



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: OCTOBER 13, 2011

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - CHINA SHIPPING PORT COMMUNITY AESTHETIC MITIGATION PROJECT – MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF RECREATION AND PARKS FOR THE RENOVATION OF THE GAFFEY STREET POOL (HISTORICALLY KNOWN AS THE “HEY ROOKIE” SWIMMING POOL)

SUMMARY:

In December 2009, the Board of Harbor Commissioners (Board) approved and allocated China Shipping Community Aesthetic Mitigation funding for the complete restoration of the Gaffey Street Pool, historically known as the “Hey Rookie” Swimming Pool (Project). Funding for this Project was requested by the Fort MacArthur Museum Association (FMMA) because it is located on the northeastern slope of the Fort MacArthur (Fort) Upper Reservation historic district. The property is owned by the Department of Recreation and Parks (RAP), so the oversight and management of the Project will be conducted by RAP. RAP will be responsible for the ongoing maintenance, staffing, and management of the pool once it is built. Staff recommends that the Board approve the Memorandum of Understanding (MOU) between the City of Los Angeles Harbor Department (Harbor Department) and RAP to facilitate the funding for this Project in a not-to-exceed amount of \$6,966,012 for a term of five years.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Approve the five-year Memorandum of Understanding with the Department of Recreation and Parks, substantially as to form, in an amount not-to-exceed \$6,966,012 for the restoration of the Gaffey Street Pool;
2. Authorize the Executive Director to execute and the Board Secretary to attest to said Memorandum of Understanding for and on behalf of the Board;
3. Instruct the Board Secretary to transmit the Board Report and Memorandum of Understanding to the Department of Recreation and Parks Board for approval at which time the Department of Recreation and Parks will forward to City Council for approval; and
4. Adopt Resolution No. _____.

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DISCUSSION:

Aesthetic Program Background – The Harbor Department created the Community Aesthetic Mitigation Program in 2003. Funding and program requirements were established through the China Shipping Amended Stipulated Judgment (ASJ), which was approved in March 2003, and later amended in June 2004. In accordance with the ASJ, this Project was reviewed by the State Lands Commission and was found to be consistent with the State Tidelands Trust Act. The “Hey Rookie” Swimming Pool Project was recommended by the Port Community Advisory Committee in June 2009 and approved in concept by the Board in December 2009. After a series of discussions including RAP and the Harbor Department, the attached MOU has been developed to coordinate an implementation approach and to establish a mechanism through which funding will be disbursed to RAP based on agreed upon milestones.

Project Scope – In its current condition the pool is not useable. The Project is the complete restoration of the pool to current health, safety, and building codes, while retaining its historical context. The Project will include replacement of tiles as necessary, modification of pool slope and depths to meet code requirements, replacement of complete mechanical systems, all plumbing, all electrical equipment, and deck concrete as necessary. The upper concrete areas will be modified to accommodate access, seating, and patron flow from the above areas to the pool and deck area. Accessibility from the lower slope area will include handicap parking stalls, a disabled lift, and stair access on the north side of the pool deck. A handicap accessible restroom will also be installed. Exhibit panels and a historic plaque will be added to provide patrons the story of the pool’s historical significance. The Project will take approximately four and a half years to complete.

Harbor Department staff will work closely with RAP and the Bureau of Engineering, through monthly budget reviews, to ensure that the Project can be delivered within available funding. Payments will be phased under Section V.C. of the MOU and will be contingent on RAP’s ability to deliver a usable Project under the terms of the MOU. In accordance with the MOU, RAP is responsible for completing the Project within allotted funds, and any budget shortfalls are to be absorbed by RAP. Harbor Department staff will immediately alert the Board if funding shortfalls arise.

Project Background and History – The FMMA requested \$7,000,000 for the restoration and reutilization of the “Hey Rookie” Swimming Pool which is located at 3351 Gaffey Street in San Pedro on the northeastern slope of the Fort Upper Reservation historic district.

The “Hey Rookie” Swimming Pool was built in 1943 with funds generated by the “Hey Rookie” show that was produced by the soldiers of the Fort to lift the morale of soldiers and the general public. The show was an immediate success and generated substantial monies for the Fort’s Athletic and Recreation fund. Once built, the pool provided a venue for aquatic shows called the aquacades, which were very popular in the community and with soldiers, and for training soldiers preparing to participate in amphibious operations throughout the world during the closing stages of World War II. In postwar years, the pool was used as a recreation facility for the public and soldiers of the Fort.

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In 1975, the property was transferred to RAP. At that time, the pool was called the Gaffey Street Pool. The pool continued as a public facility until the late 1980s when it was closed due to lack of funding for necessary repairs. Since that time, the pool has been neglected and vandalized, and the fenced off area is not accessible to the general public. In 1997, the FMMA teamed with RAP to manage and restore the former Fort Upper Reservation and in July 2008 the area was designated as a historic district. The pool is now listed on the California State Register of Historic Places.

Cost and Term of Agreement – The FMMA requested \$7,000,000 for the Project; however, there was \$6,966,012 available in the fund when the Project was approved. Therefore the MOU has been written with a not-to-exceed amount of \$6,966,012, which is expected to cover the pool cost, and for a term of five years from the date of execution. RAP has also secured an additional \$1,000,000 in Proposition K funds for the Project which will be applied to other improvements, such as parking and changing facilities near the pool area.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of an MOU for funding to support the previously approved Project under the China Shipping Community Aesthetic Mitigation Program. Funding does not provide permits for the Project, but allows for design and administrative planning. Any physical construction related to the proposed Project would remain subject to future CEQA requirements. As such, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA guidelines.

ECONOMIC BENEFITS:

Approval of MOU for funding the Project approved in December 2009 will have no employment impacts. Economic impact under the Project was stated to support approximately 57 direct and 50 secondary jobs for the five-county region at the time of the Board's approval.

FINANCIAL IMPACT:

Funding for this Project in the amount of \$6,966,012 is available in the China Shipping Community Aesthetic Mitigation Fund (Account 21952, Center 7000, Program 000). The Fund was established as a result of the ASJ and has deposits totaling \$34,032,024. From these deposits, the Board has allocated \$30,855,786 to thirteen projects, including the proposed Gaffey Street Pool.

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Funds will be expended in compliance with the ASJ as follows:

| | |
|--------------|--------------------|
| FY 2011-2012 | \$1,300,000 |
| FY 2012-2013 | \$3,060,000 |
| FY 2013-2014 | <u>\$2,606,012</u> |
| | \$6,966,012 |

The full funding is scheduled to be transferred to RAP in the first three years of the contract to ensure that their accounts are funded prior to their construction contracting process. Per the agreement, upon completion of Project construction, RAP will provide a full accounting. In the event any funds are remaining, said funds will be returned to the Harbor Department.

CITY ATTORNEY:

The City Attorney's Office has prepared the agreement and will approve it as to form and legality.

TRANSMITTAL:

1. Memorandum of Understanding with the Department of Recreation and Parks.

FIS Approval: Erf (initials)

CA Approval: MB (initials)



CHRISTOPHER CANNON
Director of Environmental Management



MICHAEL R. CHRISTENSEN
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APPROVED:



GERALDINE KNATZ, Ph.D.
Executive Director

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BOARD MEETING: 10/20/2011