

# BALDWIN HILLS CONSERVANCY NOTICE OF PUBLIC MEETING

The meeting of the Baldwin Hills Conservancy (BHC) will be held  
Friday, July 28, 2017, 10:00 AM - 12:00 PM  
Kenneth Hahn State Recreation Area Community Room  
4100 South La Cienega Blvd. Los Angeles, CA 90056  
(323) 298-3660

## Teleconference Location

Natural Resources Agency  
1416 Ninth Street, 13<sup>th</sup> Floor, Room 1305  
Sacramento, California 95814

**10:00 AM - CALL TO ORDER - Jacquelyn Dupont-Walker, Vice Chair**

## MEETING AGENDA

PUBLIC COMMENTS ON AGENDA OR NON-AGENDA ITEMS SHOULD BE SUBMITTED BEFORE ROLL CALL

***Public Comment and Time Limits: If you wish to speak on an agenda item, please complete a speaking card available near the door to the meeting room. Individuals wishing to comment will be allowed up to three minutes to speak. Speaking times may be reduced depending upon the number of speakers.***

1. - Roll Call - Avril LaBelle, Executive Secretary
2. - Approval of Minutes (June) – Jacquelyn Dupont-Walker, Vice Chair
3. - Public Comments - Jacquelyn Dupont-Walker, Vice Chair
4. - Discussion and Possible Action on an Amendment to Grant Agreement #BHC16002, with the Mountains Recreation and Conservation Authority (MRCA) for the Milton Green Street Project - Daniel Sciolini, BHC Staff Services Analyst
5. - Presentation on the Baldwin Hills Conservancy Website Update and Parkland Online Platforms - Noa Rishe, BHC Park and Recreation Specialist
6. - Presentation on BHC Grantee Bidding Policies for Subcontracted Construction - Agreements - David McNeill, Executive Officer -
7. - Executive Officer Report: Project Status Update, Fiscal Update - BHC Staff - Representatives -
8. Board Member Announcements or Proposed Agenda Items for Future Meetings

*\*Next meeting is tentatively scheduled for **September 15, 2017.***

## ADJOURNMENT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodations to attend or participate in this meeting, including auxiliary aids or services, please call the Conservancy at (323) 290-5270 at least five days prior to the meeting. For more information about the Conservancy, you may visit our website at [www.bhc.ca.gov](http://www.bhc.ca.gov). Be it known pursuant to Government Code Sections **54956.8, 54956.9**, the Conservancy may hold a closed session to discuss and take possible action regarding instructions on real estate negotiations, on personnel matters and/or to receive advice of counsel on pending or potential litigation. Confidential memoranda related to these issues may be considered during such closed session discussions.

**BALDWIN HILLS CONSERVANCY**

5120 West Goldleaf Circle, Suite 290

Los Angeles, CA 90056

Phone: (323) 290-5270

**PUBLIC MEETING MINUTES -  
BALDWIN HILLS CONSERVANCY -  
Friday, June 16, 2017 -**

**10:00 a.m. Call to Order** - A public meeting of the Baldwin Hills Conservancy (BHC) was assembled at 10:00 a.m. on Friday, June 16, 2017, at the Kenneth Hahn State Recreation Area Community Center located at 4100 South La Cienega Boulevard, Los Angeles, CA 90056.

**I. - Roll Call**

**Members Present:** Sara Amir, Lloyd Dixon, Jacquelyn Dupont-Walker, Dr. Yolanda Gorman, Robert Jones, Karly Katona (*arrived after Item 3,*) Eraina Ortega, Kevin Regan, Craig Sap, Ana Straabe.

**Staff Present:** David McNeill, Executive Officer; David Edsall, Deputy Attorney General, State of California Department of Justice; Gail Krippner, Grant Program Manager; Noa Rishe Khalili, Park and Recreation Specialist; Daniel Sciolini, Staff Services Analyst; Avril LaBelle, Executive Secretary.

**II. - Approval of Minutes (April) – Dr. Yolanda Gorman, Chair**

The Chair called for a motion to approve the minutes. Member Dupont-Walker so moved, Member Sap seconded the motion, and a roll call vote was taken – **7 aye, 0 nay, 0 abstain, Minutes Approved.**

**III. - Consideration of a Resolution Authorizing a BHC Proposition 1 Local Assistance Grant in an Amount Not to Exceed \$258,000 to California Greenworks, Inc. for the Lower Ballona Creek Urban Greening, Environmental Enhancement and Habitat Restoration Project – Daniel Sciolini, Staff Services Analyst**

Mr. Sciolini - This is a proposal to create a focus study and provide a blueprint for green infrastructure to be implemented along the Ballona Creek. This proposal is consistent with the Ballona Creek Trail and Bikeway Environmental and Recreational Study recommendations, and identifies measures for compliance with Ballona Creeks Total Maximum Daily Loads (TMDLs) 2021 Compliance. This proposal involves:

- developing preliminary engineering feasibility and design study guide to see what Best Management Practices (BMPs) would be most effective
- creating a project assessment and evaluation plan for support and evaluation of BMPs capturing, infiltrating, reducing pollution and contamination
- providing geotechnical survey with a summary of the site investigation and actions needed to obtain project benefits
- developing a benefit analysis workplan and report which serving as the roadmap for implementation, as well as be used to evaluate performance measures requiring compliance of TMDLs
- developing an access agreement and plan between local jurisdictional agencies and stakeholders to promote maintenance, and allow for higher quality proposals to be submitted
- Identifying and quantifying opportunities for the creation of Greenways, habitat restoration, watershed protection, and greenhouse gases.

The Chair called for a motion to vote. Member Dupont-Walker so moved, Member Jones seconded the motion, and a roll call vote was taken – **7 aye, 0 nay, 0 abstain, Resolution 16-10 Approved.** (Chair proceeded with Item 5.)

**IV. -Consideration of a Resolution Authorizing a BHC Proposition 40 Local Assistance Grant in an Amount Not to Exceed \$3,000,000 to Los Angeles County Department of Parks and Recreation, for the Park to Playa La Cienega Pedestrian Bridge – Gail Krippner, Grant Program Manager**

Ms. Krippner – This resolution is for the design and development of the Park to Playa (PTP) Pedestrian Bridge. The proposed project would create a 235-foot linear pedestrian bridge spanning La Cienega and connecting to Kenneth Hahn State Recreation Area and the Stoneview Nature Center. This 13-mile trail includes a transitional trail on either side, landings, and natural landscaping to encourage wildlife crossings. The bridge is meant to be safe passage for pedestrians and animals crossing over six lanes of traffic on LA Cienega. The bridge project is a part of a regional trail that has been developed in segments over the last six years. When completed, the PTP trail would provide linkage to Norman Houston Park, Stocker Corridor, Rueben Ingold Park, Kenneth Hahn, then over the bridge to the Stoneview Nature Center, Baldwin Hill Scenic Overlook, and down to Culver City Park. This is a critical section of the PTP Project. The county set up a utilities district to place existing powerlines underground. An MOU was executed to mitigate concerns discovered during the environmental review process. The proposal offers a 3.78-million-dollar match of County Proposition A, Access Funds, representing more than 50% of the 6.8 million total for the whole project. If approved, the estimated project delivery is November 2019.

Member Katona expressed appreciation for all parties involved, and recognized the residents of Blair Hills for their collaboration and facilitation during this process. Member Katona stated the project has an alignment and design that takes into consideration residential needs, park users, and environmental benefits. Now in the bid phase, the minimum width of the bridge is 15 feet, 40 feet from residential property lines, and no further south than 75 feet from the oil field northern border.

The Chair called for a motion to vote. Member Dixon so moved, Member Jones seconded the motion, and a roll call vote was taken – **8 aye, 0 nay, 0 abstain, Resolution 16-11 Approved.**

**V. - Consideration of a Resolution Authorizing a BHC Proposition 40 Local Assistance Grant in an amount not to exceed \$250,000 to The City Project for Healthy Living in the Parklands Initiative – Gail Krippner, BHC Grant Program Manager**

Mr. McNeill – The City Project would work with key partners some of which include: the Los Angeles County Department of Public Health (LACDPH) Charles Drew University of Medicine and Science (CDU) The National Environmental Education Foundation (NEEF) and the National Recreation and Parks Association (NRPA.) These organizations have a large repository of information on parks and health. Deliverables include elements such as:

- Recreational materials to increase the number of persons engaging in moderate to vigorous physical activity;
- Park, clinic and school assessments to improve student health and wellness and increase shared use of outdoor facilities and health resources;
- A public repository at CDU, West L.A. College, and local libraries for evidence-based research and technical assistance to promote health in the Parklands;
- Youth programs on physical activities, healthy eating, and stewardship;

- Support for community-based health interventions through organizing, capacity building and education;
- Reduction of transit, language, and other perceived barriers to park access.

*(For additional information see attached Memorandum dated June 16, 2017, Item 5 Consideration of a Resolution a BHC Prop 40 Local Assistance Grant in an Amount not to Exceed @250,000 to the City Project for the Baldwin Hills Parklands Healthy Living for All Initiative; and all corresponding attachments.)*

*Mr. Robert Garcia of The City Project gave an informative presentation. (For specifics see attachments – Baldwin Hills Grant Application; and The City Project, Baldwin Hills Conservancy Proposition 40 Grant Program “Baldwin Hills Parklands and Healthy Active Living for All” Executive Summary pages 1-5.)*

Members discussed

The Chair called for a motion to vote. Member Jones so moved, Member Sap seconded the motion, and a roll call vote was taken – **8 aye, 0 nay, 0 abstain, Resolution 16-12 Approved.** *(Chair proceeded with Item 4.)*

## **VI. -Executive Officer Report: Project Status Update, Fiscal Update, Legislative Update - BHC Staff Representatives**

### **Fiscal Update/Legislative Update – David McNeill**

The attached Summary by Fund is as of April 30, 2017. June is the last month of the year, and we run one month in arrears. We are within budget. *(See attached Memorandum dated June 16, 2017, Item 6: Executive Officer Report; Attachment #1 – BHC Project Status Report June 16, 2017, Attachment #2 – Baldwin Hills 2016/17 Summary Sheet by Fund, Attachment #3 – Bond Cash Funds (4/30/2017.)* Ms. Krippner has been working diligently on cash projection in APGARS. We will be moving into Fi\$cal.

### **Project Status Update**

#### **Proposition 84 – Noa Rische Khalili**

**Hetzler Road Pedestrian Path** – Opened to the public last Monday, and is being utilized. Now complete, the last step is the official park acceptance of the project which will take place next week. During that time the inspector will perform a final check.

**Loyola Marymount (LMU) Parklands User Survey** – LMU has completed all surveying, and will be putting the data into a report. They have requested an amendment to include contractor Study LA, and (at no cost change) take funds not utilized on another part of the project and use it to have better graphics for presentation in a more interesting and visually appealing way. We are anticipating project completion in the fall.

**Park to Playa, Ballona Creek Connection** – The City of Culver City continues to work on this project. To get better bids a decision was made to rebid the project. Bid results are and anticipated in August. We amended the performance period, and will wait until we have results to amend the scope.

**LA Audubon Society** - Completed their spring college course season. It went very well, and students were happy with the education they received, the exposure to working outdoors, on conservation, restoration, irrigation systems, clean up, planting, weed work, evaluation. Mr. McNeill shared that the BHC and LA Audubon are working with Commissioner Sydney Kamlager to get this project certified through West L.A. College, so that the training students receive will count toward job experience.

**Proposition 1 – Daniel Sciolini**

**Refuse Transfer Station Stormwater Diversion Project (Phase 1)** – Four constructions bids were received. The contract was awarded to Metro Builders in May. **The Garden (Phase 2)** – Culver City Staff are reviewing the design plans and are in the processing of meeting with the California Conservation Corps on identifying work they are capable to perform. On track for completion in spring of 2018.

**Milton Green Street** - Construction commenced June 1; meeting with city inspector in June; "B" permit received by TELACU Construction Management in May; Traffic Control, Phase 1 - traffic is allowed (parking not allowed) will conclude June 23rd; Phase 2 -complete closure of the street (no through traffic or parking) will commence on June 26th. To date no complaints have been issued to the contractor. Temporary funding signage placed on north side of Milton Street 2 weeks ago; On track for completion summer 2017.

**Workshops/Presentations/Networking/Outreach** – Prop 1 meeting on the 18<sup>th</sup> at the Stoneview Nature Center; gave an update on parks at the South LA Alliance of Neighborhood Councils meeting; additional meetings with Green Streets Committee and LA OneWater.

**VII. Public Comments – Dr. Yolanda Gorman, Chair**

*Public comment was received in support of Items III and IV.*

**VIII. Board Member Announcements or Proposed Agenda Items for Future Meetings**

Member Sap – The official Grand Opening for the Hetzler Pedestrian Path took place June 12<sup>th</sup>. The weather was perfect, and it was a great day to be at Stoneview. Approximately 95% of users are now utilizing the Path. There are 73 gates where people can get off the road and onto the safe Path. This project truly speaks to the cooperative nature of all involved – community, county, city, state, working together with one vision.

*(The BHC wishes to Congratulate and thank all parties for their steadfast commitment and diligence in making the Hetzler Pedestrian Path possible. Congratulations to all.)*

*\*The next board meeting is tentatively scheduled for **July 28, 2017.***

**ADJOURNMENT**

There being no more business brought before the board, the meeting was adjourned at **11:38 a.m.**

Approved:

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Dr. Yolanda Gorman, Chair

Date:

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## Memorandum

**To:** Governing Board

**From:** Daniel Sciolini, Staff Services Analyst

**Date:** July 28, 2017

**Re:** Item 4: Discussion and Possible Action on an Amendment to Grant Agreement #BHC16002, with the Mountains Recreation and Conservation Authority (MRCA) for the Milton Green Street Project - Daniel Sciolini, BHC Staff Services Analyst

**Recommendation:** Approve Resolution 17-01 authorizing an amendment to the budget for the Milton Green Street Project, Agreement #BHC16002 with the MRCA.

**Background:** The MRCA was awarded \$745,000 in BHC Prop 1 funds for development of the Milton Green Street. The project development was initiated in May of 2017. At the close of the construction bid process, the estimated cost for development came in approximately 20% lower than what was allocated in the agreement budget.

In July of 2017, the MRCA contacted Conservancy staff regarding the anticipated lower costs in many of the original budget line items, and the need to maintain sufficient funds to address unknown costs for change orders, and other potential refinements to the contractor's development specifications. The MRCA requested an amendment (See *Attachment #1*) to revise the budget by shifting the unknown costs to the contingency resulting in an overall change of the contingency budget from 5% to 19% for the project.

Based upon the budget revisions provided, (See *Attachment #2*) staff determined the increased contingency amount did not exceed the industry standard percentages, and the need for maintaining sufficient funds for potential increases in the contractor's Schedule of Values would be judicious. Conservancy staff recommended the best course of action would be to remove and replace the budget to show the existing detailed line item costs submitted by the contractor and shift the balance of funds to the contingency. This proposed course of action was presented to MRCA staff in July 2017. If Resolution 17-01 is approved, the project budget will be removed and replaced with a revised budget. The amended project budget would reflect an increase of \$144,919.13 toward the contingency. This shift does not augment the BHC's overall contribution to the project budget.

**BALDWIN HILLS CONSERVANCY (BHC)**

**RESOLUTION 17-01**

**RESOLUTION AUTHORIZING THE EXECUTIVE OFFICER TO AMEND THE BUDGET FOR THE MILTON GREEN STREET PROJECT, AGREEMENT #BHC16002 WITH THE MOUNTAINS AND RECREATION CONSERVATION AUTHORITY (MRCA).**

WHEREAS, under Division 22.7 of the California Public Resources Code, the Baldwin Hills Conservancy was created to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration and protection of wildlife habitat within the Conservancy territory; and

WHEREAS, Public Resources Code 32569 (a) states the Conservancy may award grants to local agencies for the purposes of its division; and

WHEREAS, the Baldwin Hills Conservancy entered into grant agreement # BHC16002 with the Mountains Recreation and Conservation Authority (MRCA) pursuant to BHC Resolution 16-01, for the construction of the Milton Green Street; and

WHEREAS, the Mountains Recreation and Conservation Authority (MRCA) has requested to amend the agreement pursuant to the letter from MRCA, and revised budget cost, included in the July 28, 2017 staff memorandum; and

WHEREAS, the Mountains Recreation and Conservation Authority's (MRCA) original line item estimates are lower than the schedule of values from the bid contractor, a shift of the balance to contingency in an amount of \$144,919.13 has been recommended to cover unidentified expenses;

NOW THEREFORE BE IT RESOLVED, THE BHC GOVERNING BOARD:

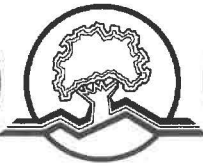
1. - AMENDS THE BUDGET FOR THE MILTON GREEN STREET AGREEMENT PURSUANT TO THE REMOVAL AND REPLACEMENT OF THE COST ESTIMATE FROM THE AGREEMENT;
2. - ADOPTS THE RECOMMENDATIONS DATED JULY 28, 2017 FOR THIS ITEM;
3. - APPOINTS THE EXECUTIVE OFFICER, AS AGENT TO CONDUCT ALL NEGOTIATIONS, EXECUTE AND SUBMIT ALL DOCUMENTS INCLUDING, BUT NOT LIMITED TO AGREEMENTS, PAYMENT REQUESTS, AND CERTIFICATIONS WHICH MAY BE NECESSARY FOR THE COMPLETION OF THE AFOREMENTIONED PROJECT(S).

Passed and Adopted by the Board of the  
BALDWIN HILLS CONSERVANCY

on \_\_\_\_\_ 2017.

\_\_\_\_\_  
Dr. Yolanda Gorman  
Chair

ATTEST: \_\_\_\_\_  
David Edsall  
Deputy Attorney General



## MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens  
570 West Avenue Twenty-six, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 441-8691

July 17, 2017

David McNeill  
Executive Officer  
Baldwin Hills Conservancy  
5120 Goldleaf Cir. Ste. 290  
Los Angeles, CA 90056

**Budget Amendment Request –  
Ballona Creek – Milton Green Street  
Agreement Number: BHC 16002**

Dear Mr. McNeill:

The Mountains Recreation and Conservation Authority (MRCA) respectfully submits a request for an amendment to the project budget for the above-referenced grant.

The budget amendment is necessary because the construction bids received were lower than anticipated. As a result, the known project construction costs at this time are approximately 20% less than had been projected. The net effect is that the contingency amount for this grant is increased. Moving forward, all or a portion of the contingency may be spent on unknown, and previously unanticipated, construction related costs. These costs will be documented as soon as they are known.

The previously submitted budget was based on estimates developed by the MRCA in an effort to forecast future contractor construction line items and associated costs. As a contractor is now on board, MRCA is able to provide actual line items and associated costs that are based on the Contractor's data. MRCA does not dictate the schedule of values to the Contractor because it could affect their choices of means and methods. The revised budget reflects actual and contracted amounts. The original vs. new line items are indicated on the attached updated budget.

The revised budget will provide for easier tracking and verification of costs during construction because the Contractor's backup will match the new budget format.

Please feel free to contact me with any questions at (323) 221-9944 extension 107 or by email at [ana.straabe@mrca.ca.gov](mailto:ana.straabe@mrca.ca.gov)

Sincerely,

Ana Straabe  
Chief of Park Development



ilton Green Street  
ost Estimate

11/20/2016

6/22/2017

Item	Original Cost	Prop 1 - BHC (original)	Prop A - County (original)	Prop 84 - SMBRC (original)	New Cost	Prop 1 - BHC (new)	Prop A - County (new)	Prop 84 - SMBRC (new)	Reason for change, if applicable
<b>Project Planning and Design</b>									
Project Planning / Admin.	\$ 107,000	\$ 47,000	\$ 10,000	\$ 50,000	\$ 107,000	\$ 47,000	\$ 10,000	\$ 50,000	n/a
Consultant Services - bid phase (TCM)	\$ 12,720	\$ 12,720	\$ -	\$ -	\$ 12,720	\$ 12,720	\$ -	\$ -	n/a
Other Fees (City, DWP, etc.)	\$ 8,000	\$ 8,000	\$ -	\$ -	\$ 8,000	\$ 8,000	\$ -	\$ -	n/a
<b>SUBTOTAL - PLANNING</b>	<b>\$ 127,720</b>	<b>\$ 67,720</b>	<b>\$ 10,000</b>	<b>\$ 50,000</b>	<b>\$ 127,720</b>	<b>\$ 67,720</b>	<b>\$ 10,000</b>	<b>\$ 50,000</b>	no change
<b>Construction</b>									
Construction Management	\$ 85,000	\$ 85,000	\$ -	\$ -	\$ 85,000	\$ 85,000	\$ -	\$ -	n/a
Engineering/Landscape/Geotech, Materials Testing - Consultants CA	\$ 60,000	\$ 51,000	\$ 9,000	\$ -	\$ 49,960	\$ 49,960	\$ -	\$ -	consultant costs are LOWER than originally estimated
Monitoring Program	\$ 20,000	\$ -	\$ -	\$ 20,000	\$ 21,956	\$ -	\$ 1,956	\$ 20,000	n/a
<b>Construction (TBD Contractor)</b>									
START-UP (Mobilization, schedule, SWPPP, survey, demo, proj. mngmt, office, construction fence, etc.)	\$ 75,000	\$ 60,000	\$ 15,000	\$ -					old line items
EARTHWORK (Trenching, excavation, clear & grub, rough & fine grading, etc.)	\$ 77,280	\$ 41,280	\$ 36,000	\$ -					
PAVING: CONCRETE (sidewalk, ADA cuts)	\$ 100,000	\$ 100,000	\$ -						
PAVING: ASPHALT (street repair after trenching, etc.)	\$ 50,000	\$ 26,000		\$ 24,000					
MISC: hauling fees, dumpsters, etc.	\$ 10,000	\$ 10,000	\$ -	\$ -					
INSURANCE, BONDS	\$ 35,000	\$ 35,000	\$ -	\$ -					
<b>Construction (CA Landscapes)</b>									
Mobilization					\$ 66,425	\$ 51,425	\$ 15,000		New budget line items to correlate with contractor's schedule of values
Traffic Control					\$ 12,000	\$ 12,000			
Removal of Asphalt Base					\$ 37,130	\$ 1,130	\$ 36,000		
Curb Ramps					\$ 5,000	\$ 5,000			
Remove & Reconstruct Concrete Curb and Gutter (Alternate Concrete Sidewalk)					\$ 21,300	\$ 21,300			
Adjust Water Meter to Grade					\$ 34,036	\$ 10,036	\$ 24,000		
Sidewalk Culvert					\$ 600	\$ 600			
Vegetated Stormwater Curb Extension (VSCE)	\$ 165,000	\$ 115,000	\$ -	\$ 50,000	\$ 141,247.50	\$ 91,247.50	\$ -	\$ 50,000	
Irrigation	\$ 56,000	\$ -	\$ -	\$ 56,000	\$ 81,525	\$ 28,810.43	\$ -	\$ 52,714.57	
Planting	\$ 74,000	\$ 74,000	\$ -	\$ -	\$ 65,025	\$ 65,025			
Signage and Striping	\$ 35,000	\$ 35,000	\$ -	\$ -	\$ 12,025	\$ 12,025	\$ -	\$ -	
OWNERS ALLOWANCE	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	
B-permit issuance (reimbursement)	\$ -	\$ -	\$ -	\$ -	\$ 29,401.94	\$ 29,401.94	\$ -	\$ -	
Water Meter	\$ -	\$ -	\$ -	\$ -	\$ 3,285	\$ -	\$ -	\$ 3,285	n/a
Youth Employment	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	n/a
Additional Services - consultants (SWA, PSOMAS, etc.)	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,000			
Additional Boundary Survey (ICG)	\$ -	\$ -	\$ -	\$ -	\$ 4,900	\$ 4,900	\$ -	\$ -	
<b>SUBTOTAL - CONSTRUCTION</b>	<b>\$ 897,280</b>	<b>\$ 632,280</b>	<b>\$ 115,000</b>	<b>\$ 150,000</b>	<b>\$ 720,316.87</b>	<b>\$ 487,360.87</b>	<b>\$ 82,956.00</b>	<b>\$ 150,000.00</b>	
Contingency	\$ 45,000	\$ 45,000	\$ -	\$ -	\$ 196,246.53	\$ 189,919.13	\$ 6,327.40	\$ -	
<b>TOTAL:</b>	<b>\$ 1,070,000</b>	<b>\$ 745,000</b>	<b>\$ 125,000</b>	<b>\$ 200,000</b>	<b>\$ 1,044,283</b>	<b>\$ 745,000</b>	<b>\$ 99,283</b>	<b>\$ 200,000</b>	

Grant Amount: \$ 745,000  
Grant Balance: \$ -

Grant Amount: \$ 745,000  
Grant Balance: \$ -

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## Memorandum

**To:** Governing Board

**From:** Noa Rishe Khalili, Park and Recreation Specialist

**Date:** July 28, 2017

**Re:** Item 5: Presentation on the Baldwin Hills Conservancy Website Update and Parkland Online Platforms

**Recommendation:** No Action Required.

**Background:** Since its establishment in 2001, the Baldwin Hills Conservancy (BHC) has worked to acquire open space and manage public lands within the Baldwin Hills area, and to provide recreation, restoration, and protection of wildlife habitat, within the territory for the public's enjoyment and educational experience. This work has been made possible through public support for the Conservancy's mission, and by bond funding from State Propositions 1, 40, and 84. Ongoing public outreach by the Conservancy can help sustain and increase this support. Over the past three years, Conservancy Staff has increased its efforts to take advantage of web based technology to raise awareness of the resources and amenities in the Parklands. The following online platforms have been leveraged to date:

**BHC Website:**

[www.BHC.ca.gov](http://www.BHC.ca.gov)

The original BHC website was last updated in 2014 utilizing the California Natural Resources Agency's template. The software for the website was recently upgraded to feature responsive technology, allowing the site to be comfortably viewed on all platforms including smartphones. The upgrade came with an improved, modern, visually appealing template. Conservancy staff took advantage of this transition to augment the website content. The new website will highlight the Conservancy's programs, provide information on completed and ongoing grant projects, and give information on the parks that make up the Baldwin Hills Parklands. The website currently attracts approximately 1000 site visits per month.

**Guide to Baldwin Hills Biota:**

[BaldwinHillsNature.bhc.ca.gov](http://BaldwinHillsNature.bhc.ca.gov)

The University of Southern California completed an updated study of the Biota of the Baldwin Hills in 2016. The data derived from this study, as well as historical and geographic information about the Parklands, is presented in a user-friendly public website under the Conservancy's domain.

**Constant Contact Email Outreach:**

The Conservancy maintains a database of constituents who have expressed interest in receiving information about the BHC and the Parklands. Constant Contact's email marketing platform is used by Conservancy staff to create email blasts and newsletters to inform list members of upcoming events, grant opportunities, and Parklands happenings. The list currently contains 1300 members. Newsletter and volunteer signups generated by the BHC display tables at local events have helped to continue to expand the Conservancy's email database.

**Social Media:** [www.facebook.com/baldwinhillsconservancy](http://www.facebook.com/baldwinhillsconservancy)

The Baldwin Hills Conservancy began its social media outreach in 2016 through the creation of a Facebook page. Content shared on this page includes event photos, Parklands information, and environmental education. The page also connects with the Conservancy's partner organizations to boost content reach, and show support for partner programs. The facebook page currently has 850 likes, and posts have a reach of up to 2000 viewers.

**Community:** [www.nextdoor.com](http://www.nextdoor.com)

The Conservancy has joined several local neighborhoods using the online NextDoor platform including View Park and Culver City. This platform is used to directly connect with communities surrounding the Baldwin Hills Parklands to inform members of upcoming events and opportunities. The NextDoor platform also provides the Conservancy with insight on the issues and concerns expressed by users of the Parklands.

**Stoneview Website:** [StoneviewNatureCenter.bhp.pagedemo.co](http://StoneviewNatureCenter.bhp.pagedemo.co)

Conservancy staff recently created a website for the new Stoneview Nature Center. This website features information on events and activities at the Center. It also contains forms allowing visitors to sign up to Stoneview's newsletter and volunteer program. To date, the site has received 3000 unique visitors and has generated 150 form submissions.

**Social Media:** [www.facebook.com/StoneviewBHP](http://www.facebook.com/StoneviewBHP)

A Facebook page for the Stoneview Nature Center was created by Conservancy Staff. The page is mostly used to share information on events happening at Stoneview. Items shared on the Stoneview page are cross-posted on the Conservancy page to increase the reach of both sites. This page currently has 700 followers and has a reach of nearly 1000.

**City Moms:** [CityMoms.com](http://CityMoms.com)

Conservancy staff recently created a profile for the Stoneview Nature Center on CityMoms, a web platform for families looking for events and activities in their local area.

**Volunteer Match:** [VolunteerMatch.org](http://VolunteerMatch.org)

The Conservancy is now registered to list events on the Volunteer Match website. The site offers access to a large network of volunteers searching for events specific to the causes they care about. Conservancy Staff has used this platform to extend its outreach for Proposition 1 solicitation.

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## Memorandum

**To:** Governing Board  
**From:** David McNeill, Executive Officer  
**Date:** July 28, 2017  
**Re:** Item 6: Presentation on BHC Grantee Bidding Policies for Subcontracted Construction Agreements

**Recommendation:** No Action Required.

**Background:** As a general practice, the BHC implements its site improvement work program pursuant to its statutory authority provided by Chapter 428, Division 22.7, Section 32569 of the California Public Resources Code. This authority allows the BHC to provide local assistance grants to cities, counties, non-profits, joint powers authorities, as well as other state agencies for the purpose of designing and developing publicly owned land within the territory. All award recipients must adhere to the labor and subcontracting requirements stipulated in the following BHC grant agreement language:

*“Projects must comply with Labor Code Section 1771.8 regarding the payment of prevailing wages and the labor compliance program as outlined in the Labor Code Section 1771.5(b).”*

*“Grantee certifies that the Project does and will continue to comply with all current laws and regulations which apply to the Project, including, but not limited to, legal requirements for construction contracts, building codes, environmental laws, health and safety codes, and disabled access laws. Grantee shall certify to the State prior to commencement of construction that all applicable permits have been obtained.”*

Staff has reviewed the applicable grant contract language to assess grantee compliance with State Law under the terms of the agreement. The attached pages include highlighted references to the California Public Contract Code that intersect with the activities of our grantees.

## § 9.2 CALIFORNIA PUBLIC CONTRACT CODE

The Public Contract Code is broken down into three sections: (1) administrative provisions, consisting of definitions of specific terms and the purpose of the Public Contract Code; (2) contracting by state agencies (CalTrans, Department of Water Resources, etc.); and (3) contracting by local agencies, including school districts, general law cities and counties, and special districts. These three sections are organized as follows:

### § 9.2.1 ADMINISTRATIVE PROVISIONS

The Public Contract Code states that the purpose of public contract law is to clarify and ensure full compliance with competitive bidding requirements, but also "to eliminate favoritism, fraud, and corruption in the awarding of public contracts."<sup>102</sup> Public Contract Code §102 encourages uniformity in public contract law to encourage competition for public contracts and to aid public officials in administering these contracts. Section 102 is extremely useful regarding the applicability of actions and interpretations of other public agencies as precedent. Public agencies are strongly encouraged to review the reported decisions for guidance.

The Public Contract Code applies to contracting by a "public entity." The definition of "public entity" includes "... the state, county, city, city and county, district, public authority, public agency, municipal corporation, or any other public subdivision or public corporation in the state."<sup>103</sup> A "Public Works Contract" is defined as "an agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind."<sup>104</sup>

As stated earlier, not all aspects of the Public Contract Code apply to every public agency. In fact, a good bit of the effort and analysis of public contract disputes involves determining which provisions apply to the specific agency in question.

In the past, the Public Contract Code permitted local agencies to set guidelines regarding minority, women and disabled enterprise participation goals, good faith efforts and percentage goals,<sup>105</sup> and certification of minority and women business enterprises,<sup>106</sup> all of which were intended to foster equal opportunity.<sup>107</sup>

The courts and California Proposition 209 have severely restricted the application of these types of statutes in State of California contracting, and many cases challenges to such statutes are still on appeal. However, it appears clear that most state and local agencies will continue to seek opportunities to promote the success of minority owned and woman-owned businesses by direct and indirect encouragement.

#### **§ 9.2.4 CHARTERED CITIES AND COUNTIES**

A charter city or county is one that is self-governing and has formally adopted a city or county charter. Under prior law, charter cities and counties were, in theory, not subject to many provisions of the Public Contract Code. Instead, the city or county was thought subject only to California Infrastructure Projects: A Practical Handbook Ernest C Brown, Esq., PE 130 the public works procurement provisions contained in its charter. rule, it had complete and total power over all its affairs.<sup>150</sup>

In the case of Redwood City v. Moore, 231 Cal. App. 2d 563 (Cal. App. 1st Dist. 1965), the Court found that when a municipality is carrying out municipal affairs, such affairs may not be held to be circumscribed except as expressly limited by the charter provisions.

The Court in Redwood City went on to describe factors by which the state legislature, in an individual case, might make an issue both a municipal affair and a statewide concern. That view was overruled in Bishop v. City of San Jose, 1 Cal.3d 56, 63, (1969), which stated that the legislature had no such power. Thus, the overruling of Redwood City had the effect of further strengthening the autonomous power of cities over municipal affairs.

It was well established that chartered cities and general law cities were not subject to the same requirements for similar projects.<sup>151</sup> Further, the courts have held that charter cities are not subject to the competitive bidding requirements of the Public Contract Code.<sup>152</sup>

In one case, a labor union sought to enjoin work being done by city employees on a city-owned pier on the grounds that state law and the city's charter required competitive bidding. The Court held that the mode of contracting work by a charter city is a municipal rather than a statewide concern, and that state bidding procedures did not apply.<sup>153</sup>

However, as a practical matter, the legislature has now severely limited the latitude of charter cities and counties. In recently enacting Public Contracts Code 1100.7, the legislature stated that the Code is "...the basis of contracts between most public entities in this state and their contractors and subcontracts. With regard to charter cities, this code applies in the absence of an express exemption or a city charter provision or ordinance that conflicts with the relevant provision of the code" (added 2002).

Before bidding on any public works project, a contractor should determine whether the public entity involved is a charter or general law entity. If it is a charter entity, the contractor should carefully read the entity's charter provisions regarding the letting and administration of public works contracts.

### § 9.2.5 OTHER APPLICABLE CALIFORNIA CODES

Depending upon the public project and public entity contracting for the project, other California codes often apply to public works contracting, including the Agriculture Code, Government Code, Streets and Highways Code, Water Code, Education Code and Public Utilities Code. Contractors should be familiar with applicable codes for the work they typically perform.

### § 12.1 COMPETITIVE BIDDING REQUIREMENTS

The majority of California public projects are subject to competitive bidding requirements, as set forth in the Public Contract Code. The public works bidding process generally involves the submittal of sealed bids by all bidders on a specific date and to a specific place prior to an ironclad time deadline. The bids are then opened and read, and typically the lowest bidder is awarded the contract and becomes the general contractor.

Competitive bidding requirements serve several important purposes. As previously discussed, bidding laws exist to protect the public from misuse or waste of public funds, provide all qualified bidders with a fair opportunity to enter the bidding process, stimulate competition in a manner conducive to sound fiscal practices and eliminate favoritism, fraud, corruption and abuse of discretion in the awarding of public contracts.<sup>245</sup>

However, the Public Contract Code provisions are narrowly construed so, unless a particular public entity is specifically subject to its provision, the Public Contract Code will not apply. For example, several California courts have held that charter cities are not subject to various provisions of the Public Contract Code competitive bidding provisions.<sup>246</sup> However, the Code now states that if a charter city wishes to depart from the Public Contract Code, it must specifically set forth its alternative rules and procedures in its Charter.

The general rules of contract law are applicable to the competitive bidding process. Bids are considered irrevocable offers or options.<sup>247</sup> Public agencies generally take the position that competitive bidding requirements exist for the benefit of the public and were not established to protect individual bidders.<sup>248</sup>

Typically, if the cost of a public works project exceeds a statutory threshold in the applicable Public Contract Code, the contract must be awarded through competitive bidding. Dollar amount thresholds for competitive bidding range from \$10,000 to \$75,000, depending on the type of transaction or type of purchase involved.

During the 1998 legislative session, California raised many of these prior bidding threshold limits to reflect inflation (e.g. Contacts Code 20685 for Community Service Districts from \$10,000 to \$15,000).

Projects costing less than the threshold amount may be subject to sole source or negotiated contracts in the best interest of the awarding public entity.<sup>249</sup> A public works contract is usually awarded to the lowest bidder because the low price is presumed to be the fairest price to the public.

In California, SB 854 was passed on July 1, 2014. Under this new legislation, a contractor that wants to bid on, be listed in a bid proposal, or perform work on a public works project is required to register with the Department of Industrial Relations (DIR), pay an initial nonrefundable registration fee of \$300, pay an annual renewal fee each July 1 thereafter, and as part of the registration process, provide specified information to establish the contractor's eligibility to be registered.



These requirements apply whether or not the contractor is bidding as the general contractor or as a subcontractor. The contractor must provide evidence of sufficient worker's compensation coverage, proper licensure, that the contractor has no delinquent liability to an employee or the state pursuant to a final judgment, award, or order, that the contractor is not currently debarred from public works, and that the contractor has not previously engaged in bidding or public works contracting without the required registration.

Registration is required now and the new law will apply to any bid proposal submitted on or after March 1, 2015 and any contract for public work entered into on or after April 1, 2015. Gregory Korbel and Stephanie Rocha, Prevailing Wage Compliance Monitoring Now Funded by Contractor Fees, California Constructor, 20 (Nov./ Dec. 2014).

## **§ 12.4 SOLICITATION OF BIDS**

A public agency must publish a notice inviting bids for each project, which is essentially an advertisement soliciting the submission of formal bids by prospective bidders. The circulation requirements of such notices are defined by statute.<sup>270</sup>

The contents of the public notice are also defined by statute. The notice must include information such as the time and place for receiving and opening bids and a description of the work to be performed.<sup>271</sup>

## **§ 12.10 PREVAILING WAGES**

Bid invitations generally state that prevailing wages must be paid by general contractors and subcontractors on most public works projects in California (See Labor Code § 1775). These wages are calculated and published by the Division of Labor Statistics and Research.

If a contractor fails to pay these wages, it is liable to the public entity and the workers for repayment and fines, whether or not the contractor is a union contractor. It is common for all contractors on a particular project to sign a project labor agreement, whether they belong to a union or not. However, it is strongly recommended that specialized review of such an agreement be conducted to determine whether its provisions place nonunion contractors at a disadvantage in future labor-organizing activities or disputes.

As of July 1, 2001, the enforcement procedure for the Division of Labor Standards Enforcement (DSLE) for civil wage and penalty assessments were substantially overhauled. Penalties for violating the act remain high at up to \$50.00 per employee per day. Strict adherence to the prevailing wage laws is an absolute issue of survival for California contractors.

In addition, the California Industrial Welfare Commission further regulates the wage and employment relationship under Wage Order No. 16-2001, regulating wages, hours and working conditions for certain on-site occupations in the construction, drilling, logging and mining industries (Effective January 1, 2001, as amended, updated as of January 1, 2002.)

This wide-ranging order encompasses such new requirements as make up time, travel time, recording time, record-keeping, deductions from pay, uniforms and equipment, meal periods, rest periods and alternative workweek schedules. Employees governed by collective bargaining agreements are exempt from certain provisions of the Wage Order, so long as they are paid at least 30 percent more than the California Minimum Wage.

# BALDWIN HILLS CONSERVANCY

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## Memorandum

**To:** Governing Board  
**From:** David McNeill, Executive Officer  
**Date:** July 28, 2017  
**Re:** Item 7: Executive Officer Report

### **Projects Status Report**

Please see Attachment #1 for the updated Baldwin Hills Conservancy (BHC) Local Assistance/Capital Outlay Projects Status Report.

### **Fiscal Update**

Please see Attachment #2 - BHC Summary Expenditure Sheet by Fund, and Attachment #3 - BHC Proposition 40, 84 & 1 Bond Cash Funds. The reports correspond with the end of month twelve (12) for the 2016-2017 Fiscal Year.

Prop 84 Bond Funds Audit – See attachment #4 for the report from the Office of State Audits and Evaluations and the response letter from the BHC.

### **Grant Agreement Amendment**

Loyola Marymount University (LMU) Center for Urban Resilience (CUREs) - Baldwin Hills Parklands Visitor Use Survey Agreement #BHC14000.

During the Summer quarter of 2017, university researchers will compile and analyze the data collected from the longitudinal surveys conducted in the Parklands over the past three years. The LMU team requested an amendment to the project Grant Agreement to redirect funds from the budgeted research consultant line item to a demographic mapping and data visualization contractor. A letter was sent by CUREs Executive Director, Dr. Eric Strauss, on June 1, 2017 (See Attachment #5) to consider the StudyLA Center for the mapping and figures components of the report. Accordingly, on July 3, 2017 an amendment for a line item shift and scope changes was authorized pursuant to the Executive Officer's delegation authority under Board Resolution 16-06.

The amendment (See Attachment #6) revised the project scope to include the following deliverables by StudyLA Center:

- Point map of individual survey locations



- Density map of visitor reported residential zip codes within greater Los Angeles area
- Maps of population demographics within 1-mile of the BH Parklands
- Charts comparing survey reported visitor demographics to available community demographics within walking distance of the BH Parklands

A project budget shift in the amount of \$2,600 from a contractual research consultant, Item D.1, to a new line item for a demographic mapping and data visualization consultant, Item D.5. There was no change to the overall project budget amount.

BHC Project Status Report

Grantee	Project Title	Contract ID	Fund Source	Funds Allocated	Agreement Expiration	PROJECT STATUS
Los Angeles County Department of Parks and Recreation	La Cienega Pedestrian Bridge Project	BHC17003	Prop 40	\$3,000,000	TBD	BHC Board approved Prop 40 Funds at the June 16, 2017 Meeting; currently drafting and negotiating the terms of the Grant Agreement
The City Project	Healthy Living in the Parklands Initiative	BHC17004	Prop 40	\$250,000	TBD	BHC Board approved Prop 40 Funds at the June 16, 2017 Meeting; currently drafting and negotiating the terms of the Grant Agreement
Culver City	Hetzler Road Pedestrian Path at BHSO	BHC16004	Prop 84	\$876,477	12/31/2017	This project opened to the public on June 12, 2017. State Parks has accepted the project as complete. Culver City Staff are working on final documentation.
Loyola Marymount University (LMU)	Parklands User Survey Study	BHC14000	Prop 84	\$236,042	9/31/17	The final project report is being drafted this summer; A minor contract amendment has added a contractor to provide high quality maps, graphs, and other visualizations; Project completion expected Fall 2017.

BHC Project Status Report

Grantee	Project Title	Contract ID	Fund Source	Funds Allocated	Agreement Expiration	PROJECT STATUS
Culver City	Park to Playa Trail - Ballona Creek Connection	BHC15002	Prop 84	\$336,043	6/30/2018	The project is being rebid in August 2017; Construction Start expected in Fall 2017; Completion expected Summer 2018.
Los Angeles Audubon Society (LAAS)	Baldwin Hills Parklands Conservation Project	BHC15004	Prop 84	\$124,536	8/31/2019	Summer Camp was held in June 2017; Next college session will take place Fall 2017; Collaboration is underway with WLAC to make the certificate program a part of the college's for-credit offerings.
Culver City	Waste Transfer Station Stormwater Diversion and Rain Garden Project	BHC16001	Prop 1	\$606,000	3/31/2018	Phase 1 Construction of diversion system started mid-July; Phase 2 Landscape Plans (rain garden) were reviewed by City staff, final approval anticipated end of July; additional landscaping possible based on input from City Engineer; Completion expected Spring 2018.

BHC Project Status Report

Grantee	Project Title	Contract ID	Fund Source	Funds Allocated	Agreement Expiration	PROJECT STATUS
Mountains Recreation and Conservation Authority (MRCA)	Milton Green Street Project	BHC16002	Prop 1	\$745,000	10/31/2017	Contractor changed plans due to city inspector requirement; Phase 2 of the Traffic Control Plan, approved mid-July, complete street closure anticipated soon; surveyor has been requested to identify property line directly adjacent to south east portion of street; anticipated Project completion pushed forward and expected Fall 2017.
California Greenworks Inc.	Lower Ballona Creek Feasibility Study Project	BHC17002	Prop 1	\$258,000	TBD	BHC Board approved Prop 1 Funds at the June 16, 2017 Meeting; currently drafting and negotiating the terms of the Grant Agreement

**Baldwin Hills**  
**2016/17 Summary Sheet by Fund**

<u>As of 6/30/2017</u>	<u>PCA #</u>	<u>Original</u> <u>Appropriation</u>	<u>Remaining</u> <u>Appropriation</u>	<u>EXP + ENC</u>	<u>BALANCE</u>	<u>Encumber</u> <u>by</u>	<u>Liquidate</u> <u>by</u>
<b>ELPF - #0140, Support</b>							
2016 Budget Act Item 3835-001-0140	<b>10001</b>	\$ 383,000.00	\$ 357,000.00	\$ 333,070.97	\$ 23,929.03	06/30/17	06/30/19
<b>Prop 40 - #6029, Support</b>							
2016 Budget Act Item 3835-001-6029	<b>10005</b>	\$ 122,000.00	\$ 126,000.00	\$ 105,918.37	\$ 20,081.63	06/30/17	06/30/19
<b>Prop 84 - #6051, Support</b>							
2016 Budget Act Item 3835-001-6051	<b>10009</b>	\$ 129,000.00	\$ 133,000.00	\$ 90,118.98	\$ 42,881.02	06/30/17	06/30/19
<b>Prop 1 - #6083, Support</b>							
2016 Budget Act Item 3835-001-6083	<b>10006</b>	\$ 102,000.00	\$ 106,000.00	\$ 69,667.77	\$ 36,332.23	06/30/17	06/30/19
<b>Total Support Balance:</b>					<b>\$ 123,223.91</b>		
<b>Prop 1 - #6083, Local Assistance/ Capital Outlay</b>							
2016 Budget Act Item 3835-101-6083	<b>20006</b>	\$ 2,000,000.00	\$ 2,000,000.00	\$ -	\$ 2,000,000.00	06/30/19	06/30/21
2015 Budget Act Item 3835-101-6083	<b>20004</b>	\$ 2,000,000.00	\$ 2,000,000.00	\$ 1,351,000.00	\$ 649,000.00	06/30/18	06/30/20
<b>Total Prop 1 Balance:</b>					<b>\$ 2,649,000.00</b>		
<b>Prop 40 - #6029, Local Assistance</b>							
2016 Budget Act Item 3835-101-6029	<b>20007</b>	\$ 6,025,000.00	\$ 6,025,000.00	\$ -	\$ 6,025,000.00	06/30/19	06/30/21
<b>Prop 40 - #6029, Capital Outlay</b>							
2015 Budget Act Item 3835-301-6029	<b>20005</b>	\$ 11,604,000.00	\$ 9,070,982.80	\$ 4,082,190.80	\$ 4,988,792.00	06/30/18	06/30/20
<b>Total Prop 40 Balance:</b>					<b>\$ 11,013,792.00</b>		
<b>Prop 84 - #6051, Capital Outlay</b>							
2015 Budget Act Item 3835-301-6051	<b>30004</b>	\$ 2,118,000.00	\$ 2,118,000.00	\$ 197,483.90	\$ 1,920,516.10	06/30/18	06/30/20
2014 Budget Act Item 3835-301-6051	<b>30003</b>	\$ 3,120,000.00	\$ 2,212,963.68	\$ 1,714,056.68	\$ 498,907.00	06/30/17	06/30/19
<b>Total Prop 84 Balance</b>					<b>\$ 2,419,423.10</b>		

**BOND CASH FUNDS**  
(as of 6/30/17)

2015 COMMERCIAL PAPER TE	CASH ALLOCATED	EXPENDITURES	BALANCE
PROP 84:	\$2,377,819.00	1,983,773.22	\$394,045.78
PROP 40:	\$6,524,161.89	3,391,665.76	\$3,132,496.13
PROP 1:	\$122,962.15	69,668.65	\$53,293.50



## Baldwin Hills Conservancy

Proposition 84 Bond Funds

July 1, 2013 through June 30, 2016

### **Team Members**

Jennifer Whitaker, Chief  
Cheryl L. McCormick, CPA, Assistant Chief  
Kimberly Tarvin, CPA, Manager  
Wendy Griffe, Supervisor  
Andrea Cortez  
Azita Jackson  
Thao Truong

Final reports are available on our website at <http://www.dof.ca.gov>

You can contact our office at:

California Department of Finance  
Office of State Audits and Evaluations  
915 L Street, 6<sup>th</sup> Floor  
Sacramento, CA 95814  
(916) 322-2985

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Transmitted via e-mail

July 18, 2017

Mr. John Laird, Agency Secretary  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Mr. David McNeill, Executive Office  
Baldwin Hills Conservancy  
5120 W. Goldleaf Circle, Suite 290  
Los Angeles, CA 90056

Dear Mr. Laird and Mr. McNeill:

**Final Report—Baldwin Hills Conservancy, Proposition 84 Bond Funds Audit**

The California Department of Finance, Office of State Audits and Evaluations (Finance), has completed its audit of the Baldwin Hills Conservancy's (Conservancy) Proposition 84 bond funds.

The enclosed report is for your information and use. The Conservancy's response to the report findings is incorporated into this final report. The Conservancy agreed with our findings. This report will be placed on our website.

In its response, the Conservancy included detailed corrective actions addressing the findings and recommendations. Therefore, the Conservancy is not required to submit a Corrective Action Plan to Finance at this time. However, the Conservancy is highly encouraged to perform periodic reviews of its implementation of corrective actions for continued effectiveness.

We appreciate the Conservancy's assistance and cooperation during the engagement and its willingness to implement corrective actions. If you have any questions, please contact Chikako Takagi-Galamba, Manager, or Wendy Griffe, Supervisor, at (916) 322-2985.

Sincerely,

Jennifer Whitaker, Chief  
Office of State Audits and Evaluations

Enclosure

cc: Ms. Julie Alvis, Deputy Assistant Secretary, California Natural Resources Agency  
Mr. Bryan Cash, Deputy Assistant Secretary, California Natural Resources Agency  
Ms. Teresa Mallory, Associate Governmental Program Analyst, California Natural Resources Agency

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# BACKGROUND, SCOPE AND METHODOLOGY

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## **BACKGROUND**

California voters approved the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for \$5.4 billion. These bond proceeds were to fund safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, state and local park improvements, public access to natural resources, and water conservation efforts.

The bond funds are administered by a number of state departments, agencies, boards, and conservancies (collectively referred to as departments). These departments use the bond proceeds to support a broad range of programs that protect, preserve, and improve California's water and air quality, open space, public parks, wildlife habitats, and historical and cultural resources. Bond proceeds are expended directly by the administering departments on various capital outlay projects and are disbursed to federal, state, local, and nonprofit entities in the form of grants, contracts, and loans.

### **Baldwin Hills Conservancy**

The Baldwin Hills Conservancy's (Conservancy) mission is to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration, and protection of wildlife habitat within the territory for the public's enjoyment and educational experience. Proposition 84 allocated \$10 million to the Conservancy to fund planning and capital improvement projects that benefit the Ballona Creek Watershed and the Conservancy territory through the following:

- Protecting or preventing contamination and degradation of coastal waters and watersheds.
- Protecting and restoring the natural habitat values of coastal waters and lands.
- Promoting access to and enjoyment of the coastal resources of the state.

During the period July 1, 2013 through June 30, 2016, the Conservancy administered 9 projects and expended approximately \$2.5 million of its \$10 million allocation. The expenditures consisted of \$2.3 million in project costs and \$260,000 for the Conservancy's planning and program delivery costs.

## **SCOPE AND METHODOLOGY**

In accordance with the California Department of Finance's (Finance) bond oversight responsibilities, we audited the Conservancy's Proposition 84 bond funds for the period July 1, 2013 through June 30, 2016.

Our audit objectives were to determine whether:

- Bond funds were awarded and expended in compliance with applicable legal requirements and established criteria.
- Project monitoring is adequate to ensure project activities and costs claimed are consistent with the approved work plan and budget, and achieve intended outcomes.

The audit did not include an assessment of the bond authorization, issuance, and sale processes, or an examination of the efficiency or effectiveness of program operations.

The Conservancy is responsible for the state-level administration of projects funded by Proposition 84 bond funds. See Appendix A for the audit methods performed.

Proposition 1 funds were not included in this audit; however, the Conservancy will receive Proposition 1 funds in the future. Because we evaluated the pre-award, award, monitoring, closeout, and post-close monitoring processes, the finding and recommendations may be applicable to Proposition 1 projects.

Except as discussed in the following paragraph, we conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Finance and the Conservancy are both part of the State of California's Executive Branch. As required by various statutes within the California Government Code, Finance performs certain management and accounting functions. Under generally accepted government auditing standards, performance of these activities creates an organizational impairment with respect to independence. However, Finance has developed and implemented sufficient safeguards to mitigate the organizational impairment so reliance can be placed on the work performed.

The Conservancy awarded and generally expended bond funds in compliance with applicable legal requirements and established criteria. In addition, Conservancy staff monitored grant projects to ensure grant activities were consistent with the approved work plan, costs claimed did not exceed the overall grant budget, and projects achieved the intended outcomes. Specifically, the Conservancy has established key bond accountability processes such as the following:

- Establishing program guidelines for the awarding process.
- Implementing a project selection review process.
- Developing the Baldwin Hills Conservancy Proposition 84 Grant Procedures Manual (Procedures Manual) to monitor bond-funded projects from the pre-award phase to the post-close monitoring phase of the project life cycle. (See Figure 1.)
- Reviewing progress reports to ensure project activities and performance aligned with the grant agreement project tasks and timeline.

**Figure 1: Project Life Cycle**

- **Pre-Award/Award**  
Program and award procedure development, opportunity announcement, proposal reviews, funding decisions, and grants awarded.
- **Interim Monitoring**  
Expenditure approval and disbursement, and project status reviews.
- **Closeout**  
Verification of project completion in accordance with grant agreement, and final payment and retention release.
- **Post-Close Monitoring**  
Ensuring that project objectives are maintained.

However, the Conservancy needs to strengthen its project monitoring. Appendix B summarizes the audit results for each grant project reviewed.

### **Finding 1: Expenditure Approval and Match Compliance Monitoring Need Improvement**

Based on our review of eight Conservancy projects, including five projects within the interim monitoring phase, the Conservancy can improve its expenditure approval and match compliance monitoring practices.

#### **Expenditure Approval**

The Conservancy inconsistently reviewed grantee financial records and supporting documents to ensure that expenditures claimed complied with the legal requirements and established criteria prior to reimbursement. The Conservancy indicated that if supporting documentation was received with the invoice, it was reviewed as part of the payment approval process. However, if the supporting documentation was not received with the invoice, the Conservancy did not always request the documentation from the grantee prior to processing the payment.

For example, neither the Conservancy nor its grantee obtained and reviewed adequate supporting documents for \$25,029 (50 percent of the invoice) claimed for the Baldwin Hills Biota Update (BHBU) project. The grantee provided an invoice from its subcontractor that included employee names consistent with the subaward Statement of Work and Budget. However, the subcontractor invoice did not specify the work activities performed to verify the work was related to the BHBU project. Additionally, the grantee did not obtain timesheets and/or payroll documents that verify the personnel and associated indirect costs claimed were incurred and related to work activities for the BHBU project. As a result, a risk exists that ineligible expenditures may be claimed and paid.

As indicated in Figure 2, the Conservancy's Procedures Manual requires project staff to review reimbursement requests for completeness, accuracy and compliance with the grant agreement, as well as verifying that all costs are supported by sufficient documentation such as receipts, canceled checks, contractor invoices, and payroll ledgers, etc.

### Match Compliance

The Conservancy does not request or review supporting documentation for grantee matching costs after the grants are awarded and project work has commenced. For example, the Conservancy did not verify whether any of the matching costs were incurred, eligible, or adequately supported for the BHBU project, which requires matching costs of 50 percent per the grant agreement. Although during our audit, we verified a sample of the match claimed for this project was for eligible matching costs incurred and adequately supported; the completion of the projects could be at risk if match requirements are not met. Monitoring this requirement during the project would allow the Conservancy the opportunity to take timely action, if necessary, to ensure projects are successfully completed.

The Proposition 84 program guidelines requires potential grantees to provide a minimum match, usually 25 percent, toward each grant-funded project as a condition of receiving Proposition 84 grant funds. The Procedures Manual requires staff to monitor project progress for potential issues affecting the potential expiration of other funding sources (See Figure 2). However, the Conservancy did not require staff to consistently comply with this requirement.

### Recommendations:

- A. Require grantees to submit supporting documentation for expenditures and match claimed with payment requests.
- B. Verify expenditures and matching costs claimed are incurred, adequately supported, and eligible based on legal requirements and established criteria prior to processing payment requests.
- C. Request additional documentation from the subcontractor for the BHBU project to verify the \$25,029 was expended on eligible project costs.

**Figure 2: Proposition 84 Grant Procedures Manual**

#### Invoicing

- Staff reviews invoice for completeness, accuracy, and compliance with the grant agreement:
  - All invoiced items are "eligible" under the terms of the grant agreement.
  - All costs fall within invoice billing period.
  - All costs are supported by sufficient documentation (receipts/canceled checks/contractor invoices/payroll ledgers/etc.).
  - Verify that sum of all costs confirm the dollar amount requested for reimbursement.
  - Verify that Quarterly Reports have been received for the corresponding billing period.
- Staff requests additional information from Grantee as needed.

#### Issues

- Staff monitors project progress for potential issues affecting:
  - Need for budgetary changes/augmentation.
  - Need for timeline changes/extension.
  - Need for scope modification.
  - Potential expiration of other funding sources.

**METHODOLOGY**

To plan the audit, we identified the Proposition 84 program requirements by reviewing the Bond Act, legal provisions, Strategic Growth Plan Bond Accountability website, the Baldwin Hills Park Master Plan, the Conservancy’s Strategic Plan, and the Conservancy’s website. Additionally, we interviewed key personnel to gain an understanding of the Conservancy staff’s procedures performed during pre-award/award, interim monitoring, closeout, and post-close monitoring stages of the projects.

We evaluated key controls relevant to our audit objectives such as grant award processes, expenditure reviews and approvals, project progress reviews, and project file maintenance.

Based on the results of our planning and evaluation of internal controls, we developed the following methods to address the specific audit objectives:

Audit Objectives	Methods
<b><i>Pre-award/Award Phases</i></b>	
Determine whether bond funds were awarded in compliance with applicable legal requirements and established criteria.	<ol style="list-style-type: none"> <li>1. Identified the projects awarded during the audit period.</li> <li>2. Selected a sample of 3 out of 9 projects awarded.</li> <li>3. Evaluated whether the 3 projects sampled were awarded in accordance with the following requirements:               <ol style="list-style-type: none"> <li>a. Projects aligned with the Bond Act. Uses of bond funds were for the protection of beaches, bays, coastal waters, and watersheds.</li> <li>b. Projects aligned with the goals of the Baldwin Hills Park Master Plan and Baldwin Hills Strategic Plan.</li> <li>c. Award was supported with a written Conservancy recommendation that was approved by the Conservancy’s governing board through an executed board resolution document.</li> <li>d. Executed grant agreements specified detailed project scopes, tasks, budgets, and deliverables.</li> <li>e. For applicable project sites, grant agreements specified post-close maintenance requirements.</li> </ol> </li> </ol>

Audit Objectives	Methods
<b>Interim Monitoring Phase</b>	
<p>Determine whether bond funds were expended in compliance with applicable legal requirements and established criteria.</p>	<p><i>Expenditure Compliance:</i></p> <ol style="list-style-type: none"> <li>1. Identified projects with expenditures during the audit period. Of the 9 projects awarded, 7 projects had expenditures within the audit period.</li> <li>2. Selected a sample of 5 of the 7 projects with expenditures during the audit period.</li> <li>3. Determined whether the expenditures claimed were allowable and adequately supported.</li> <li>4. Determined whether the match costs claimed were incurred, eligible, and adequately supported for one project.</li> </ol>
<p>Determine whether project monitoring is adequate to ensure project activities are consistent with the approved work plan and budget, and achieved intended outcomes.</p>	<p><i>Project Oversight:</i></p> <ol style="list-style-type: none"> <li>1. Selected the 5 projects evaluated for expenditure compliance above.</li> <li>2. Verified progress reports submitted met the following requirements: <ol style="list-style-type: none"> <li>a. Progress report activities were within the grant agreement performance period.</li> <li>b. Project activities aligned with grant agreement project timeline tasks.</li> </ol> </li> </ol>
<b>Closeout/Post-Close Monitoring Phases</b>	
<p>Determine whether completed projects were consistent with the approved work plan and budget, and achieved their intended outcomes.</p>	<p><i>Project Closeout:</i></p> <ol style="list-style-type: none"> <li>1. Identified projects closed during the audit period.</li> <li>2. Selected all 3 of the closed projects.</li> <li>3. Verified completed projects met the following requirements: <ol style="list-style-type: none"> <li>a. Project tasks and deliverables were completed in accordance with the project scope of the grant agreement.</li> <li>b. Total project costs claimed did not exceed the grant agreement budget.</li> </ol> </li> </ol> <p><i>Post-Close Monitoring:</i></p> <ol style="list-style-type: none"> <li>1. Reviewed post-close site inspection documents and maintenance correspondence to verify whether project sites are maintained and continue to be used for their intended purposes.</li> </ol> <p><i>Strategic Growth Plan Bond Accountability:</i></p> <ol style="list-style-type: none"> <li>1. Verified the accuracy of the financial and project information reported on the Strategic Growth Plan Bond Accountability website.</li> </ol>



**SUMMARY OF AUDIT RESULTS**

The following table summarizes the audit results for each grant reviewed. The Conservancy met the requirements below except for expenditure approval and match compliance monitoring.

Grant Agreement Number	BHC15002	BHC12000	BHC13003	BHC13002	BHC14000	BHC11003	BHC11000	BHC11001
Project Title	Park to Playa Ballona Creek Connection	Milton Street Park Project	Hetzler Road Pedestrian Trail	Baldwin Hills Biota Update	Parklands User Survey Study	Higuera Bridge Ramp Design	Baldwin Hills Parklands Habitat Restoration	Park to Playa Trail- Jefferson Blvd.
<b>Pre-Award/Award Phases</b>								
Project meets objectives of Bond Act, Baldwin Hills Park Master Plan, and the Conservancy's Strategic Plan.	✓	✓	✓	⊖	⊖	⊖	⊖	⊖
Project is supported with a Conservancy recommendation and approved by the governing board.	✓	✓	✓	⊖	⊖	⊖	⊖	⊖
Executed grant agreement contains detailed project scope, tasks, budgets, and deliverables.	✓	✓	✓	⊖	⊖	⊖	⊖	⊖
Grant agreement specifies post-close maintenance requirements.	✓	✓	✓	⊖	⊖	⊖	⊖	⊖
<b>Interim Monitoring Phase—Expenditure Compliance</b>								
Expenditures claimed were allowable and adequately supported.	⊖	✓	✓	X	✓	✓	⊖	⊖
Match claimed was allowable and adequately supported.	⊖	⊖	⊖	P	⊖	⊖	⊖	⊖
<b>Interim Monitoring Phase—Project Oversight</b>								
Progress report activities are consistent with the grant agreement performance period and project timeline tasks.	⊖	✓	✓	✓	✓	✓	⊖	⊖
<b>Closeout/Post-Close Monitoring Phases</b>								
Project tasks and deliverables were completed per the project scope of the grant agreement.	⊖	⊖	⊖	⊖	⊖	✓	✓	✓
Total project costs claimed did not exceed the budget in the grant agreement.	⊖	⊖	⊖	⊖	⊖	✓	✓	✓
Project sites are maintained and continue to be used for the intended purposes.	⊖	⊖	⊖	⊖	⊖	N/A	✓	✓

**Legend:**

- ✓ = Requirement was met.
- P = Matching costs claimed were verified via audit procedures. However, match compliance monitoring needs improvement.
- X = The requirement was not met.
- ⊖ = Not tested for project phase indicated. Refer to Appendix A for Methodology.
- N/A = Not applicable—Project was a ramp design and did not include construction or require site maintenance.

**SUMMARY OF PROJECTS**

The Summary of Projects lists all Proposition 84 projects administered by the Conservancy. As indicated in Appendix B, all the projects below were audited, except for the Baldwin Hills Parklands Conservation Program.

<b>Item</b>	<b>Project Number</b>	<b>Project Name</b>	<b>Award Amount</b>	<b>Expended Amount</b>
1	BHC12000	Milton Street Park Project	\$ 1,603,786	\$ 1,263,866
2	BHC13003	Hetzler Road Pedestrian Trail	791,000	14,523
3	BHC11001	Park to Playa Trail—Jefferson Boulevard	570,000	566,404
4	BHC11000	Baldwin Hills Parklands Habitat Restoration	400,000	236,443
5	BHC15002	Park to Playa Ballona Creek Connection	336,043	-
6	BHC14000	Parklands User Survey Study	236,042	74,940
7	BHC13002	Baldwin Hills Biota Update	140,794	72,840
8	BHC 15004	Baldwin Hills Parklands Conservation Program	124,536	-
9	BHC11003	Higuera Bridge Ramp Design	60,000	45,000
<b>Total</b>			<b>\$ 4,262,201</b>	<b>\$ 2,274,016</b>



## BALDWIN HILLS CONSERVANCY

5120 Goldleaf Circle, Suite 290 • Los Angeles, CA 90056

Ph: (323)290-5270

[www.bhc.ca.gov](http://www.bhc.ca.gov)

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June 22, 2017

Via email

Ms. Jennifer Whitaker, Chief  
Office of State Audits and Evaluations  
915 L Street  
Sacramento, California 95814

[OSAEReports@dof.ca.gov](mailto:OSAEReports@dof.ca.gov)

**Re: Draft Report – Baldwin Hills Conservancy, Proposition 84 Bond Funds Audit**

Dear Ms. Whitaker:

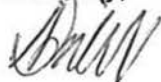
This letter is in response to your June 9, 2017 draft audit of the Conservancy's California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). The expenditures were audited during a three-year period from July 1, 2013 through June 30, 2016.

Per your correspondence, Office of State Audits and Evaluation (OSAE) has completed its audit and determined the Conservancy awarded and generally expended Proposition 84 bond funds in compliance with applicable legal requirements and established criteria. The Conservancy appreciates this conclusion.

The Conservancy has worked very hard to ensure Proposition 84 funds are used in accordance with the statutory provisions authorized by the Bond Act. The development of the BHC Proposition 84 Grant Procedures Manual (Procedures Manual) has provided an opportunity for objective review of our existing systems and strengthening the Conservancy's Proposition 84 Program.

The Conservancy looks forward to implementing the actions presented in the enclosed response. We thank the OSAE staff for its work and we embrace the opportunity to fortify our ongoing management of bond funded grant agreements.

Sincerely,



David McNeill  
Executive Officer

Cc: Bryan Cash, Deputy Assistant Secretary, CA Resources Agency  
Julie Avis, Deputy Assistant Secretary, CA Resources Agency  
Teresa Mallory, Governmental Program Analyst, CA Natural Resources Agency  
Norma Fung, Chief, Accounting Services, CA Department of Parks and Recreation  
Brian Wilson, Statewide Bond Coordinator, CA Department of Parks and Recreation

## Finding 1 Expenditure Approval and Match Compliance Monitoring Needs Improvement

### Expenditure Approval

**Response:** The Conservancy's Prop 84 program files included an invoice OSAE cited as an example of insufficient documentation to confirm expenditures as eligible for reimbursement against the project. While the invoice received from the project subcontractor allowed staff to track the expenditure amount with the task in the subaward Statement of Work and Budget, it did not detail the specific work activities performed.

The Conservancy processed the invoice based on verification of the subcontractor's activities through written correspondence between the grantee, subcontractor and Conservancy staff during the invoice billing period, as well as confirmation that the work had been completed based on data collected and reports produced. While these efforts provided proof of the work, the Grantee did not submit hours, rates and charges related to specific tasks performed. The Conservancy has since requested and received additional documentation from the Grantee and has verified payroll ledgers and bank statements for the specific charges related to the invoice in question.

**Action:** To ensure future Prop 84 invoices contain sufficient documentation, the Conservancy will review the invoicing procedures listed in its Procedure Manual with grantees and enforce collection of the required documentation. Additionally, the Conservancy has revised the language in the Payment Documentation section of its Grant Agreements to better specify the level of supporting documentation required for invoices to be paid (See Figure 1).

Figure 1: Updated Prop 84 Grant Agreement Language

#### **E. Payment Documentation:**

1. All payment requests must be submitted using a completed Payment Request Form, attached as Exhibit C. This form must be accompanied by an itemized list of all expenditures that clearly documents the check numbers, dates, recipients, employee pay rates and rate sheets, line-item description as described in the Project Budget approved by the State and amounts. Each payment request must also include proof of payment such as receipts, paid invoices, canceled checks or other forms of documentation demonstrating payment has been made.

2. Any payment request that is submitted without the required itemization and documentation will not be authorized. If the payment request package is incomplete, inadequate or inaccurate, the State will inform the Grantee and hold the payment request until all required information is received or corrected. Any penalties imposed on the Grantee by a contractor, or other consequence, because of delays in payment will be paid by the Grantee and are not reimbursable under this Agreement.



**Action:** The Conservancy has since collected proof of matching funds payments and receipts charged to grant projects from its grantees and has added the documentation to the project files. Going forward, the Conservancy will require proof of payment for Matching Funds Expenditures be reported as part of its invoicing procedures. The Conservancy will also update its Grant Agreement language to allow for access to additional fiscal records as needed for matching fund expenditure monitoring.

June 1, 2017

David McNeill  
Baldwin Hills Conservancy  
5120 West Goldleaf Circle, Suite 290  
Los Angeles, CA 90056

Dear Mr. McNeill,

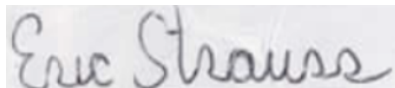
As you know, we are coming to a close on our research project, “The Value of Urban Parklands: A Park User Study of the Baldwin Hills,” which was generously funded by the Baldwin Hills Conservancy through Proposition 84. As we just completed our final season of data collection last month, we are now conducting analyses for the full three years of data.

We would like to request a modification of the budget allocation for consultants. Specifically, Dr. Robert Ryan, a park studies expert from the University of Massachusetts, was tasked with “Survey Design and Implementation” in our original budget. Dr. Ryan was incredibly helpful in survey design in Period 1, but given his geographic distance and the changes we made to our own research team during that time, we mutually agreed that it would be more effective for LMU staff to take on most of the implementation tasks assigned to him in Period 2. Thus, we were able to reduce Dr. Ryan’s contracted service cost by \$2,600. This cost reduction will not result in any reduction of services to the overall project, as the LMU personnel match will make up for the tasks associated with Dr. Ryan.

We would like to add the consulting services of the StudyLA Center to assist us with the final data analyses. StudyLA is a local leader in citywide surveys and visualization of results. We have outlined a scope of work at a cost of \$2,600 with StudyLA to produce several demographic maps and figures to display the survey data. These will include: maps of the locations of all ~2000 surveys collected, visitor zip codes, demographics of neighborhoods within 1 mile of parklands, and other spatial findings of interest. We believe these additional visualizations will offer the ability to report the data in an attractive and compelling manner. This can serve the Baldwin Hills Conservancy in both internal discussions of the project results and in communicating the results to local leaders and community members.

Please let me know if this is an amenable change, and we will proceed to contract with StudyLA. Do not hesitate to contact me if you have any questions.

Sincerely,



Eric Strauss, Ph.D.  
Executive Director  
Center for Urban Resilience  
Loyola Marymount University



**GRANT AGREEMENT  
BALDWIN HILLS CONSERVANCY**  
State of California – The Resources Agency

<b>GRANTEE</b>	Loyola Marymount University - Center for Urban Resilience (CERes)		
<b>PROJECT TITLE</b>	Parklands User Survey Study		
<b>PERFORMANCE PERIOD</b>	July 25, 2014	through	August 31, 2017

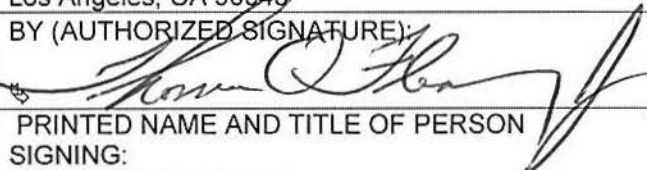
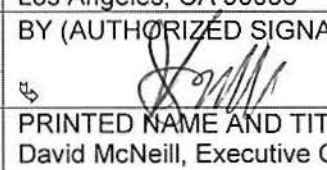
Under the terms and conditions of this Contract, the Grantee agrees to complete the Project as described in the project description, and the State of California, pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), and agrees to fund the Project up to the Grant Amount as authorized by the Baldwin Hills Conservancy.

**PROJECT DESCRIPTION**

See project description on the first page of the Grant Agreement. Project is to be carried out in conformance with the attached scope of work in Exhibit A, (hereinafter referred to as the "Project") and all Contract provisions as stated herein. **This Amendment revises Exhibit A, Attachment 1 and revises Exhibit B, Attachment 1.**

**TOTAL GRANT AMOUNT NOT TO EXCEED** \$ 236,042

The General and Special Provisions attached are made a part of and incorporated into the Contract.

GRANTEE	STATE OF CALIFORNIA
<b>GRANTEE'S NAME:</b> Loyola Marymount University (LMU)	<b>AGENCY NAME:</b> BALDWIN HILLS CONSERVANCY (BHC)
<b>ADDRESS:</b> 1 LMU Drive Los Angeles, CA 90045	<b>ADDRESS:</b> 5120 Goldleaf Circle, Suite 290 Los Angeles, CA 90056
<b>BY (AUTHORIZED SIGNATURE):</b> 	<b>BY (AUTHORIZED SIGNATURE):</b> 
<b>PRINTED NAME AND TITLE OF PERSON SIGNING:</b> Thomas O. Fleming Jr. Senior VP & Chief Financial Officer	<b>PRINTED NAME AND TITLE OF PERSON SIGNING:</b> David McNeill, Executive Officer
<b>DATE SIGNED:</b> 6/30/17	<b>DATE SIGNED:</b> 7/3/17

**CERTIFICATION OF FUNDING (FOR STATE USE ONLY)**

<b>AMOUNT ENCUMBERED BY THIS DOCUMENT</b> \$ 0	<b>AGREEMENT / AMENDMENT NUMBER</b> BHC 14000, AM 2	<b>FUND TITLE:</b> (Prop 84) Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006		
<b>PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT</b> \$236,042	<b>APPROPRIATION</b> Local Assistance			
<b>VENDOR NUMBER</b> V - 000032654		<b>CHAPTER</b> 25	<b>STATUTE</b> 2014	<b>FISCAL YEAR</b> 14-15
<b>TOTAL AMOUNT ENCUMBERED TO DATE</b> \$ 236,042	<b>LINE ITEM ALLOTMENT</b> 3835-301-6051	<b>PCA</b> 30003	<b>PROJECTWORK PHASE</b>	
<b>T.B.A NO.</b>	<b>B.R. NO.</b>	<b>INDEX</b> 1300	<b>OBJ. EXPEND</b> 841	

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance.

SIGNATURE OF ACCOUNTING OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

**EXHIBIT A, Attachment 1**

**Parklands User Survey Study  
PROJECT SCOPE AND DELIVERABLES**

The proposed project will deliver:

**Scope of Work**

The Urban Parkland study will be focused on 6 heavily trafficked areas within the BH (attached map):

(i) the Kenneth Hahn State Recreation Area (two locations), (ii) the Culver City Park, (iii) the Ladera Ball Fields, (iv) the Norman O. Houston Park, (v) the BH Scenic Overlook and, (vi) the Ballona Creek Bike Path. For the Urban Parkland study, the CUREs team will develop a survey instrument tailored to assessing park usage in the BH. Survey questions will focus on acquiring the following information (See Appendix for survey items and justification):

- Number of park users;
- Frequency of use;
- Detailed demographics, including users' resident neighborhoods;
- Park activity engagement;
- Means of accessing the park, including parking and intermodal transportation options;
- Health and disposition;
- Any other critical information that will help the BHC better serve the public in parklands development or rehabilitation.

The Urban Parkland study will be conducted in two phases starting first with a short-term pilot study in Summer, 2014, followed by a more extensive, longitudinal study culminating in July, 2017. The pilot study will be focused on the necessary development, testing, and revision of an original park studies survey instrument. For the pilot study, 250 unique surveys will be conducted at the 6 locations throughout the BH during one time point in August, 2014 by undergraduate research assistants from Loyola Marymount University, trained by senior research staff within CUREs. Users will be intercepted throughout the park and will be invited to participate in a short, in-person survey interview. The pilot study is an important preliminary step to the extensive, longitudinal survey to ensure that a rigorous and reliable instrument is developed.

Following the pilot study, a longer, more comprehensive study will be implemented that will (i) capture a much larger participant sample size which is key in obtaining significant quantitative findings; (ii) collect data during two different seasonal time points, important for capturing temporal differences in park usage and accessibility; and (iii) allow the research team enough time in between data collection points to have the opportunity to review findings thus far and pursue additional lines of questioning. For the comprehensive study, 6000 unique surveys will be conducted at 6 locations throughout the BH during four seasonal data collection time points in July, 2015, January, 2016, July, 2016, and January, 2017. For each time point, 250 unique surveys will be collected at each park location. Users will again be intercepted throughout the park and

will be invited to participate in a short, in person survey interview. Survey participants will then be invited to provide more extensive data via a longer electronic survey. Furthermore, online survey participants will be invited to participate in follow-up electronic surveys 6 to 12 months later for additional repeated measures assessment, in addition to the unique surveys targeted.

As an additional source of data collection, remote-sensing camera equipment will be utilized in order to monitor the park and capture activity by both people and wildlife. This technique is an innovative method to boost the power of the study to capture the numbers of people visiting the park and associated data such as demographic background, park activity involvement, and location of park usage. Remote sensing camera techniques have been employed by researchers within CUREs with very powerful outcomes (McCammon, 2014). In the event that we are unable to survey the desired 6000 unique participants over the course of our three year study, camera data will provide a rigorous and reliable alternative resource. In addition to camera data, phone interviews and/or targeted internet surveys may be employed to attain our desired numbers of study participants. Camera data also supplements the study by capturing activity during off-peak hours, particularly pre-dawn and post-dusk. Secondary census data are also available to be used in conjunction with the primary survey data collected in person. Using survey, camera, and census data, findings will be derived via statistical and geospatial analyses using SPSS and ArcGIS technology, respectively.

Throughout the course of the study, CUREs will communicate developing findings and anticipated next steps with collaborating and interested parks and other government agencies, such as Parks and Recreation from the City of Los Angeles, Culver City, and Inglewood, and the County of Los Angeles, in addition to the BHC. We will coordinate our efforts with these agencies to amplify our efforts and impacts as we do synergistic work and will accept input and guidance from these agencies, as well.

Altogether, from this expansive and rigorous collection of survey, census, and camera data from the Urban Parkland study, CUREs will provide the BHC and other collaborating or interested agencies with:

Annual reports of study progress and findings each December, as well as a final summative report in July, 2017.

Graphical summaries and other visualizations of study findings, including geographic information systems (GIS) maps integrated with survey and camera data and findings.

Recommendations for plans in regards to development of the parklands themselves or the surrounding infrastructure to attract and maintain park users, including:

- a. Establishing greater connectivity amongst existing parks, trails and urban streams;
- b. Establishing mass transportation systems and routes to the BH;

- c. Identification of key public access and entry ways for pedestrians and bicyclists; Assurance that trails and services can be utilized by the disabled;
- d. Provision of adequate parking;
- e. Installation of informative signage;
- f. Implementation of public health initiatives;
- g. Addressing park scarcity in park-poor and/or highly populated communities; Implementation of community science and environmental education programming;
- h. Implementation of public relations technical resources, e.g. social media and advertising platforms; and
- i. Allocation of environmental resources and funds for climate change adaptation and multi- benefit projects.
- j. LARIAK Data for BHC Territory with SaveATree Analysis: Study and GIS Analysis of Tree Canopy Data for BH Parklands
- k. **Study LA Center maps and graphics: Point map of individual survey locations; Density map of visitor reported residential zip codes within greater Los Angeles area; Maps of population demographics within 1 mile of the BH Parklands; Charts comparing survey reported visitor demographics to available community demographics within walking distance of the BH Parklands.**

#### Other Project Deliverables

#### **PILOT STUDY**

- l. Development of survey instrument
- m. Pilot study data collection and analysis
- n. Submit pilot study data findings to BHC

#### **COMPREHENSIVE STUDY**

- o. First seasonal data collection
- p. Submit first semiannual report to BHC
- q. Second seasonal data collection
- r. Submit second semiannual report to BHC
- s. Third seasonal data collection
- t. Submit third semiannual report to BHC
- u. Fourth seasonal data collection
- v. Submit fourth semiannual report to BHC
- w. Submit summative final report and visualizations



**EXHIBIT B, Attachment I**

**Parklands User Survey Study  
PROJECT COSTS**

The Urban Parkland study will be conducted by the research and administrative team in CUREs and consultants including but not limited to:

Budget Item	Name	Title
A.1: Project Director	Dr. Eric Strauss	Executive Director, Center for Urban Resilience
A.2: Research Associate	Dr. John Dorsey	Director of Research, Center for Urban Resilience
A.2: Research Associate	Dr. James Landry	Director of Operations, Center for Urban Resilience
A.2: Research Associate	Dr. Sheron Mark	Post-Doctoral Research Fellow, Center for Urban Resilience
A.2: Research Associate	Mr. Dinus George	Research Associate
A.2: Research Associate	Dr. Michele Romolini	Post-Doctoral Research Fellow, Center for Urban Resilience
F: Indirect Cost / Administrative Support	Ms. April Sandifer	Operations Manager, Center for Urban Resilience
A.3: Senior Scientist	Dr. Peter Auger	Senior Scientist
A.4: Director of Strategic Partnerships	Ms. Laurel Hunt	Director of Strategic Partnerships
A.5: Undergraduate Research Assistants		Loyola Marymount University Undergraduate Research Assistants
D.1: Research Consultant	Dr. Robert Ryan	Professor of Landscape Architecture and Regional Planning
D.2: Survey and Research Consultant	Dr. William Lynn	Senior Fellow, Ethics and Public Policy, Center for Urban Resilience
D.3: Game Camera Consultant	Dr. Michael Strobach	Post Doctoral Fellow and Scientist
D.4: Arborist/Environmental Mapping Consultant	SaveATree	Arborist/Environmental Mapping and Analysis
<b><u>D.5: Demographic Mapping and Data Visualization Consultant</u></b>	<b><u>The Thomas and Dorothy Leavey Center for the Study of Los Angeles (StudyLA Center)</u></b>	<b><u>Mapping and Visualization Consultant</u></b>

**See Attached Table.  
Project Cost Table**

Summary of Periods 1 & 2 07/01/2014 - 06/30/2017	Period 1		Period 2		Total BHC Budget	Total LMU Match	Task Details
	BHC Budget	LMU Match	BHC Budget	LMU Match			
<b>A. LMU Personnel</b>							
1. LMU Project Director	\$0	\$2,444	\$10,967	\$17,799	\$10,967	\$20,243	Report Preparation, providing technical expertise, game camera analysis, data collection expertise and report preparation and editing, pilot study research report development, quarterly grant reports
2. Research Associates	\$17,604	\$3,933	\$52,910	\$5,642	\$70,514	\$9,575	Survey development and local natural history knowledge, field support, beginning stage science design and research support, project management and lead social science, project management and lead social science, LMU Institutional Review Board approval for social scientific research with human participants, pilot study data collection, survey review and expansion, recruitment of URAs, Grant quarterly reports, data collection, research report preparation
3. Senior Scientist	\$0	\$0	\$21,723	\$0	\$21,723	\$0	Providing technical expertise, game camera analysis, data collection expertise and report preparation and editing
4. Director, Strategic Partnerships	\$0	\$0	\$7,491	\$0	\$7,491	\$0	Provide project management services, report development and preparation, and landscape planning expertise

5. Undergraduate Research Assistants	\$1,035	\$0	\$17,800	\$0	\$18,835	\$0	Field work: Implement visitor surveys, conduct visitor counts, game camera operation, seasonal data collection
<b>Total Salaries</b>	<b>\$18,639</b>	<b>\$6,377</b>	<b>\$110,891</b>	<b>\$23,441</b>	<b>\$129,530</b>	<b>\$29,818</b>	
<b>B. Fringe: 33.5% excluding students</b>							
<b>Total Fringe</b>	<b>\$5,897</b>	<b>\$2,136</b>	<b>\$31,186</b>	<b>\$7,852</b>	<b>\$37,083</b>	<b>\$9,988</b>	
<b>Total Personnel = Salaries and Fringe</b>	<b>\$24,536</b>	<b>\$8,513</b>	<b>\$142,077</b>	<b>\$31,293</b>	<b>\$166,613</b>	<b>\$39,806</b>	
<b>C. Supplies</b>							
1. Census Data Access	\$0	\$0	\$0	\$0	\$0	\$0	
2. GPS Locaters (4 rentals @ \$50/day x 10 days)	\$2,000	\$0	\$0	\$0	\$2,000	\$0	
3. Digital Cameras (3 rentals @ \$167/day x 2 days)	\$1,002	\$0	\$0	\$0	\$1,002	\$0	
4. ArcGIS Desktop Standard	\$0	\$7,000	\$0	\$0	\$0	\$7,000	
<b>Total Supplies</b>	<b>\$3,002</b>	<b>\$7,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,002</b>	<b>\$7,000</b>	
<b>D. Contractual</b>							
1. Research Consultant	\$2,800	\$0	<del>\$3,644</del> <b>\$1,044</b>	\$0	<del>\$6,444</del> <b>\$3,844</b>	\$0	Survey design and implementation
2. Survey and Research Consultant	\$4,800	\$0	\$3,643	\$0	\$8,443	\$0	Feral cat policy and research development; Ballona restoration program development; Symposium and conference development related to urban ecology; Staff Training in policy and ethics; Derivation of Baldwin Hills Pilot Study Findings

3. Game Camera Consultant	\$0	\$2,400	\$0	\$0	\$0	\$2,400	Technical expertise, game camera analysis, data collection expertise and report preparation and editing
4. Arborist/Environmental Mapping Consultant	\$0	\$0	\$11,712	\$0	\$11,712	\$0	Study and GIS Analysis of Tree Canopy Data for BH Parklands
<b>5. Demographic Mapping and Data Visualization Consultant</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,600</b>	<b>\$0</b>	<b>\$2,600</b>	<b>\$0</b>	<b>Data visualization expertise, maps of all 2000 survey locations, visitor zip codes, other map-able findings, demographics of neighborhoods within 1 mile of parklands, other metrics/charts/tables.</b>
<b>Total Contractual</b>	<b>\$7,600</b>	<b>\$2,400</b>	<b>\$18,999</b>	<b>\$0</b>	<b>\$26,599</b>	<b>\$2,400</b>	
<b>E. Other</b>							
Mileage (20 miles/day @ \$0.56/mile; Yr 1: 10 days; Yr 2: 13 days)	\$112	\$0	\$146	\$0	\$258	\$0	
Parking (\$10/day; Yr 1: 10 days; Yr 2: 13 days)	\$100	\$0	\$130	\$0	\$230	\$0	
<b>Total Other</b>	<b>\$212</b>	<b>\$0</b>	<b>\$276</b>	<b>\$0</b>	<b>\$488</b>	<b>\$0</b>	
<b>Total Direct Costs</b>	<b>\$35,350</b>	<b>\$17,913</b>	<b>\$161,352</b>	<b>\$31,293</b>	<b>\$196,702</b>	<b>\$49,206</b>	
<b>F. Indirect Costs, 20% on MTDC base</b>	<b>\$7,070</b>	<b>\$3,583</b>	<b>\$32,270</b>	<b>\$6,259</b>	<b>\$39,340</b>	<b>\$9,841</b>	
<b>TOTAL</b>	<b>\$42,420</b>	<b>\$21,496</b>	<b>\$193,622</b>	<b>\$37,552</b>	<b>\$236,042</b>	<b>\$59,047</b>	