. Part IV sets forth the Basis of Assessment.

This part sets forth the Total Assessments. The proposed annual assessment of \$56.02 per benefit unit determined in accordance with the following formula.

$$\text{Proposed Annual Assessment Rate} = \frac{\text{Annual Proposed Assessment Area Costs (\$)}}{\text{Sum Total of All Benefit Units}} = \frac{\$ 8,412.64}{150.15} = \$56.02$$

The annual assessment for each identified parcel was determined in accordance with the following formula.

$$\text{Annual Assessment for Parcel} = \text{Proposed Annual Assessment Rate} \times \text{Benefit Unit Per Parcel}$$

The Annual Assessment column in Appendix A indicates the proposed annual assessment for each identified parcel as to the date of formation of DBAA No. 36. To account for the effects of inflation, the annual assessments will be annually adjusted using the Los Angeles-Riverside-Orange County Consumer Price Index for all Urban Consumers beginning in the year following the year that DBAA No. 36 is formed. For the purposes of clarity, the Consumer Price Index adjustments of the operation and maintenance costs have not been specifically included in the proposed annual assessment.

The Total Assessment column of Appendix A indicates the total assessment for each identified parcel for the first 100 years since it is not feasible to estimate the total assessment for each parcel for a proposed assessment that will be incurred indefinitely.

## **APPENDIX A**

### ESTIMATED ANNUAL COSTS FOR EACH PARCEL

Annual Lot Assessment						
Tract No	Lot No.	Lot Type	Benefit Unit (BU)	Assessor Parcel Number	Annual Assessment	Total Assessment
52796	1	SFR	1		\$56.02	\$5,602.00
52796	2	SFR	1		\$56.02	\$5,602.00
52796	3	SFR	1		\$56.02	\$5,602.00
52796	4	SFR	1		\$56.02	\$5,602.00
52796	5	SFR	1		\$56.02	\$5,602.00
52796	6	SFR	1		\$56.02	\$5,602.00
52796	7	SFR	1		\$56.02	\$5,602.00
52796	8	SFR	1		\$56.02	\$5,602.00
52796	9	SFR	1		\$56.02	\$5,602.00
52796	10	SFR	1		\$56.02	\$5,602.00
52796	11	SFR	1		\$56.02	\$5,602.00
52796	12	SFR	1		\$56.02	\$5,602.00
52796	13	SFR	1		\$56.02	\$5,602.00
52796	14	SFR	1		\$56.02	\$5,602.00
52796	15	SFR	1		\$56.02	\$5,602.00
52796	16	SFR	1		\$56.02	\$5,602.00
52796	17	SFR	1		\$56.02	\$5,602.00
52796	18	SFR	1		\$56.02	\$5,602.00
52796	19	SFR	1		\$56.02	\$5,602.00
52796	20	SFR	1		\$56.02	\$5,602.00
52796	21	SFR	1		\$56.02	\$5,602.00
52796	22	SFR	1		\$56.02	\$5,602.00
52796	23	SFR	1		\$56.02	\$5,602.00
52796	24	SFR	1		\$56.02	\$5,602.00
52796	25	SFR	1		\$56.02	\$5,602.00
52796	26	SFR	1		\$56.02	\$5,602.00
52796	27	SFR	1		\$56.02	\$5,602.00
52796	28	SFR	1		\$56.02	\$5,602.00
52796	29	SFR	1		\$56.02	\$5,602.00
52796	30	SFR	1		\$56.02	\$5,602.00
52796	31	SFR	1		\$56.02	\$5,602.00
52796	32	SFR	1		\$56.02	\$5,602.00
52796	33	SFR	1		\$56.02	\$5,602.00
52796	34	SFR	1		\$56.02	\$5,602.00
52796	35	SFR	1		\$56.02	\$5,602.00
52796	36	SFR	1		\$56.02	\$5,602.00
52796	37	SFR	1		\$56.02	\$5,602.00
52796	38	SFR	1		\$56.02	\$5,602.00
52796	39	SFR	1		\$56.02	\$5,602.00
52796	40	SFR	1		\$56.02	\$5,602.00
52796	41	SFR	1		\$56.02	\$5,602.00
52796	42	SFR	1		\$56.02	\$5,602.00
52796	43	SFR	1		\$56.02	\$5,602.00

Annual Lot Assessment						
Tract No	Lot No.	Lot Type	Benefit Unit (BU)	Assessor Parcel Number	Annual Assessment	Total Assessment
52796	44	SFR	1		\$56.02	\$5,602.00
52796	45	SFR	1		\$56.02	\$5,602.00
52796	46	SFR	1		\$56.02	\$5,602.00
52796	47	SFR	1		\$56.02	\$5,602.00
52796	48	SFR	1		\$56.02	\$5,602.00
52796	49	SFR	1		\$56.02	\$5,602.00
52796	50	SFR	1		\$56.02	\$5,602.00
52796	51	SFR	1		\$56.02	\$5,602.00
52796	52	SFR	1		\$56.02	\$5,602.00
52796	53	SFR	1		\$56.02	\$5,602.00
52796	54	SFR	1		\$56.02	\$5,602.00
52796	55	SFR	1		\$56.02	\$5,602.00
52796	56	SFR	1		\$56.02	\$5,602.00
52796	57	SFR	1		\$56.02	\$5,602.00
52796	58	SFR	1		\$56.02	\$5,602.00
52796	59	SFR	1		\$56.02	\$5,602.00
52796	60	SFR	1		\$56.02	\$5,602.00
52796	61	SFR	1		\$56.02	\$5,602.00
52796	62	SFR	1		\$56.02	\$5,602.00
52796	63	SFR	1		\$56.02	\$5,602.00
52796	64	SFR	1		\$56.02	\$5,602.00
52796	65	SFR	1		\$56.02	\$5,602.00
52796	66	SFR	1		\$56.02	\$5,602.00
52796	67	SFR	1		\$56.02	\$5,602.00
52796	68	SFR	1		\$56.02	\$5,602.00
52796	69	SFR	1		\$56.02	\$5,602.00
52796	70	SFR	1		\$56.02	\$5,602.00
52796	71	SFR	1		\$56.02	\$5,602.00
52796	72	SFR	1		\$56.02	\$5,602.00
52796	73	SFR	1		\$56.02	\$5,602.00
52796	74	SFR	1		\$56.02	\$5,602.00
52796	75	SFR	1		\$56.02	\$5,602.00
52796	76	SFR	1		\$56.02	\$5,602.00
52796	77	SFR	1		\$56.02	\$5,602.00
52796	78	SFR	1		\$56.02	\$5,602.00
52796	79	SFR	1		\$56.02	\$5,602.00
52796	80	SFR	1		\$56.02	\$5,602.00
52796	81	SFR	1		\$56.02	\$5,602.00
52796	82	SFR	1		\$56.02	\$5,602.00
52796	83	SFR	1		\$56.02	\$5,602.00
52796	84	SFR	1		\$56.02	\$5,602.00
52796	85	SFR	1		\$56.02	\$5,602.00
52796	86	SFR	1		\$56.02	\$5,602.00

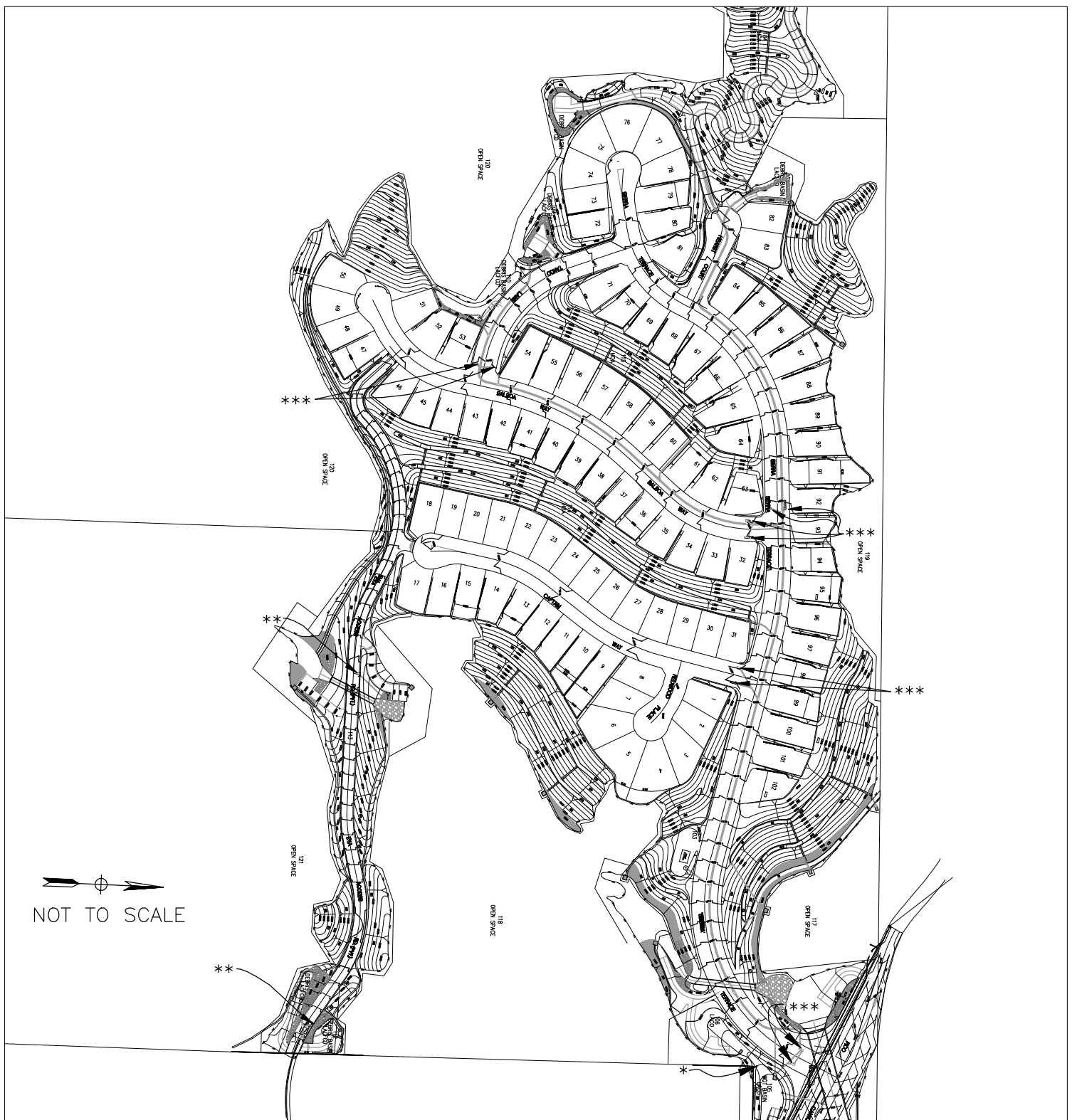


Annual Lot Assessment						
Tract No	Lot No.	Lot Type	Benefit Unit (BU)	Assessor Parcel Number	Annual Assessment	Total Assessment
52796	87	SFR	1		\$56.02	\$5,602.00
52796	88	SFR	1		\$56.02	\$5,602.00
52796	89	SFR	1		\$56.02	\$5,602.00
52796	90	SFR	1		\$56.02	\$5,602.00
52796	91	SFR	1		\$56.02	\$5,602.00
52796	92	SFR	1		\$56.02	\$5,602.00
52796	93	SFR	1		\$56.02	\$5,602.00
52796	94	SFR	1		\$56.02	\$5,602.00
52796	95	SFR	1		\$56.02	\$5,602.00
52796	96	SFR	1		\$56.02	\$5,602.00
52796	97	SFR	1		\$56.02	\$5,602.00
52796	98	SFR	1		\$56.02	\$5,602.00
52796	99	SFR	1		\$56.02	\$5,602.00
52796	100	SFR	1		\$56.02	\$5,602.00
52796	101	SFR	1		\$56.02	\$5,602.00
52796	102	SFR	1		\$56.02	\$5,602.00
52796	103	Pump Station	0.97		\$54.14	\$5,413.93
52796	104	Water Tank	18.96		\$1,062.86	\$106,285.97
52796	113	VA Access R	6.68		\$374.49	\$37,449.46
52796	114	HOA Slope	13.87		\$777.13	\$77,712.96
52796	115	HOA Slope	6.22		\$348.73	\$34,872.73
52796	120 *	HOA Slope	1.45		\$81.25	\$8,125.08
	TOTAL		150.15		\$8,412.64	\$841,264.12

\* Area for Lot 120 is partial for manufactured slope area that is not tributary to a debris basin.

## **APPENDIX B**

### DRAINAGE FACILITIES LOCATIONS AND CROSS-SECTIONS



## LEGEND:

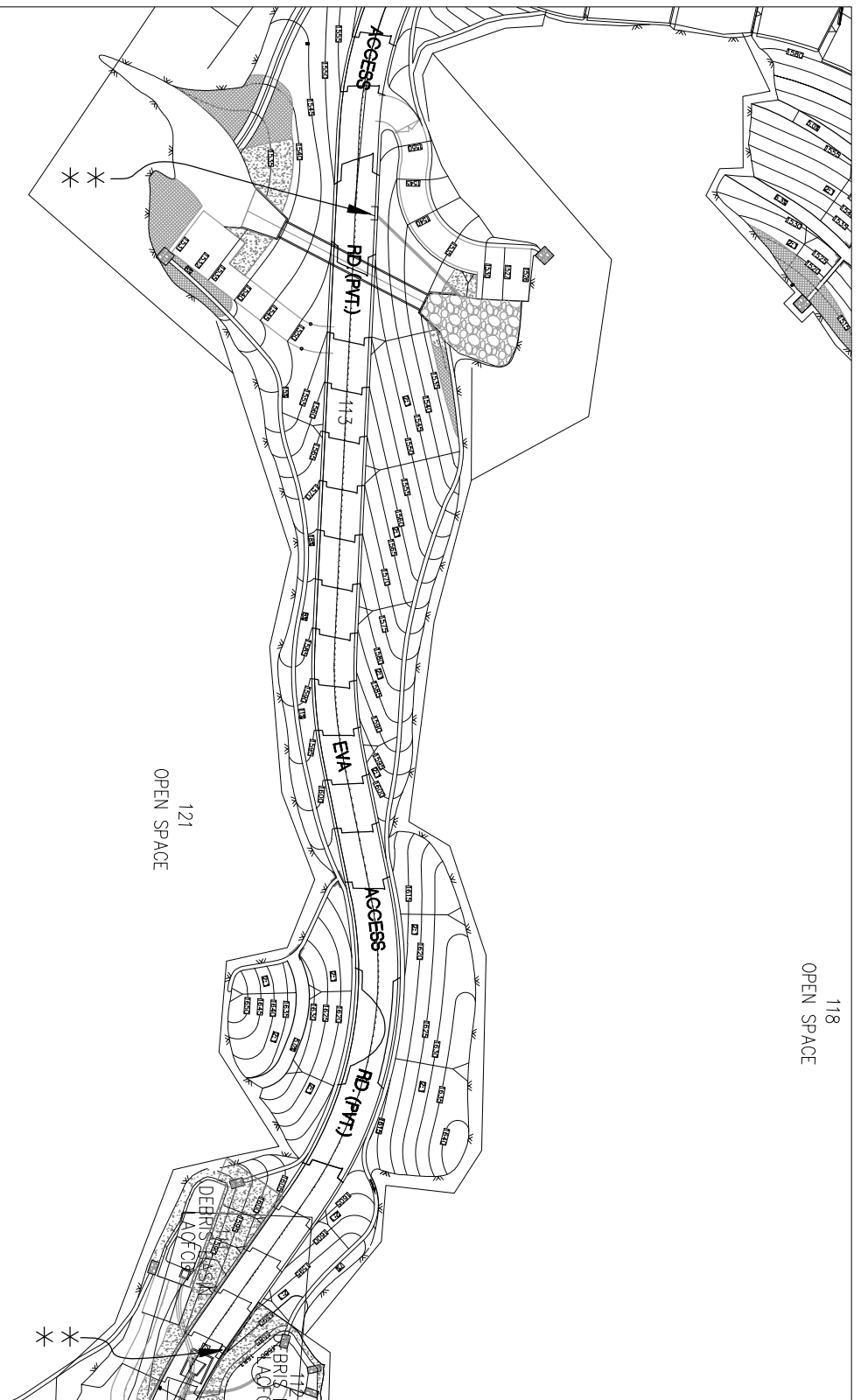
- \* RETENTION BASIN
- \*\* CURB INLET FILTER  
TRITON TRC SERIES
- \*\*\* G2 ARS-CL / G2 CPS Mod

DATE: 8-22-2023

W.O. 5122-25

SHEET 1 OF 5

D.B.A.A. NO. 36  
RUNOFF TREATMENT  
DEVICES



NOT TO SCALE

### LEGEND:

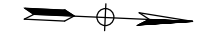
\*\* CURB INLET FILTER  
TRITON TRC SERIES

DATE: 8-22-2023

W.O. 5122-25

SHEET 2 OF 5

D.B.A.A. NO. 36  
RUNOFF TREATMENT  
DEVICES



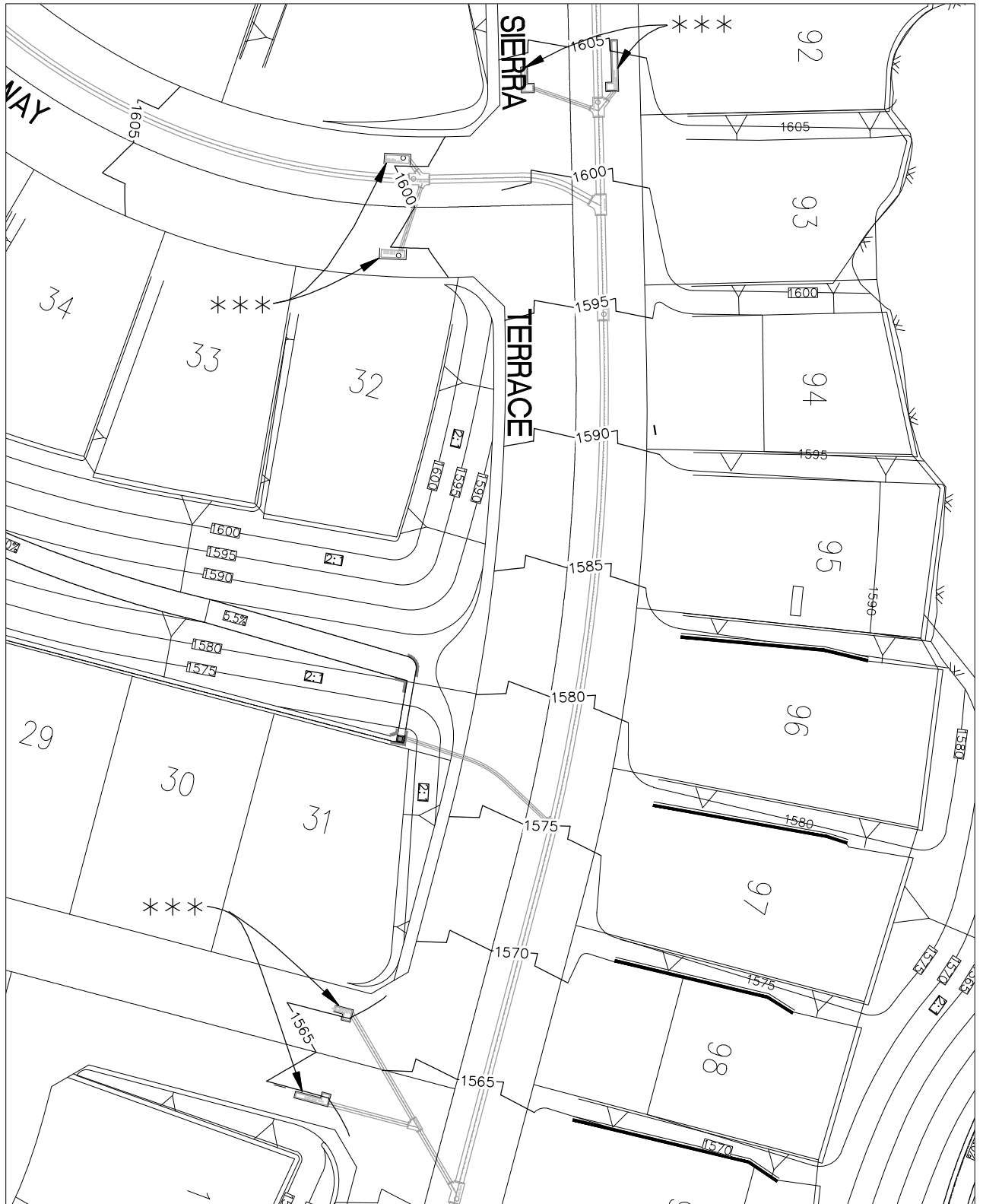
NOT TO SCALE

**LEGEND:**

\*\*\* G2 ARS-CL / G2 CPS Mod

**D.B.A.A. NO. 36  
RUNOFF TREATMENT  
DEVICES**

DATE: 8-22-2023	
W.O.	5122-25
SHEET 3 OF 5	



NOT TO SCALE

# LEGEND:

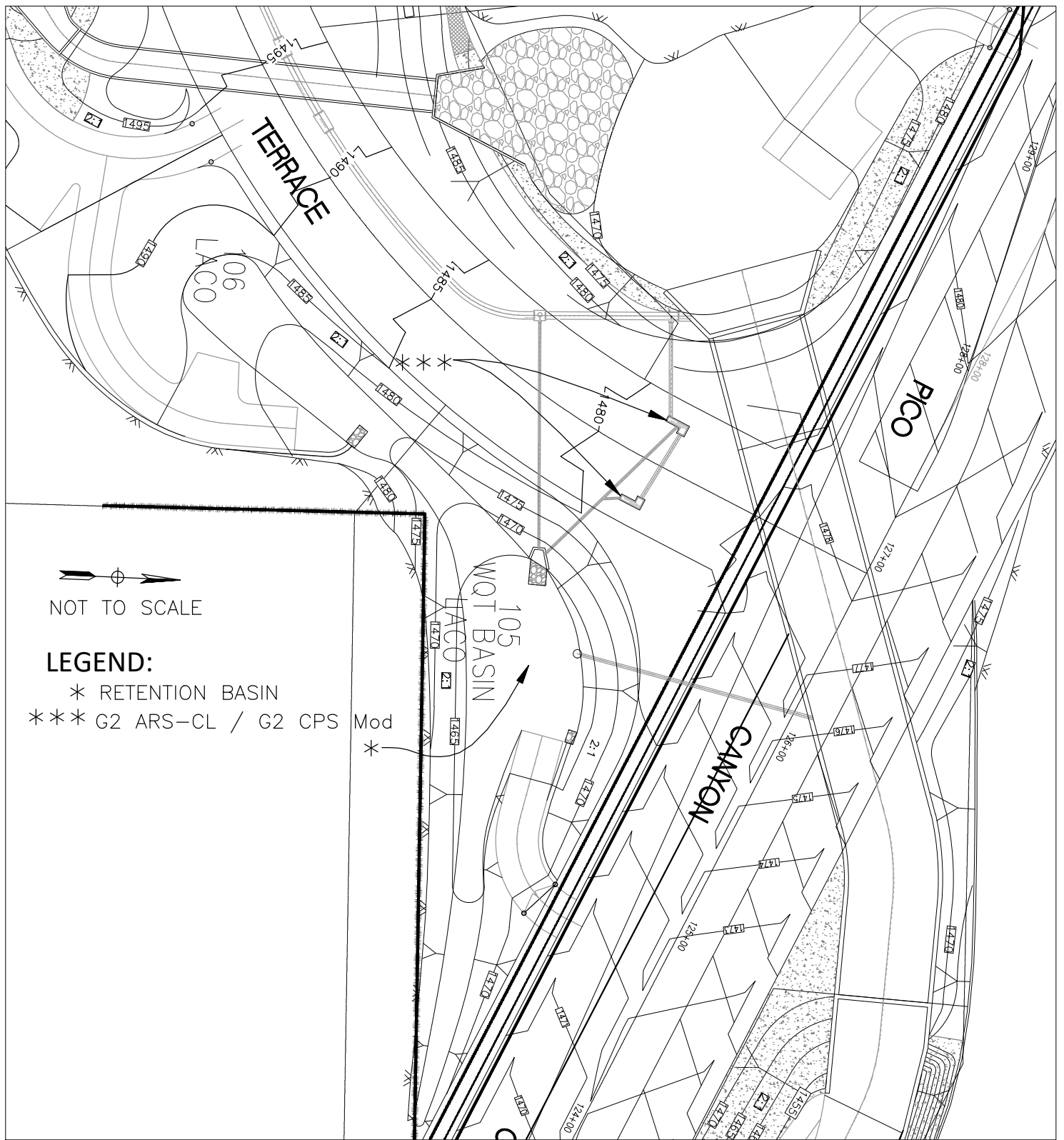
\*\*\* G2 ARS-CL / G2 CPS Mod

DATE: 8-22-2023

W.O. 5122-25

SHEET 4 OF 5

D.B.A.A. NO. 36  
RUNOFF TREATMENT  
DEVICES

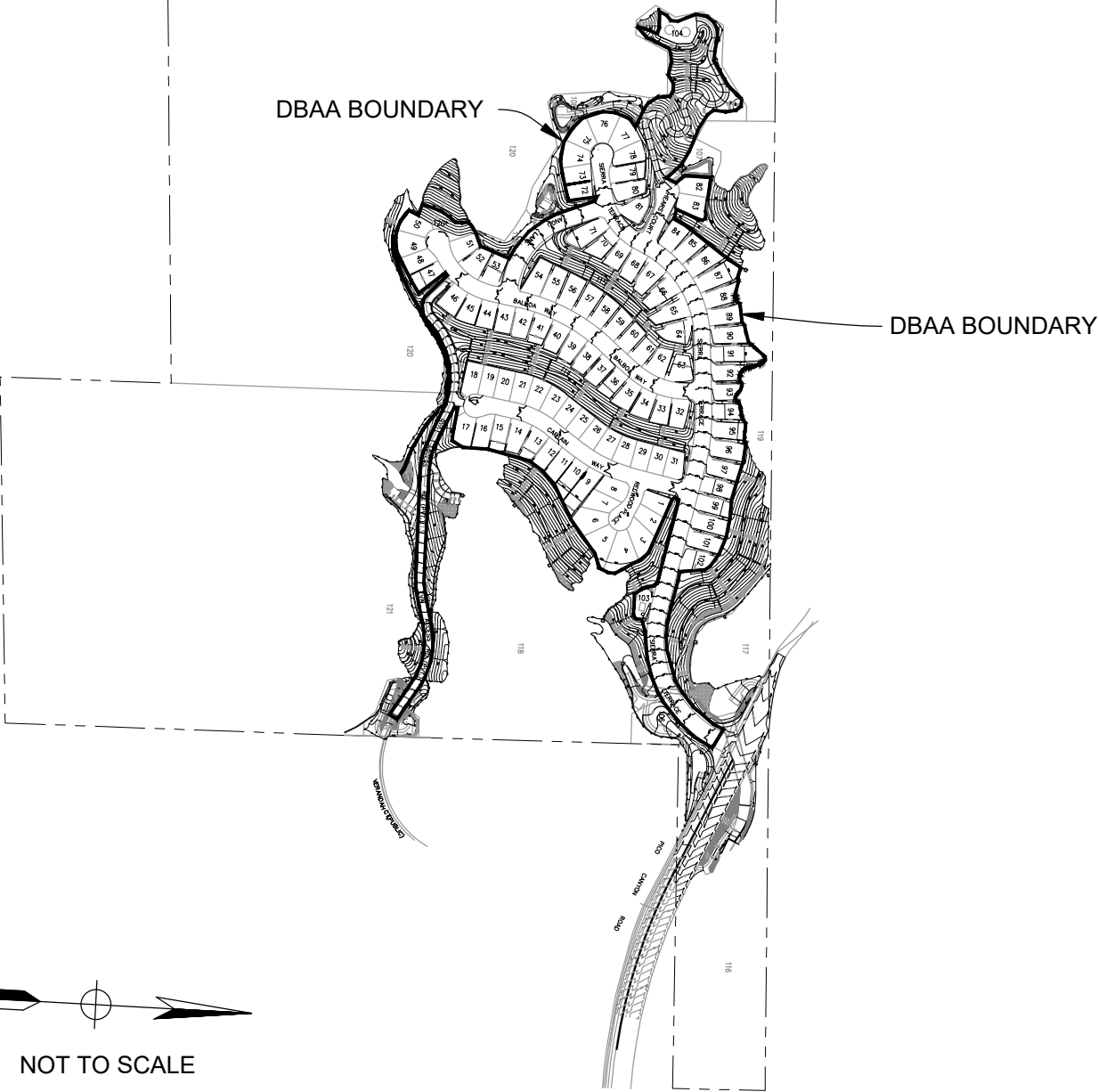


**MAP NO. 1**

BOUNDARY MAP FOR DRAINAGE BENEFIT ASSESSMENT AREA NO. 36



TRACT MAP 52796



DBAA NO. 36 BOUNDARY

NOTE: PORTION OF LOT 120 FALLS WITHIN  
DBAA BOUNDARY (SLOPE ADJACENT  
LOTS 50 AND 51)

DATE: 8-22-2023
W.O. 5122-25
SHEET 1 OF 1

BOUNDARY MAP  
DRAINAGE BENEFIT  
ASSESSMENT DISTRICT  
MAP NO. 1

**MAP NO. 2**

ASSESSMENT DIAGRAM FOR DRAINAGE BENEFIT ASSESSMENT AREA NO. 36

# TRACT MAP 52796



— DBAA NO. 36 BOUNDARY

NOTE: PORTION OF LOT 120 FALLS WITHIN  
DBAA BOUNDARY (SLOPE ADJACENT  
LOTS 50 AND 51)

22

DATE: 8-22-2023

W.O. 5122-25

SHEET 1 OF 2

BOUNDARY MAP  
DRAINAGE BENEFIT  
ASSESSMENT DISTRICT 36  
MAP NO. 2





EXHIBIT A

LEGAL DESCRIPTION

**EXHIBIT "A"**

**DRAINAGE BENEFIT ASSESSMENT NO. 36  
A.P.N. 2826-097-003, 2826-020-020, 2826-020-021, 2826-020-022, 2826-020-023,  
2826-020-031, 2826-020-032  
T.G. 4459 (E5 & E6)**

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES,  
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1: (2826-020-023 AND 2826-020-031)

LOT 5 AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, IN TOWNSHIP 3 NORTH, RANGE 16 WEST OF THE SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE ON JUNE 29, 1897. EXCEPT 1 PERCENT OF ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES AND MINERALS WHICH MAY LIE IN, ON, UNDER OR BE HEREAFTER PRODUCED, SAVED, SOLD OR REMOVED FROM SAID LAND, WITH RIGHT OF INGRESS AND EGRESS THERETO AND THERETO AND THEREFROM, IN BOOK 35795 PAGE 422, OFFICIAL RECORDS.

PARCEL 2: (2826-020-033)

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 16 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE.

PARCEL 3: (2826-020-032)

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER SECTION 6, TOWNSHIP 3 NORTH, RANGE 16, WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE ON JUNE 29, 1897. EXCEPT THEREFROM WHATEVER RIGHT, TITLE, INTEREST OR ESTATE IS OWNED OF RECORD AS OF THE DATE HEREOF BY ANY PERSON OR PERSONS OTHER THAN TRUSTOR IN OR TO THE OIL, GAS, HYDROCARBON AND MINERAL SUBSTANCES LYING IN AND UNDER OR THAT MAY BE PRODUCED, SAVED, SOLD, OR REMOVED FROM SAID LAND OR IN AND TO THE PROCEEDS THEREFROM AND ANY AND ALL RIGHTS WITH RESPECT THERETO.

PARCEL 4:

ANY AND ALL EASEMENTS AND RIGHTS-OF-WAY, INCLUDING RIGHTS BY PRESCRIPTION, FOR PURPOSES OF INGRESS AND EGRESS TO AND FROM PARCEL 2 AND PARCEL 3.

PARCEL 5: (2826-020-024 AND 2826-020-030)

THE NORTH HALF OF LOT 6 AND THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 16 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND, APPROVED BY THE SURVEYOR GENERAL JUNE 29, 1897.

PARCEL 6: (2826-097-003; 2826-020-020; 2826-020-021 AND 2826-020-022)

LOTS 1, 2, 3 AND 4 IN SECTION 6, TOWNSHIP 3 NORTH, RANGE 16 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE JUNE 29, 1897.

**RESOLUTION OF THE COUNTY OF LOS ANGELES TO FORM DRAINAGE  
BENEFIT ASSESSMENT AREA NO. 36 AND TO DETERMINE AND LEVY ANNUAL  
ASSESSMENTS ON THE REAL PROPERTY LOCATED THEREIN**

WHEREAS, the Board of Supervisors of the County has received an Engineer's Report, dated September 2023 (Engineer's Report), pertaining to the establishment of an area of benefit (hereafter referred to as Drainage Benefit Assessment Area [DBAA]) No. 36 and the determination and levy of an annual assessment on the parcels of real property located therein, to finance the operation and maintenance costs for certain runoff treatment improvements described in the Engineer's Report (Improvements); and

WHEREAS, the establishment of DBAA No. 36 and the determination and levy of an annual assessment to finance the operation and maintenance costs for the Improvements is a condition of the County of Los Angeles' approval of a tentative map for a subdivision of land know as Tract Map No. 52796.

WHEREAS, the Clerk of the Board has caused notice of the filing of the Engineer's Report and of the time, date, and place of a public hearing on the proposed establishment of DBAA No. 36 and the determination and levy of an annual assessment on the parcels of real property located therein, to be given in the manner required by law; and

WHEREAS, the Board has conducted the public hearing on the proposed establishment of DBAA No. 36 and the determination and levy of an annual assessment on the parcels of real property located therein, and has considered all objections and protests to said proposals; and

WHEREAS, the assessment ballots required by Article 13D and Government Code Section 53753, which were submitted and not withdrawn, have been tabulated, and it has been determined that a majority protest against the determination and levy of the proposed annual assessment does not exist.

NOW, THEREFORE, the Board resolves as follows:

1. DBAA No. 36 is hereby established in accordance with and as described in the Engineer's Report.
2. An annual assessment on the parcels of real property in DBAA No. 36 is hereby determined and imposed in accordance with and as described in the Engineer's Report.
3. From and after the date on which the County accepts the Improvements for operation and maintenance or the date on which the final tract map for



4. The Clerk of the Board is hereby authorized and directed to file a certified copy of this Resolution, upon its adoption, with the County Assessor, Ownership Services Section, and the County Auditor-Controller, Tax Section.

Page 2 of 3

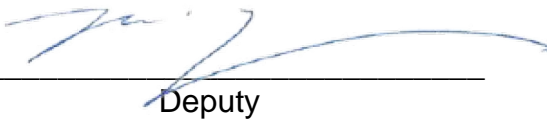
The foregoing Resolution was adopted on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts for which said Board so acts.

CELIA ZAVALA  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON  
County Counsel

By  \_\_\_\_\_  
Deputy

\\pw01\pwpublic\ldpub\SUBPCHECK\Hydrology\DBAA\DBAA 36 TR 52796 Aidlin Hills\DBAA 36 Board Letter\DBAA 36 Resolution.DOC

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Chief Executive Office, Public Works, and Aging and Disabilities		
<b>SUBJECT</b>	CP Willowbrook Senior Center Emergency Generator Project CP East Los Angeles Community Service Center Emergency Generator Project		
<b>PROGRAM</b>	N/A		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why: N/A		
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A		
<b>COST &amp; FUNDING</b>	Total cost: \$586,000 (Willowbrook) \$662,000 (East Los Angeles)		Funding source: Net County cost from Aging and Disabilities-Administration budget unit.
	TERMS (if applicable): N/A		
	Explanation: N/A		
<b>PURPOSE OF REQUEST</b>	Establish and approve the proposed capital projects and authorize Public Works to deliver the projects using a Board-approved Job Order Contract.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	The proposed projects will consist of remodeling the building electrical system at the two centers to incorporate a permanent power generator that will provide auxiliary power to the entire facility during unexpected short-term or long-term power outages.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: The project supports Board Priority No. 7, Sustainability, by investing in County buildings to provide improved public services and workforce environments that will lead to increased productivity.		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Vincent Yu, Deputy Director, (626) 458-4010, cell (626) 614-7217, <a href="mailto:vyu@pw.lacounty.gov">vyu@pw.lacounty.gov</a>		

December 19, 2023

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:

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
WILLOWBROOK SENIOR CENTER EMERGENCY GENERATOR PROJECT  
SPECS. 7926; CAPITAL PROJECT NO. 87961  
EAST LOS ANGELES COMMUNITY SERVICE CENTER  
EMERGENCY GENERATOR PROJECT  
SPECS. 7927; CAPITAL PROJECT NO. 87962  
ESTABLISH AND APPROVE CAPITAL PROJECTS AND BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE USE OF JOB ORDER CONTRACTING  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICTS 1 AND 2)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval of the Willowbrook Senior Center and East Los Angeles Community Service Center Emergency Generator Projects; approval of the project budgets and associated appropriation adjustment; and authorization to deliver the proposed projects using a Board-approved Job Order Contract.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find the proposed Willowbrook Senior Center and East Los Angeles Community Service Center Emergency Generator Projects exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the projects.
2. Establish and approve the Willowbrook Senior Center Emergency Generator Project, Capital Project No. 87961, with a budget of \$586,000, and the East Los Angeles Community Service Center Emergency Generator Project, Capital Project No. 87962, with a budget of \$662,000.

3. Approve an appropriation adjustment transferring \$1,248,000 from the Aging and Disabilities-Administration budget unit to the following projects: \$586,000 to the Willowbrook Senior Center Emergency Generator Project, Capital Project No. 87961, and \$662,000 to the East Los Angeles Community Service Center Emergency Generator Project, Capital Project No. 87962, to fully fund the proposed projects.
4. Authorize the Director of Public Works or his designee to deliver the proposed projects using a Board-approved Job Order Contract.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find the proposed Willowbrook Senior Center and East Los Angeles Community Service Center Emergency Generator Projects exempt from the California Environmental Quality Act (CEQA); establish and approve the proposed capital projects, project budgets, and associated appropriation adjustments; and authorize Public Works to deliver the proposed projects using a Board-approved Job Order Contract (JOC).

The Aging and Disabilities Department operates the Willowbrook Senior Center located at 12915 Jarvis Avenue, Los Angeles, CA 90061 and the East Los Angeles Community Service Center at 133 North Sunol Drive Los Angeles, CA 90063. The centers serve as hubs for the delivery of a wide range of health, social, and recreational activities to older adults, and serve as cooling centers. In the event of an emergency or disaster event, under the Older Americans Act and as required by the California Department of Aging, the centers need to provide emergency meals. These facilities do not have a permanent backup generator or the ability to hook up temporary generator power and are left with no power during power outages.

The two separate proposed projects will consist of remodeling and retrofitting the building electrical system at the two centers to incorporate a permanent power generator that will provide auxiliary power to the entire facility during unexpected short-term or long-term power outages. The permanent on-site generators would be located adjacent to the exterior of the buildings in a dedicated space with a chain link fence enclosure. The proposed improvements will provide improved and more reliable public services to the residents of the unincorporated communities of Willowbrook and East Los Angeles.

Public Works will utilize a Board approved, on-call consultant to complete the design and is seeking approval from the Board to deliver the projects using a Board-approved JOC.

Construction is scheduled to begin in October 2024 and be completed by end of October 2025, and includes ten months for procurement of the long lead generator equipment.

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability; and Objective III.3.2, Manage and Maximize County Assets by investing in public infrastructure that will improve public services and facilities for Los Angeles County residents.

### **FISCAL IMPACT/FINANCING**

The total project cost for the proposed Willowbrook Senior Center Emergency Generator Project, Capital Project No. 87961, is estimated at \$586,000, including design, plan check, consultant services, construction, change order contingency, and County services.

The total project cost for the proposed East Los Angeles Community Service Center Emergency Generator Project, Capital Project No. 87962, is estimated at \$662,000, including design, plan check, consultant services, construction, change order contingency, and County services.

The Project scheduled and budget summaries for the projects are included in Enclosure A.

Approval of the appropriation adjustment (Enclosure B) in the amount of \$1,248,000, will transfer \$586,000 and \$662,000 from the Aging and Disabilities-Administration budget unit to fully fund the proposed Willowbrook Senior Center Emergency Generator Project, Capital Project No. 87961, and East Los Angeles Community Service Center Emergency Generator Project, Capital Project No. 87962, respectively.

### **Operating Budget Impact**

Aging and Disabilities anticipates additional operational costs associated with annual maintenance and testing of the emergency power generators and will fund these additional costs within existing budgetary resources.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The generator equipment is a long lead item and the procurement and delivery to the site will take approximately ten months due to ongoing supply chain issues in the construction industry.

In accordance with the Board's Civic Arts Policy, amended on August 4, 2020, the proposed projects are exempt from the Civic Art Allocation as the eligible costs for each project are less than \$500,000.

These projects are subject to the Board Policy 5.270, Countywide Local and Targeted Worker Hiring.

## **ENVIRONMENTAL DOCUMENTATION**

The two separate proposed projects are categorically exempt from CEQA. The projects consist of remodeling and retrofitting the building electrical systems at the two senior centers to incorporate a permanent emergency power generator at each facility that will provide auxiliary power to the entire facility during unexpected short-term or long-term power outages. The projects are within certain classes of projects that have been determined not to have a significant effect on the environment in that they meet the criteria set forth in Sections 15301 (a) and (d); 15302 (c); 15303 (e); and 15311 of the State CEQA Guidelines and Classes 1 (d), (i), and (m); 2 (e); 3 (b); and 11 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The projects include retrofitting and operation of existing facilities with negligible or no expansion of use, replacement of features at the same site and with the same purpose and capacity, and accessory structures.

Additionally, each of the two proposed projects will comply with all applicable regulations, are not located in a sensitive environment, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste sites complied pursuant to Government Code Section 65962.5, or indications that the projects may cause a substantial adverse change in the significance of a historical resource that would make the exemptions inapplicable based on the record of the proposed projects.

Upon the Board's approval of the projects, Public Works will file a Notice of Exemption for each project with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the Public Resources Code and will post the Notices to its website in accordance with Section 21092.2.

### **CONTRACTING PROCESS**

Public Works will utilize a Board-approved, on-call consultant to complete the design and is requesting Board authorization to carry out the construction using a Board-approved JOC.

The project scopes include alteration work and Public Works has made the determination that the use of a JOC is the most appropriate contracting method to deliver the projects.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have no impact on other current County services or projects. The senior centers will remain operational during construction and the contractor will be required to phase and coordinate construction activities with the County to minimize disruption of public access and services at the facilities.

### **CONCLUSION**

Please return one adopted copy of this Board letter to Public Works, Project Management Division I.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

MP:GG:sl

Enclosures

c: Aging and Disabilities Department  
Department of Arts and Culture (Civic Art Division)  
Chief Executive Office (Capital Programs Division)  
County Counsel  
Executive Office



**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
WILLOWBROOK SENIOR CENTER EMERGENCY GENERATOR PROJECT  
SPECS. 7926; CAPITAL PROJECT NO. 87961  
EAST LOS ANGELES COMMUNITY SERVICE CENTER  
EMERGENCY GENERATOR PROJECT  
SPECS. 7927; CAPITAL PROJECT NO. 87962  
ESTABLISH AND APPROVE CAPITAL PROJECTS AND BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE USE OF JOB ORDER CONTRACTING  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICTS 1 AND 2)  
(3 VOTES)**

**WILLOWBROOK SENIOR CENTER (CP 87961)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	04/18/2024
Jurisdictional Approvals	08/22/2024
Construction Award	10/01/2024
Construction Start	10/14/2024
Substantial Completion	10/31/2025
Project Acceptance	12/31/2025

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
<b>Hard Costs</b>	
Construction	\$301,000
Change Order Contingency	\$ 72,000
<b>Hard Costs Subtotal</b>	<b>\$373,000</b>
<b>Soft Costs</b>	
Plans and Specifications	\$ 58,000
Consultant Services	\$ 20,000
Miscellaneous Expenditures	\$ 10,000
Jurisdictional Review/Plan Check/Permits	\$ 10,000
County Services	\$115,000
<b>Soft Costs Subtotal</b>	<b>\$213,000</b>
<b>TOTAL</b>	<b>\$586,000</b>

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
WILLOWBROOK SENIOR CENTER EMERGENCY GENERATOR PROJECT  
SPECS. 7926; CAPITAL PROJECT NO. 87961  
EAST LOS ANGELES COMMUNITY SERVICE CENTER  
EMERGENCY GENERATOR PROJECT  
SPECS. 7927; CAPITAL PROJECT NO. 87962  
ESTABLISH AND APPROVE CAPITAL PROJECTS AND BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
APPROVE USE OF JOB ORDER CONTRACTING  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICTS 1 AND 2)  
(3 VOTES)**

**EAST LOS ANGELES SERVICE CENTER (CP 87962)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	04/18/2024
Jurisdictional Approvals	08/22/2024
Construction Award	10/01/2024
Construction Start	10/14/2024
Substantial Completion	10/31/2025
Project Acceptance	12/31/2025

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
<b>Hard Costs</b>	
Construction	\$315,000
Change Order Contingency	\$ 57,000
<b>Hard Costs Subtotal</b>	<b>\$372,000</b>
<b>Soft Costs</b>	
Plans and Specifications	\$ 65,000
Consultant Services	\$ 25,000
Miscellaneous Expenditures	\$ 20,000
Jurisdictional Review/Plan Check/Permits	\$ 20,000
County Services	\$160,000
<b>Soft Costs Subtotal</b>	<b>\$290,000</b>
<b>TOTAL</b>	<b>\$662,000</b>

PINK

BOARD OF SUPERVISORS  
OFFICIAL COPY

BA FORM 10142022

December 19, 2023

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

AGING & DISABILITIES DEPARTMENT

AUDITOR-CONTROLLER:  
THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HER RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE  
FY 2023-24  
3 - VOTES

SOURCES		USES	
AGING AND DISABILITIES - ADMINISTRATION A01-AG-2000-27810 SERVICES & SUPPLIES DECREASE APPROPRIATION1,248,000		DEPARTMENT OF AGING AND DISABILITIES WILLOWBROOK SC EMERGENCY GENERATOR PROJECT A01-CP-6014-65054-87961 CAPITAL ASSETS - B & I INCREASE APPROPRIATION586,000	
		DEPARTMENT OF AGING AND DISABILITIES EAST LA COMMUNITY SC EMERGENCY GENERATOR PROJECT A01-CP-6014-65054-87962 CAPITAL ASSETS - B & I INCREASE APPROPRIATION662,000	
SOURCES TOTAL\$1,248,000		USES TOTAL\$1,248,000	

JUSTIFICATION  
Reflects the transfer of \$1,248,000 from the Aging & Disabilities Administration budget unit's Services & Supplies to the following projects: \$586,000 to Willowbrook Senior Center Emergency Generator Project, Capital Project No. 87961 and \$662,000 to East Los Angeles Community Services Center Emergency Generator Project, Capital Project No. 87962, to fully fund the projects.

AUTHORIZED SIGNATUREMia C. Atencio, Finance Manager

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---	<input type="checkbox"/> ACTION	<input type="checkbox"/> APPROVED AS REQUESTED
	<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> APPROVED AS REVISED
AUDITOR-CONTROLLER	BY	CHIEF EXECUTIVE OFFICER
B.A. NO.	DATE	BY
		DATE

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Public Works		
<b>SUBJECT</b>	Los Angeles General Medical Center Core Laboratory Equipment Anchorage and Roche Total Laboratory Automation Hematology Equipment Replacement Projects		
<b>PROGRAM</b>	N/A		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why: N/A		
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A		
<b>COST &amp; FUNDING</b>	Total cost: \$968,000 for the Core Lab Equipment Anchorage Project and \$3,787,000 for the Roche Total Laboratory Automation Hematology Equipment Replacement Project	Funding source: Capital Project Nos. 87996 and 87997	
	TERMS (if applicable): N/A		
	Explanation: N/A		
<b>PURPOSE OF REQUEST</b>	Public Works is seeking Board approval of the projects, project budgets, and related appropriation adjustment; and authorization to use Job Order Contracts for delivery of the projects.		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	<p>On September 6, 2016, the Board approved the LAC+USC Medical Center Core Laboratory Equipment Replacement Project, which was completed with some revised equipment. The revised equipment must be anchored and documented with the California Department of Health Care Access and Information and will be performed under the new Los Angeles General Medical Center Core Laboratory Equipment Anchorage Project.</p> <p>There is no previous Board activity for the Roche Total Laboratory Automation Hematology Equipment Replacement Project.</p>		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how: N/A		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: These projects supports Board Priority No. 7, Sustainability, by investing in County buildings to provide improved public services and workforce environments that will lead to increased productivity.		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Vincent Yu, Deputy Director, (626) 458-4010, cell (626) 614-7217, <a href="mailto:vyu@pw.lacounty.gov">vyu@pw.lacounty.gov</a> .		

December 19, 2023

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

# DRAFT

Dear Supervisors:

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
CORE LABORATORY EQUIPMENT ANCHORAGE PROJECT  
ROCHE TOTAL LABORATORY AUTOMATION HEMATOLOGY EQUIPMENT  
REPLACEMENT PROJECT  
ESTABLISH AND APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT AND  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
SPECS. 7917 AND 7851; CAPITAL PROJECT NOS. 87996 AND 87997  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 1)  
(4 VOTES)**

**SUBJECT**

Public Works is seeking Board approval of the Los Angeles General Medical Center Core Lab Equipment Anchorage and the Los Angeles General Medical Center Roche Total Laboratory Automation Hematology Equipment Replacement Projects, associated appropriation adjustment, and authorization to deliver the proposed projects using Board-approved Job Order Contracts.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed Los Angeles General Medical Center Core Laboratory Equipment Anchorage and the Los Angeles General Medical Center Roche Total Laboratory Automation Hematology Equipment Replacement Projects are exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of these projects.

2. Establish and approve the Los Angeles General Medical Center Core Laboratory Equipment Anchorage Project, Capital Project No. 87996 with a total project budget of \$968,000.
3. Establish and approve the Los Angeles General Medical Center Roche Total Laboratory Automation Hematology Equipment Replacement Project, Capital Project No. 87997 with a total project budget of \$3,787,000.
4. Approve the Fiscal Year 2023-24 appropriation adjustment of \$3,546,000 to allocate \$918,000 and \$2,628,000 from the Department of Health Services' Enterprise Fund-Committed for Department of Health Services to fund the estimated Fiscal Year 2023-24 expenditures for the proposed Los Angeles General Medical Center Core Lab Equipment Anchorage Project, Capital Project No. 87996, and the Los Angeles General Medical Center Roche Total Laboratory Automation Hematology Equipment Replacement Project, Capital Project No. 87997, respectively.
5. Authorize the Director of Public Works or his designee to deliver the projects using Board approved Job Order Contracts.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find the proposed Los Angeles General Medical Center (LA General) Core Laboratory Equipment Anchorage and LA General Roche Total Laboratory Automation Hematology Equipment Replacement Projects exempt from the California Environmental Quality Act (CEQA); establish and approve the projects, project budgets, and related appropriation adjustment; and authorize delivery of the proposed projects using Board-approved Job Order Contracts (JOCs).

#### **Projects Description and Background**

The two projects are located at the LA General located at 2051 Marengo Street, Los Angeles, CA 90033, within the Core Laboratory on the Second Floor of the Diagnostic and Treatment Building. The work of the projects will replace outdated equipment with new equipment, provide compliant anchorage, and modify associated utilities and infrastructure within the space to accommodate the equipment change out. The replacement of the laboratory equipment and infrastructure improvements will enable LA General to continue to provide reliable and modern diagnostic services to residents seeking healthcare services among the downtown urban Los Angeles communities.

#### Los Angeles General Medical Center Core Laboratory Equipment Anchorage Project

On September 6, 2016, the Board approved the LAC+USC Medical Center Core Laboratory Equipment Replacement project which consisted of renovating the existing Core Laboratory space to support the replacement of existing equipment with new lab equipment. The project work also included providing compliant anchorage to secure the new equipment in place. Before the project was closed-out with the Department of Health Care Access and Information (HCAI), some equipment items were replaced with different models which were not identified in the HCAI approved drawings. Some of the new equipment also required compliant anchorage which was not performed at the time of installation. In order to close-out the initial project and move forward with the new work for the Roche Total Laboratory Automation Hematology Equipment Replacement project (which occurs in the same space), HCAI agreed to the following plan: 1) HCAI will close-out the initial Core Laboratory Equipment Replacement project upon the County's submission of amended plans to include the equipment changes; 2) the County will carry out anchorage of the changed equipment under the proposed Core Laboratory Equipment Anchorage project as a separate HCAI project; and 3) the County will conduct the work of the new Roche Total Laboratory Automation Hematology Equipment Replacement as a separate HCAI project.

The LA General Core Laboratory Equipment Anchorage project's proposed scope of work will survey the existing lab equipment requiring anchorage, prepare a master equipment list, develop construction documents to obtain plan check approval from HCAI, and implement the necessary fixes.

#### Los Angeles General Medical Center Roche Total Laboratory Automation Hematology Equipment Replacement Project

The Clinical Laboratory at LA General performs a high volume of tests per year on a fully automated chemistry/immunology testing system and analyzers which were partially replaced as part of the 2016 Core Laboratory Equipment Replacement project. The proposed LA General Roche Total Laboratory Automation Hematology Equipment Replacement project will replace the existing outdated Stago automated hematology testing system and Beckman Coulter hemostasis analyzer equipment with new equipment by Roche Cobas and Sysmex. In addition, the chemistry/immunology

equipment within the Laboratory will also be replaced since the manufacturer will cease to support on-going maintenance and service to the equipment due to its age.

As part of the work for the proposed projects, associated infrastructure and utilities will require revisions to the mechanical, electrical, plumbing, and structural support systems. The work will be done in three phases to replace the remaining outdated equipment and minimize impacts to the facility's operations.

Public Works completed the plans, specifications, and jurisdictional approvals for the LA General Core Laboratory Equipment Anchorage and the LA General Roche Total Laboratory Automation Hematology Equipment Replacement projects using a Board-approved on-call architectural/engineering agreement and is now seeking approval to complete the remodeling using Board-approved JOCs.

If approved, construction is anticipated to begin in January 2023 and be substantially completed in April 2024, for the LA General Core Lab Equipment Anchorage project. Construction would start in March 2024 and be substantially completed in October 2024 for the Los Angeles General Roche Total Laboratory Automation Hematology Equipment Replacement project.

#### Green Building/Sustainable Design Program

Per the Board's December 20, 2016, policy, the proposed projects will support the Board's Green Building/Sustainable Design Program policy by minimizing the amount of demolition materials disposed of in landfills and incorporating energy-efficient products during construction.

#### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy I.2, Enhance our Delivery of Comprehensive Interventions; Strategy II.2, Support the Wellness of our Communities; Strategy II.3, Make Environmental Sustainability our Daily Reality, Objective II.3.2, Foster a Cleaner, More Efficient, and More Resilient Energy System; and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, and Objective III.3.2, Manage and Maximize County Assets.

These recommended actions support the Strategic Plan by investing in public healthcare infrastructure improvements that will enhance the quality and delivery of healthcare services to the residents of the County.



### **FISCAL IMPACT/FINANCING**

The total project budgets for the proposed LA General Core Lab Equipment Anchorage and Roche Total Laboratory Automation Hematology Equipment Replacement projects are \$968,000 and \$3,787,000, respectively. The project budgets include construction, change order contingency, plans and specifications, permit fees, consultant services, inspection services, and County services. The projects' budgets and schedules are included in Enclosure A.

The Department of Health Services (DHS) has previously paid \$28,000 and \$173,000, respectively, for preliminary assessment fees through the DHS operating budget in Fiscal Year (FY) 2022-23 for the LA General Core Lab Equipment Anchorage and Roche Total Laboratory Automation Hematology Equipment Replacement Projects.

Board approval of the enclosed FY 2023-24 appropriation adjustment (Enclosure B) in the amount of \$3,546,000 will reallocate \$918,000 and \$2,628,000, respectively, from the DHS' Enterprise Fund Committed for DHS to fund the projected FY 2023-24 expenditures for the LA General Core Lab Equipment Anchorage Project, Capital Project No. 87996, and the LA General Roche Total Laboratory Automation Hematology Equipment Replacement Project, Capital Project No. 87997. DHS would provide funding in future budget phases, as needed, to fully fund the remaining project budgets. There is no net County cost impact associated with the recommendations.

#### **Operating Budget Impact**

Following completion of the proposed projects, DHS would request and fund the associated ongoing annual maintenance and operational costs, as needed, with departmental resources in future budget phases.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with the Board's Civic Art Policy amended on August 4, 2020, the proposed projects budget includes one percent of the eligible design and construction costs to the Civic Art allocation in the amount of \$6,000 for the LA General Core Lab Equipment Replacement Project and \$25,000 for the LA General Roche Total Laboratory Automation Hematology Equipment Replacement Project.

The projects are subject to the Board Policy 5.270, Countywide Local and Targeted Worker Hiring.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed projects are categorically exempt from CEQA. The Roche Total Laboratory Automation Hematology Equipment Replacement project consists of repairs and remodeling work to an existing building housing warehouse, laboratory, and office space. The Core Laboratory Equipment Anchorage project consists of anchoring equipment in compliance with jurisdictional agency requirements. The two proposed projects are within certain classes of projects that have been determined not to have a significant effect on the environment in that they meet the criteria set forth in Sections 15301 (a), (d), and (l); and 15302 (c) of the State CEQA Guidelines and Classes 1 (c), (d), and (l); and 2 (e) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The projects provide for repair, refurbishment, replacement, and minor alterations of existing facilities involving negligible or no expansion of an existing use and where replacement features will have the same purpose and capacity.

Additionally, both projects will comply with all applicable regulations, are not located in a sensitive environment, there are no cumulative impacts, no unusual circumstances, no damage to scenic highways, not part of the listing on hazardous waste sites pursuant to Government Code Section 65962.5, and no indications that the projects may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable based on the records of proposed projects.

Upon the Board's approval of the projects, Public Works will file a Notice of Exemption for each project with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the Public Resources Code and will post each notice to its website pursuant to Section 21092.2.

### **CONTRACTING PROCESS**

Public Works completed the design using the same Board-approved, on-call architectural/engineering firm for both projects and is recommending the use of Board-approved JOCs to complete the construction of the projects.

The project Scopes of Work for these projects include substantial remodeling and alteration work and Public Works has determined that the use of JOC is the most appropriate contracting method to deliver the projects.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have minimal impact on current County services. The LA General Laboratory will remain operational during construction, and the contractor will be required to phase and coordinate construction activities with the County to minimize disruption to facility operations and functions.

**CONCLUSION**

Please return one adopted copy of this Board letter to Public Works, Project Management Division I.

Respectfully submitted,

MARK PESTRELLA  
Director of Public Works

MP:VY:cg

Enclosures

- c: Department of Arts and Culture (Civic Arts Division)  
Auditor-Controller  
Chief Executive Office (Capital Programs Division)  
County Counsel  
Executive Office  
Department of Health Services (Capital Project Division)

U:\pmd\health\LA\_Gen\CoreLabAnchor2402\Adm\BL\CP LA GenCore Lab and Roche (Draft BL).docx

# DRAFT

ENCLOSURE A  
December 19, 2023

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
CORE LABORATORY EQUIPMENT ANCHORAGE PROJECT  
ROCHE TOTAL LABORATORY AUTOMATION HEMATOLOGY EQUIPMENT  
REPLACEMENT PROJECT  
ESTABLISH AND APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
SPECS. 7917 AND 7851; CAPITAL PROJECT NOS. 87996 AND 87997  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 1)  
(4 VOTES)**

**CORE LABORATORY EQUIPMENT ANCHORAGE PROJECT**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	June 2023*
Jurisdictional Approvals	July 2023*
Construction Start	January 2024
Substantial Completion	April 2024
Final Acceptance	June 2024

\*Completed Activity

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Construction (Job Order Contract)	\$545,000
Bid Contingency	\$ 50,000
Change Order Contingency	\$ 75,000
Civic Arts	\$ 6,000
Construction Subtotal	\$676,000
Plans and Specification	\$ 40,000
Consultant Services	\$ 29,000
Miscellaneous Expenditure	\$ 14,000
Jurisdictional Review, Plan Check, and Permit	\$ 15,000
County Services	\$194,000
<b>TOTAL</b>	<b>\$968,000</b>

**ROCHE TOTAL LABORATORY AUTOMATION HEMATOLOGY EQUIPMENT  
REPLACEMENT PROJECT**

**III. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	August 2023*
Jurisdictional Approvals	November 2023*
Construction Start	March 2024
Substantial Completion	October 2024
Final Acceptance	December 2024

\* Completed Activity

**IV. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Construction (Job Order Contract)	\$2,200,000
Bid Contingency	\$ 200,000
Change Order Contingency	\$ 200,000
Civic Arts	\$ 25,000
Construction Subtotal	\$2,625,000
Plans and Specification	\$ 355,000
Consultant Services	\$ 95,000
Miscellaneous Expenditure	\$ 31,000
Jurisdictional Review, Plan Check, and Permit	\$ 80,000
County Services	\$ 601,000
<b>TOTAL</b>	<b>\$3,787,000</b>

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/2023 HMHS, CS		
<b>BOARD MEETING DATE</b>	12/19/2023		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input type="checkbox"/> All <input checked="" type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Public Works		
<b>SUBJECT</b>	Los Angeles General Medical Center Linear Accelerator, Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects		
<b>PROGRAM</b>	N/A		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why: N/A		
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A		
<b>COST &amp; FUNDING</b>	Total cost: Linear Accelerator: \$6,776,000 Computed Tomography Simulator: \$3,112,000 General Radiology Equipment: \$4,409,000		Funding source: Capital Project Nos. 8A002, 8A003, and 8A004
	TERMS (if applicable): N/A		
	Explanation: N/A		
<b>PURPOSE OF REQUEST</b>	Public Works is seeking Board approval of the projects, project budgets, and related appropriation adjustment; and authorization to deliver the projects using Board-approved Job Order Contracts.		
<b>BACKGROUND (Include internal/external issues that may exist, including any related motions)</b>	Procurement of replacement equipment was previously approved through separate Board actions on April 4, 2023, and June 14, 2022.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how: N/A		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please state which one(s) and explain how: This project supports Board Priority No. 7, Sustainability, by investing in County buildings to provide improved public services and workforce environments that will lead to increased productivity.		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Vincent Yu, Deputy Director, (626) 458-4010, cell (626) 614-7217, <a href="mailto:vyu@pw.lacounty.gov">vyu@pw.lacounty.gov</a> .		



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE:

December 19, 2023

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:

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
LINEAR ACCELERATOR, COMPUTED TOMOGRAPHY SIMULATOR,  
AND GENERAL RADIOLOGY EQUIPMENT  
REPLACEMENT AND ROOM REMODEL PROJECTS  
APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
CAPITAL PROJECT NOS. 8A002, 8A003, AND 8A004  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 1)  
(4 VOTES)**

### **SUBJECT**

Public Works is seeking Board approval of the Los Angeles General Medical Center Linear Accelerator, Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects; approval of the respective project budgets and associated appropriation adjustment; and authorization to deliver the projects using Board-approved Job Order Contracts.



**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed Los Angeles General Medical Center Linear Accelerator Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects are exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the proposed projects.
2. Establish and approve the Los Angeles General Medical Center Linear Accelerator Equipment Replacement and Room Remodel Project, Capital Project No. 8A002, with a total project budget of \$6,776,000.
3. Establish and approve the Los Angeles General Medical Center Computed Tomography Simulator Equipment Replacement and Room Remodel Project, Capital Project No. 8A003, with a total project budget of \$3,112,000.
4. Establish and approve the Los Angeles General Medical Center General Radiology Equipment Replacement and Room Remodel Project, Capital Project No. 8A004, with a total project budget of \$4,409,000.
5. Approve the Fiscal Year 2023-24 appropriation adjustment of \$10,406,000 to allocate \$4,724,000, \$2,363,000, and \$3,319,000 from the Department of Health Services' Enterprise Fund Committed for Department of Health Services to fund the estimated Fiscal Year 2023-24 expenditures for the proposed Los Angeles General Medical Center Linear Accelerator Equipment Replacement and Room Remodel Project, Capital Project No. 8A002, Los Angeles General Medical Center Computed Tomography Simulator Equipment Replacement and Room Remodel Project, Capital Project No. 8A003, and Los Angeles General Medical Center General Radiology Equipment Replacement and Room Remodel Project, Capital Project No. 8A004, respectively.
6. Authorize the Director of Public Works or his designee to deliver the projects using Board-approved Job Order Contracts

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find the proposed Los Angeles General Medical Center (LA General) Linear Accelerator, Computed Tomography Simulator,

and General Radiology Equipment Replacement and Room Remodel Projects exempt from the California Environmental Quality Act (CEQA); establish and approve the projects, project budgets, and related appropriation adjustment; and authorize delivery of the proposed projects using Board-approved Job Order Contracts (JOCs).

### Projects Description and Background

The three projects are located at the LA General located at 2051 Marengo Street, Los Angeles, CA 90033, within the First Floor of the Outpatient Clinic also known as the Clinic Tower, and the First Floor of the Diagnostic and Treatment Building. The projects will replace outdated equipment with new equipment, provide compliant anchorage, and modify associated utilities and infrastructure within the space to accommodate the equipment change out. The replacement of the equipment and infrastructure improvements will enable LA General to continue to provide reliable and modern diagnostic services to residents seeking healthcare services among the downtown urban Los Angeles communities.

### Los Angeles General Medical Center Linear Accelerator Equipment Replacement and Room Remodel Project

On April 4, 2023, the Board approved the acquisition of the Linear Accelerator replacement equipment in the amount of \$9,011,000. The new equipment is part of the Radiology Program and will be installed at the LA General. The Department of Health Services (DHS) will procure the equipment through a purchase order with the Internal Services Department (ISD) and the equipment will be installed by the vendor once the proposed refurbishment project is completed.

The existing Linear Accelerator equipment has exceeded the end of its useful service life and is consistently in need of repair, which has impacted the imaging lab's ability to rely on it. Further, the equipment is obsolete and locating repair parts when necessary has become challenging. In addition, the imaging lab's hardware does not support new software updates required for optimal performance, which is critical for improving patient safety and maintaining the standard quality of care.

The proposed scope of work includes remodeling three rooms located on the First Floor of the Outpatient Clinic also known as the Clinic Tower in the Radiation Oncology Department at the LA General. The proposed work includes all required renovations and compliance measures to accommodate the new equipment and anchorage. The

project will be carried out in phases to minimize impacts on patient care. Once the remodeling work is complete, the vendor will install the new equipment through a separate DHS purchase order contract.

#### Los Angeles General Medical Center Computed Tomography Simulator Equipment Replacement and Room Remodel

On April 4, 2023, the Board approved the acquisition of the computed tomography simulator replacement equipment in the amount of \$674,000. The new equipment is part of the Radiology Program and will be installed at the LA General. DHS will procure the equipment through an ISD purchase order. The vendor will install the equipment once the proposed refurbishment project is completed.

The existing computed tomography simulator equipment has exceeded the end of its useful service life and is no longer functional. The proposed scope of work includes remodeling one existing room located on the First Floor of the Outpatient Clinic, also known as the Clinic Tower, in the Radiation Oncology Department at the LA General. The work includes all required renovations and compliance measures to accommodate the new equipment and anchorage. Once the remodeling work is complete, the vendor will install the new equipment through a separate DHS purchase order contract.

#### Los Angeles General Medical Center General Radiation Equipment Replacement and Room Remodel

As part of the DHS' Equipment Replacement Program, a \$10,000,000 annual revolving fund was established in April 2013 to procure and install new medical equipment, including the remodel work required to accommodate the equipment, based on established criteria for prioritizing replacement.

On June 14, 2022, the Board approved the acquisition of the General Radiology replacement equipment in the amount of \$964,000. The new radiology equipment will be installed at the LA General as part of the Radiology Program. DHS procured the equipment through an ISD purchase order and the equipment will be installed by the vendor once the proposed refurbishment project is completed.

The existing General Radiology equipment has exceeded the end of its useful service life and is consistently in need of repair. The proposed scope of work includes remodeling three rooms on the First Floor of the Diagnostic and Treatment Building at the Emergency

Department Radiology section at the LA General, a Level I Trauma Center, by providing diagnostic radiology imaging to diagnose and treat patients needing urgent medical care. The work includes all necessary renovations to accommodate new equipment and anchorage.

The project will be carried out in phases to minimize impacts on patient care. Once the remodeling work is complete, the new equipment will be installed by the vendor through a separate DHS purchase order contract.

Public Works completed the plans, specifications, and jurisdictional approvals for the Linear Accelerator, Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects using a Board-approved on-call architectural/engineering agreement and is now seeking approval to complete the remodeling work using Board-approved JOCs.

If approved, construction is anticipated to begin in January 2024 and be substantially completed in February 2025 for both the LA General Linear Accelerator and General Radiology Equipment Replacement and Room Remodel Projects. Construction will start in January 2024 and be substantially completed in July 2025 for the LA General Computed Tomography Equipment Replacement and Room Remodel Project.  
Green Building/Sustainable Design Program

The proposed projects will support the Board's Green Building/Sustainable Design Program policy by minimizing the amount of demolition materials disposed of in landfills during construction and incorporating energy-efficient equipment.

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy I.2, Enhance our Delivery of Comprehensive Interventions; Strategy II.2, Support the Wellness of our Communities; Strategy II.3, Make Environmental Sustainability our Daily Reality, Objective II.3.2, Foster a Cleaner, More Efficient, and More Resilient Energy System; Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability; and Objective III.3.2, Manage and Maximize County Assets.

These recommended actions support the Strategic Plan by investing in public healthcare infrastructure improvements that will enhance the quality and delivery of healthcare services to the residents of Los Angeles County.

### **FISCAL IMPACT/FINANCING**

The estimated total project budgets for the LA General Linear Accelerator, Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects are \$6,776,000, \$3,112,000, and \$4,409,000, respectively. The project budgets include construction, change order contingency, plans and specifications, permit fees, consultant services, inspection services, and County services. The projects' budgets and schedules are included in Enclosure A.

DHS has previously paid \$221,000, \$125,000, and \$216,000, respectively, for preliminary assessment fees through the DHS operating budget in Fiscal Year (FY) 2022-23 for the LA General Linear Accelerator, Computed Tomography Simulator, and General Radiology Equipment Replacement and Room Remodel Projects.

Board approval of the enclosed FY 2023-24 appropriation adjustment (Enclosure B) in the amount of \$10,406,000 will allocate \$4,724,000, \$2,363,000, and \$3,319,000 from DHS' Enterprise Fund Committed for DHS to fund the projected FY 2023-24 expenditures for the LA General Linear Accelerator Equipment Replacement and Room Remodel project, Capital Project No. 8A002, LA General Computed Tomography Simulator Equipment Replacement and Room Remodel Project, Capital Project No. 8A003, and LA General Medical Center General Radiology Equipment Replacement and Room Remodel Project, Capital Project No 8A004, respectively. DHS will provide funding in the future budget phases as needed, to fully fund the remaining Capital Project budgets. There is no net County cost impact associated with the recommended actions.

#### **Operating Budget Impact**

Following completion of the proposed projects, DHS will request and fund the associated ongoing annual maintenance and operational costs, as needed, with departmental resources in future budget phases.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with the Board's Civic Art Policy amended on August 4, 2020, the proposed project budgets include one percent of the eligible design and construction costs to the Civic Art allocation in the amount of \$40,750 for the LA General Linear Accelerator Equipment Replacement and Room Remodel Project, \$16,000 for the LA General Computed Tomography Simulator Equipment Replacement and Room Remodel Project,

and \$26,000 for the LA General Medical Center General Radiology Equipment Replacement and Room Remodel Project.

The projects and JOCs are subject to the Board Policy 5.270, Countywide Local and Targeted Worker Hiring.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed projects are categorically exempt from CEQA. They consist of repairs and remodeling work to existing building warehouses, laboratories, and office space. The interior remodel projects are within certain classes of projects that have been determined not to have a significant effect on the environment in that they meet the criteria set forth in Sections 15301 (a), (d), and (l); and 15302 (c) of the State CEQA Guidelines and Classes 1 (c), (d), and (l); and 2 (e) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. The projects provide for the repair, refurbishment, replacement, and minor alterations of existing facilities involving negligible or no expansion of existing use and where replacement features will have the same purpose and capacity.

Additionally, the proposed projects will comply with all applicable regulations, are not located in a sensitive environment, there are no cumulative impacts, no unusual circumstances, no damage to scenic highways, and are not part of the listing on hazardous waste sites pursuant to Government Code Section 65962.5, and no indications that the projects may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable based on the records of the proposed projects.

Upon the Board's approval of the projects, Public Works will file a Notice of Exemption for each project with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the Public Resources Code and will post each notice to its website pursuant to Section 21092.2.

### **CONTRACTING PROCESS**

Public Works completed the design for all three projects using the same Board-approved, on-call architectural/engineering firm and is recommending the use of Board-approved JOCs to complete the construction of the projects.

The scope for these projects includes substantial remodeling and alteration work, and Public Works has determined that using JOC is the most appropriate contracting method to deliver the projects.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have minimal impact on current County services or projects. The LA General Radiology and Emergency Department Radiology section will remain operational during construction, and the contractors will be required to phase and coordinate construction activities with the County to minimize disruption to facility operations and functions.

**CONCLUSION**

Please return one adopted copy of this Board letter to Public Works, Project Management Division I.

Respectfully submitted,

MARK PESTRELLA, PE  
Director of Public Works

MP:GG:cg

Enclosures

c: Department of Arts and Culture (Civic Art Division)  
Auditor-Controller  
Chief Executive Office (Capital Programs Division)  
County Counsel  
Executive Office  
Department of Health Services (Capital Project Division)

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
LINEAR ACCELERATOR, COMPUTED TOMOGRAPHY SIMULATOR,  
AND GENERAL RADIOLOGY EQUIPMENT  
REPLACEMENT AND ROOM REMODEL PROJECTS  
ESTABLISH AND APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE RELATED APPROPRIATION ADJUSTMENT  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
CAPITAL PROJECT NOS. 8A002, 8A003, AND 8A004  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 1)  
(4 VOTES)**

**LINEAR ACCELERATOR EQUIPMENT REPLACEMENT AND ROOM REMODEL PROJECT**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	May 2023*
Jurisdictional Approvals	September 2023*
Construction Start	January 2024
Substantial Completion	February 2025
Final Acceptance	March 2025

\*Completed Activity

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Construction (Job Order Contract)	\$3,830,000
Change Order	\$ 525,000
Bid Contingency	\$ 350,000
<b>Construction Subtotal</b>	<b>\$4,705,000</b>
Civic Art	\$ 41,000
Plans and Specification	\$ 225,000
Consultant Services	\$ 145,000
Miscellaneous Expenditure	\$ 82,000
Jurisdictional Review, Plan Check, and Permit	\$ 180,000
County Services	\$1,398,000
<b>TOTAL</b>	<b>\$6,776,000</b>



**COMPUTED TOMOGRAPHY SIMULATOR EQUIPMENT REPLACEMENT AND  
ROOM REMODEL PROJECT**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	May 2023*
Jurisdictional Approvals	September 2023*
Construction Start	January 2024
Substantial Completion	July 2025
Final Acceptance	August 2025

\*Completed Activity

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Construction (Job Order Contract)	\$1,760,000
Change Order	\$ 240,000
Bid Contingency	\$ 160,000
<b>Construction Subtotal</b>	<b>\$2,160,000</b>
Civic Art	\$ 19,000
Plans and Specification	\$ 120,000
Consultant Services	\$ 90,000
Miscellaneous Expenditure	\$ 22,000
Jurisdictional Review, Plan Check, and Permit	\$ 82,000
County Services	\$ 619,000
<b>TOTAL</b>	<b>\$3,112,000</b>

**GENERAL RADIOLOGY SUITE EQUIPMENT REPLACEMENT AND ROOM  
REMODEL PROJECT**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Construction Documents	May 2023*
Jurisdictional Approvals	September 2023*
Construction Start	January 2024
Substantial Completion	February 2025
Final Acceptance	March 2025

\*Completed Activity

**II. PROJECT BUDGET SUMMARY**

<b>Project Activity</b>	<b>Proposed Budget</b>
Construction (Job Order Contract)	\$2,476,000
Change Order	\$ 338,000
Bid Contingency	\$ 225,000
<b>Construction Subtotal</b>	<b>\$3,039,000</b>
Civic Art	\$ 26,000
Plans and Specification	\$ 300,000
Consultant Services	\$ 130,000
Miscellaneous Expenditure	\$ 41,000
Jurisdictional Review, Plan Check, and Permit	\$ 64,000
County Services	\$ 809,000
<b>TOTAL</b>	<b>\$4,409,000</b>

**CONSTRUCTION CONTRACT  
CONSTRUCTION MANAGEMENT CORE SERVICE AREA  
LOS ANGELES GENERAL MEDICAL CENTER  
LINEAR ACCELERATOR, COMPUTED TOMOGRAPHY SIMULATOR,  
AND GENERAL RADIOLOGY EQUIPMENT  
REPLACEMENT AND ROOM REMODEL PROJECTS  
APPROVE CAPITAL PROJECTS  
APPROVE PROJECT BUDGETS  
APPROVE APPROPRIATION ADJUSTMENT  
AUTHORIZE USE OF JOB ORDER CONTRACTING  
CAPITAL PROJECT NOS. 8A002, 8A003, AND 8A004  
(FISCAL YEAR 2023-24)  
(SUPERVISORIAL DISTRICT 1)  
(4 VOTES)**

**PENDING APPROPRIATION  
ADJUSTMENT**

# BOARD LETTER/MEMO CLUSTER FACT SHEET

☒ Board Letter

☐ Board Memo

☐ Other

<b>CLUSTER AGENDA REVIEW DATE</b>	12/6/23 Comm Serv Cluster & 12/13/23 Ops Cluster		
<b>BOARD MEETING DATE</b>	1/9/2024		
<b>SUPERVISORIAL DISTRICT AFFECTED</b>	<input checked="" type="checkbox"/> All <input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup> <input type="checkbox"/> 4 <sup>th</sup> <input type="checkbox"/> 5 <sup>th</sup>		
<b>DEPARTMENT(S)</b>	Animal Care & Control		
<b>SUBJECT</b>	Approve the use of the Information Technology Infrastructure Fund (ITF) for the development and implementation of an Online Voucher Application.		
<b>PROGRAM</b>	Community Services		
<b>AUTHORIZES DELEGATED AUTHORITY TO DEPT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>SOLE SOURCE CONTRACT</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain why:		
<b>DEADLINES/ TIME CONSTRAINTS</b>	N/A		
<b>COST &amp; FUNDING</b>	Total cost: \$200,000	Funding source: Information Technology Infrastructure Fund	
	TERMS (if applicable):		
	Explanation: N/A		
<b>PURPOSE OF REQUEST</b>	Requesting Board approval for an appropriation adjustment to reallocate funding to the Animal Care & Control for the development and implementation of an Online Voucher Application		
<b>BACKGROUND (include internal/external issues that may exist including any related motions)</b>	Approval of the recommended action will enable DACC to develop an Online Voucher Application. This application is expected to enhance efficiency, accessibility, data accuracy, and cost-effectiveness leading to a more streamlined and effective assistance program.		
<b>EQUITY INDEX OR LENS WAS UTILIZED</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain how:		
<b>SUPPORTS ONE OF THE NINE BOARD PRIORITIES</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No It supports three Board priorities by increasing efficiency and effectiveness, improving customer service, and fostering economic development		
<b>DEPARTMENTAL CONTACTS</b>	Name, Title, Phone # & Email: Shakeel Qazi, Information Technology Manager I, (562) 658-2097, <a href="mailto:sqazi@animalcare.lacounty.gov">sqazi@animalcare.lacounty.gov</a>		



LOS ANGELES COUNTY

**ANIMAL CARE & CONTROL** | **redefining CARE**



Marcia Mayeda, Director

January 9, 2024

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

Dear Supervisors:

**APPROVAL TO UTILIZE FUNDS FROM THE COUNTY'S  
INFORMATION TECHNOLOGY INFRASTRUCTURE FUND FOR  
THE DEVELOPMENT AND IMPLEMENTATION OF THE  
ANIMAL CARE AND CONTROL ONLINE VOUCHER APPLICATION AND  
APPROVAL OF AN APPROPRIATION ADJUSTMENT  
FISCAL YEAR 2023-24  
(ALL SUPERVISORIAL DISTRICTS) (4 VOTES)**

**CIO RECOMMENDATION: APPROVED [X]**

**SUBJECT**

The Department of Animal Care and Control (DACC) is requesting Board approval of an appropriation adjustment and authorization to utilize \$200,000 in one-time funding from the County's Information Technology Infrastructure Fund (ITF) for the department's development and implementation of an online voucher application.

**IT IS RECOMMENDED THAT THE BOARD:**

Approve a Fiscal Year 2023-24 appropriation adjustment in the ITF to reallocate \$200,000 from Services and Supplies (S&S) to Other Financing Uses and to increase DACC's S&S Budget to develop and implement an online voucher application.

Agoura ACC  
29525 Agoura Road  
Agoura Hills, CA 91301  
(818) 991-0071

Baldwin Park ACC  
4275 N. Elton Street  
Baldwin Park, CA 91706  
(626) 962-3577

Carson/Gardena ACC  
216 W. Victoria Street  
Gardena, CA 90248  
(310) 523-9566

Castaic ACC  
31044 N. Charlie Canyon Rd.  
Castaic, CA 91384  
(661) 257-3191

Downey ACC  
11258 S. Garfield Ave.  
Downey, CA 90242  
(562) 940-6898

Lancaster ACC  
5210 W. Avenue I  
Lancaster, CA 93536  
(661) 940-4191

Palmdale ACC  
38550 Sierra Highway  
Palmdale, CA 93550  
(661) 575-2888

Administrative Office  
5898 Cherry Avenue  
Long Beach, CA 90805  
(800) 253-3555

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Pet owners often struggle to afford essential medical care for their beloved animals, resulting in untreated illnesses and growing rates of pet abandonment that place a significant burden on local animal shelters and rescue organizations. To address these challenges and enhance our services to the community, DACC introduced the Pets Are Family (PAF) community outreach program. The PAF program provides critical resources to vulnerable pet owners to help ensure pets remain with their families.

Currently the PAF program relies on manual processes such as email, mail, fax application forms, and paper vouchers which impact efficiency and customer service. Approval of this recommendation will allow DACC to collaborate with the Internal Services Department (ISD) to create a secure, cloud-based online voucher web application that streamlines administration of our PAF program and offers more accessible services to the community.

The benefits of implementing an online voucher application include:

- Streamlining the processing, tracking, and reporting of assistance requests
- Providing easier access to resources for low-income pet owners to keep pets together with their families
- Increasing the likelihood of pets remaining with their families, reducing the strain on our animal care centers and rescue organizations

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommended action supports County Strategic Plan Goal III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability; and County Strategic Plan Goal III.2.3, Prioritize and Implement Technology Initiatives That Enhance Service Delivery and Increase Efficiency.

### **FISCAL IMPACT/FINANCING**

The ITF, governed by the County's Information Technology Investment Board (ITIB), was established to fund Countywide or multi-departmental technology projects that improve the delivery of services to the public; generate operational improvements to one or more departments or programs; and improve interdepartmental or interagency collaboration.

The ITIB approved the use of \$200,000 in one-time funding from the County's ITF. The funding will be used to engage ISD for development and implementation of the online voucher application.

Approval of the recommended appropriation adjustment (attached) in the ITF will reallocate \$200,000 from S&S to Other Financing Uses and will increase DACC's S&S Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

There are no legal requirements or prohibitions related to this recommended action.

Professional services will be delivered by ISD.

In compliance with Board Policy 6.020, "Chief Information Office Board Letter, the Office of the Chief Information Office reviewed this request and recommends approval. No formal CIO Analysis is required because the CIO reviewed and approved the business case for this project. The County's ITIB reviewed the ITF request on September 28, 2023.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The online voucher application will enhance efficiency, accessibility, data accuracy, and cost-effectiveness resulting in a more streamlined and effective pet-assistance program.

### **CONCLUSION**

Upon Board approval, please return one adopted copy of this board letter to the department.

Respectfully submitted,

Reviewed by:

MARCIA MAYEDA  
Director

PETER LOO  
Acting Chief Information Officer

MM:DU:WD:SQ:GM:rke

S:Brd Corres/2023 :BLs:/approp adj itf online voucher\bl ITF draft - appr adj -online voucher app

Attachment

c: Chief Executive Office  
Chief Information Office  
County Counsel  
Executive Office