



# City of Culver City

Mike Balkman Council  
Chambers  
9770 Culver Blvd.  
Culver City, CA 90232

## Staff Report

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**CC - FOUR-FIFTHS VOTE REQUIREMENT (1) Acceptance of \$195,030.35 in Los Angeles County Proposition A Maintenance and Servicing Excess Funds Awarded to the City of Culver City; (2) Approval of a Budget Amendment to Appropriate \$187,000 of the Funding for Veterans Memorial Park 5 - 12 Playground Equipment Replacement; and, (3) Approval of a Budget Amendment to Appropriate the Remaining \$8,030.35 to Partially Fund the Fiscal Year 2016-2017 Haynes Custodial Contract for the Culver City Senior Center.**

**Meeting Date:** February 13, 2017

**Contact Person/Dept:** Dan Hernandez/Parks, Recreation & Community Services

**Phone Number:** (310) 253-6655

**Fiscal Impact:** Yes ☒ No ☐

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☐

**Action Item:** ☐

**Attachments:** Yes ☐ No ☒

**Public Notification:** (E-Mail) Meetings and Agendas - City Council 02/07/17); (Email) Parks, Recreation and Community Services Commission 02/08/17); (Email) Parks, Recreation & Community Service Department Updates 02/08/17)

**Department Approval:** Daniel Hernandez, PRCS Director (02/02/17)

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### **RECOMMENDATION**

Staff recommends the City Council (1) accept \$195,030.35 in Los Angeles County Proposition A Maintenance and Servicing Excess (M&SE) Funds awarded to the City of Culver City; (2) approve a budget amendment to appropriate \$187,000 of the funding for Veterans Memorial Park 5 - 12 Playground equipment replacement; and, (3) approve a budget amendment to appropriate the remaining \$8,030.35 to partially fund the Fiscal Year 2016-2017 Haynes Custodial Contract for the Culver City Senior Center.

**Budget Amendments Require a 4/5<sup>th</sup> Vote**

### **BACKGROUND**

On August 11, 2016, PRCS Department staff received an email from the Los Angeles County Regional Park and Open Space District (RPOSD) announcing the availability of the 2016-2017

Maintenance and Servicing Excess (M&SE) Funds Program. Program funds were available to agencies whose Proposition A Excess Funds grant-funded projects had been completed and the grants closed. The deadline to submit M&SE Payment Requests was Wednesday, October 19, 2016 by 12:00 p.m.

The Los Angeles County Propositions of 1992 and 1996 (Proposition A) both provide for the annual allocation of "Regular" Maintenance and Servicing Funds. Excess Funds have been declared since Fiscal Year 1998-1999. All of the Excess Funds made available from FY 1999-2000 through FY 2012-2013 were for capital outlay projects only. This was due to the Proposition A mandatory requirement to expend 80% of the assessment revenue for capital outlay projects in the first 20 years. This restriction expired at the end of fiscal year 2012-2013. As a result, the directive in Proposition A of 1996 to allocate 20% of the Available Excess Funds for maintenance and servicing of Excess Fund grant-funded projects was implemented. These funds cannot be used for capital improvement projects. Instead, they must be used for the maintenance, servicing, and under certain circumstances, the repair and replacement of project components.

The List of Eligible Excess Funds Projects is provided by the RPOSD. Staff applied for \$187,000 for the replacement of playground equipment at the Veterans Park 5 - 12 Playground. This is the equipment that was supplied as part of the KaBOOM! Project in 2009. The replacement of the playground equipment is considered an "extraordinary" expense by the RPOSD. An extraordinary expense is a maintenance expense that occurs infrequently or cannot be anticipated in advance. To apply for M&SE funds for extraordinary expenses, the requirements are (1) a payment request form signed by the City Manager or his designee, (2) a memo justifying the expense, and, (3) a written cost estimate by a qualified vendor.

Staff also applied for \$89,638.80 for the FY 2016-2017 Haynes Custodial Contract for the Culver City Senior Center. This is considered an "anticipated" expense by the RPOSD. To apply for M&SE funds for anticipated expenses, the requirements are (1) a payment request form signed by the City Manager or his designee, and, (2) an annual budget approved by the RPOSD.

## **DISCUSSION**

### **The Veterans Memorial Park 5 - 12 Playground Equipment Replacement**

In reviewing the List of Eligible Excess Funds Projects, staff selected the replacement of playground equipment at the Veterans Park 5 - 12 Playground due to (a) the urgent need for replacement, and (b) the lack of other available funding sources in the Culver City Adopted FY 2016-2017 budget. Over the past seven years, PRCS Department Parks Division staff has found that the Playworld Systems, Inc., playground equipment that was provided as part of the City's agreement with KaBOOM! does not meet acceptable standards of durability, functionality and safety. The number of Veterans Park 5 - 12 playground equipment failures and repairs far exceeds that of comparably-aged play elements from other companies that the City has experience with, including the Kompan equipment in the Veterans Park 2 - 5 Playground.

Soon after installation in December 2009, the Parks Division staff was made aware that the playground equipment was already outdated, and that production of the equipment and replacement parts had ceased. This has created ongoing problems, as staff struggles to find solutions to repair

and replace deteriorated playground equipment without access to original replacement parts. In fact, staff has had to resort to in-house fabrication of parts, with varying levels of success.

For the KaBOOM! Project, staff was not able to choose the playground equipment manufacturer. For the replacement project, staff received a cost estimate from Great Western Park and Playground for the *Osiris Playground Structure*\* manufactured by GameTime. The cost estimate of \$187,000 includes the following:

- Mobilization
- Demolition & Hauling
- Site Preparation & Grading
- Playground Equipment\*
- Shipping and Handling
- Labor
- Fine Grade of Subsurface
- Addition of Engineered Wood Fibar
- Site Clean-up

If the City Council appropriates the Prop A M&SE funds for this replacement project, as approved by the RPOSD, staff plans to provide the community with opportunities for comment on the project at three public meetings. Great Western Park and Playground will submit two separate site plans and playground equipment configurations for review and evaluation by the public at a community meeting to be held at the Veterans Memorial Building in May 2017. The May date has been chosen because staff is currently working on the Blair Hills Park Playground Project, a City-funded project, which should take approximately three months to complete.

For the May community meeting, the surrounding neighborhood, adjacent neighborhoods, and Veterans Park Playground users will be notified of the meeting via postcard mailings and flyers. Staff will then take the community's recommendations to the Parks, Recreation and Community Services Commission (PRCSC) for review and recommendation to the City Council. Finally, a third opportunity for comment will be provided to public when the City Council reviews the PRCSC's recommendation and the associated plans and specifications in order to (if desired) authorize staff to publicize the project for bids.

#### *The Fiscal Year 2016-2017 Haynes Custodial Contract for the Culver City Senior Center*

The FY 2016-2017 custodial contract for the Culver City Senior Center is \$7,469.90 per month, or \$89,638.80 annually. Custodial staff's duties include, but are not limited to, cleaning, sweeping, mopping, vacuuming, dusting, emptying trash, spot cleaning carpets, etc. Staff choose to submit this for M&SE funding because (a) the annual custodial expense has been paid by Prop A Regular Maintenance and Servicing Funds since FY 2003-2004, making this a well-established, on-going expenditure familiar to the RPOSD, and (b) the City was awarded \$82,370.40 in M&SE funds for FY 2014-2015, indicating that the application may be looked upon favorably again in FY 2016-2017

(note: In FY 2015-2016, PRCS Department staff successfully applied for \$199,595 in M&SE funds for the Senior Center Audiovisual Equipment Replacement Project, which was managed by Public Works/Engineering and has been completed).

### *FY 2016-2017 Maintenance and Servicing Excess Funds Program Awards*

On November 21, 2016, staff was notified via email that the RPOSD had received a high level of responses to the FY 2016-2017 Maintenance and Servicing Excess Funds Program and, as a result, each agency was eligible to receive 70.5% of the requested total. The City of Culver City's total request was \$276,638.80. Therefore, the City was awarded \$195,030.35. Staff was instructed to contact the City's Proposition A Program Manager by no later than November 30, 2016 with instructions on how to proceed with the City's M&SE request.

PRCS Director Dan Hernandez determined that the most appropriate use of the funds was to fully-fund the Veterans Memorial Park 5 - 12 Playground equipment replacement, which had no previously identified funding, and to partially fund the FY 2016-2017 custodial contract for the Culver City Senior Center, since the City Council appropriated \$80,000 in Regular M&S fund in the Adopted FY 2016-2017 budget for Senior Center maintenance (please see the top of page 86; revenue account 41460903.346330). On December 1, 2016 staff was notified via email that this distribution of the funding was approved by the RPOSD.

## **FISCAL ANALYSIS**

If the City Council appropriates the \$187,000 in Prop A M&SE funds at this evening's meeting, staff will be requesting that the Finance Department create new revenue and expenditure accounts for the Veterans Memorial Park 5 - 12 Playground equipment replacement. Staff is still awaiting the RPOSD's decision as to if the approved funds will be received in advance or on a reimbursement basis.

If the City Council appropriates the \$8,030.35 for the FY 2016-2017 Haynes Custodial Contract for the Culver City Senior Center at this evening's meeting, it will be posted to the existing 41460903 account (Building Maintenance / Prop A M&S), making the total available funding \$88,030.35. As noted earlier, the annual contract amount is \$89,638.80. The additional \$1,608.45 in Regular M&S funds has already been approved by the RPOSD, and staff will submit a budget amendment administratively to bring the total available funding up to the amount necessary to fulfill the contractual obligation.

## **ATTACHMENTS**

None.

## **MOTIONS**

That the City Council:

1. Accept \$195,030.35 in Los Angeles County Proposition A Maintenance and Servicing Excess (M&SE) Funds awarded to the City of Culver City;
2. (Four-Fifths Vote Required) approve a budget amendment to appropriate \$187,000 of the funding for Veterans Memorial Park 5 - 12 Playground equipment replacement; and,
3. (Four-Fifths Vote Required) approve a budget amendment to appropriate the remaining \$8,030.35 to partially fund the Fiscal Year 2016-2017 Haynes Custodial Contract for the Culver City Senior Center;
4. Authorize the City Attorney to review/prepare the necessary documents; and,
5. Authorize the City Manager to execute such documents on behalf of the City.