



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE  
REFER TO FILE: **PJ-0**

February 27, 2003

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

Dear Supervisors:

**APPROVE THE HOLLYWOOD BOWL SHELL REHABILITATION AND  
ACOUSTICAL IMPROVEMENTS REVISED PROJECT BUDGET;  
APPROVE THE ASSIGNMENT TO THE  
LOS ANGELES PHILHARMONIC ASSOCIATION  
OF THE RIGHT TO APPLY FOR FUNDING  
UNDER THE SAFE NEIGHBORHOOD PARKS PROPOSITION OF 1996  
SECTION (3), SUBSECTION (b), PARAGRAPH (6); AND  
APPROVE APPROPRIATION ADJUSTMENT  
SUPERVISORIAL DISTRICT 3  
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER AND  
THE DIRECTOR OF PARKS AND RECREATION THAT YOUR BOARD:**

1. Approve the revised project budget of \$21,259,883 for the Hollywood Bowl Shell Rehabilitation and Acoustical Improvements Project.
2. Adopt the enclosed resolution (Enclosure A) assigning to the Los Angeles Philharmonic Association (Philharmonic) the right to apply for \$9,113,000 of funding under Section (3), Subsection (b), Paragraph (6) of the Safe Neighborhood Parks Proposition of 1996 (the 1996 Proposition).

3. Approve the enclosed appropriation adjustment transferring appropriation of \$2,000,000 to the Hollywood Bowl Shell and Under Stage Project (C.P. 77090) from the Hollywood Bowl Museum HVAC Improvements (C.P. 77412) in the amount of \$300,000; Hollywood Bowl Patron Entrance Expansion (C.P. 77413) in the amount of \$350,000; Hollywood Bowl Various Upgrades and Improvements (C.P. 77414) in the amount of \$550,000; Hollywood Bowl Refurbishment Retaining Walls (C.P.86275) in the amount of \$350,000; and Hollywood Bowl Refurbishment General Refurbishments (C.P. 86274) in the amount of \$450,000.
4. Direct the Chief Administrative Officer to complete and execute a Pledge Agreement with the Los Angeles Philharmonic to formalize the Philharmonic's pledge of \$166,000 for the project and to incorporate the pledge into the Proposed 2003-04 Capital Projects/Refurbishments Budget.

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

Your Board's approval of the recommended actions will allow the previously authorized Hollywood Bowl Shell Rehabilitation Project (Project) to proceed.

### **Background**

In December 2001, your Board directed our Departments to return with a project update upon completion of the appeal process for a lawsuit that challenged the Project and the Final Environmental Impact Report certified by your Board in September 2000. In August 2002, the Court of Appeals upheld the April 2001 trial court ruling in favor of the County and allowed the County to proceed with replacement of the current shell. The California Supreme Court denied a Petition for Review in November 2002, and the decision in favor of the County is final.

Plans and Specifications for the Project were completed in December 2001, including construction of a new, larger shell in the modern style with an acoustic canopy; installation of speaker improvements; construction of new dressing rooms and performer facilities; and a new concession stand as described or modified in the Final Environmental Impact Report certified by your Board on September 12, 2000. Further project activities were deferred, however, pending resolution of the litigation.

Following the favorable ruling from the Court of Appeals, Public Works, Parks and Recreation, the Chief Administrative Office, and the Philharmonic reviewed the Project's

plans and performed a value engineering exercise to reduce project expenditures to a level that could be funded within the Project's budget. Through this process, we eliminated certain scope items and simplified the design of others to reduce the project cost without compromising the Project's design and function, including:

- Eliminating construction of a permanent new concession stand;
- Replacing metal panels with drywall on shell interior baffles;
- Substituting less costly doors, ceilings, and other architectural details; and
- Simplifying electrical, mechanical, and other building systems.

In February 2003, Matt Construction submitted a Guaranteed Maximum Price Proposal to the Philharmonic which exceeded the funds available to the Project. Therefore, our Departments and the Philharmonic identified four additional scope reduction measures, including:

- Improvements to the Stage Right upper level performer facilities;
- Construction of understage dressing rooms;
- Refurbishment of the current speaker system; and
- Simplification of the acoustical canopy's movement controls.

Matt Construction has provided fixed price bids for these items, and they will be reincorporated into the project scope as funding becomes available. We believe that any further reduction of the project scope will diminish the functionality of the Project and preclude attainment of the Project's overall objectives.

Based upon the successful revision of the Project's plans and the receipt of Matt Construction's construction proposal, we are recommending that your Board authorize the assignment of Philharmonic the right to apply for the remaining balance of the 1996 Proposition A funds and approve the enclosed appropriation adjustment to allow the implementation of the Project.

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

The recommended actions are consistent with the County's Strategic Plan Goal of Fiscal Responsibility through managing effectively the resources we have, increasing public/private partnership and investing in public infrastructure.

## **FISCAL IMPACT/FINANCING**

### **Project Cost Summary**

To date, project expenditures in the amount of \$5,862,901 have been incurred for design activities, environmental documentation, project management, related soft costs, and the understage renovation. The remaining project improvements, including construction of the shell, are estimated to cost \$15,396,982 which represents an increase of \$4,166,000 from the December 2001 cost estimate, due in part to the two-year project delay due to litigation.

Funding in the amount of \$11,230,982 is available to fund the balance of the Project's improvements, including \$9,230,982 in 1996 Park Proposition A funds and \$2,000,000 in Third District Capital Project funds. Additional funding sources have been identified to fund the increased project costs of \$4,166,000, including a reallocation of an additional \$4,000,000 in Third District Capital Project funds and a pledge of \$166,000 in funding from the Philharmonic.

Approval of the enclosed appropriation adjustment will effectuate the transfer of Third District Capital Project funds to the Hollywood Bowl Shell Rehabilitation Project. The Philharmonic's contribution will be required prior to the commencement of on-site construction in October 2003. Approval of the recommended actions will authorize the Chief Administrative Office to execute a pledge agreement with the Philharmonic to formalize the Philharmonic's commitment and to incorporate the pledged amount into the Proposed 2003-04 Capital Projects/Refurbishments Budget.

### **Operating Budget Impact**

Parks and Recreation is estimating start-up costs of \$100,000 for one-time equipment purchases required to properly maintain the new facility. Annual operating costs are expected to increase by \$243,174 in order to support an on-site electrician and plumber as well as maintenance contracts for the acoustic canopy, elevator, and HVAC system. Parks and Recreation is working with the Chief Administrative Officer to identify funding for these increased operating costs prior to completion of the project in June 2004.

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

The Safe Neighborhood Parks Proposition of 1992 (the 1992 Proposition) provided a total of \$26,100,000 of funding for improvements to the Hollywood Bowl, including \$25,500,000 specified for improvements to the Bowl in accordance with the Hollywood Bowl Master Plan adopted by the Hollywood Bowl Foundation. The 1996 Proposition

allocated an additional \$18,000,000 to Parks and Recreation for implementation of improvements described in the Master Plan.

On June 25, 1993, the Hollywood Bowl Foundation, which is now part of the Los Angeles Philharmonic Association, adopted the Hollywood Bowl Master Plan, which identified four phases of work to be undertaken at the Hollywood Bowl Performing Arts Complex, including renovations to the shell and stage areas and back-of-house performer facilities; improvements to the electrical, plumbing, and other infrastructure, restrooms, entrance improvements; upgrades to the lighting and sound equipment; and various other improvements. The Project Formulation Document approved by your Board on October 19, 1999, further defined and expanded upon the improvements outlined in the 1993 Master Plan and the August 1998 Master Plan adopted by the Executive Committee of the Philharmonic's Board of Directors, thus fulfilling the requirements of the Propositions.

Since the passage of the Propositions and adoption of the original Master Plan, the Departments of Parks and Recreation and Public Works, in cooperation with the Philharmonic, have pursued implementing the improvements outlined in the Master Plan. Beginning in the Hollywood Bowl's off season of 1994-95, our Departments and the Philharmonic have engaged in nearly continual construction during the Bowl's off seasons, and have completed the following improvements totaling more than \$30,600,000:

- Construction of a museum building with an enclosed elevator;
- Construction of new restrooms;
- Improvements to circulation and seating required for ADA compliance;
- Construction of a new kitchen facility;
- Renovation of existing utility infrastructure;
- Construction of pedestrian walkways;
- Construction of a new box office and gift shop;
- Improvements to parking facilities;
- Replacement of two existing covered escalators and installation of a third covered escalator;
- Installation of sound and lighting equipment;
- Renovation of the existing electronic marquee; and
- Renovation of the Understage/Operations and support offices underneath the stage.

## **ENVIRONMENTAL DOCUMENTATION**

The balance of the authorized future improvements were analyzed in the previously approved Mitigated Negative Declaration for the Hollywood Bowl Back-of-House and Patron Facilities Enhancement Project and the certified Final Environmental Impact Report for the Hollywood Bowl Shell Rehabilitation Project and Acoustical Improvements, acted upon by your Board on June 1, 1999, and September 12, 2000, respectively.

## **CONTRACTING PROCESS**

On September 12, 2000, your Board approved and instructed the Chair to sign Amendment 5 to the Operating Lease Agreement between the County and the Philharmonic which allowed the Philharmonic to make improvements and additions to the facilities at the Hollywood Bowl complex consistent with the Final Environmental Impact Report and the Mitigated Negative Declaration for the Back-of-House and Patron Facilities Enhancement Project, which was approved by your Board on June 1, 1999, and as modified by the Final Environmental Impact Report. Previously, your Board entered into an Operating Lease with the Southern California Symphony-Hollywood Bowl Association, a predecessor of the Los Angeles Philharmonic Association for a 30-year period beginning January 1, 1976. The Agreement had been amended on previous occasions by your Board with respect to improvements at the Bowl complex.

Upon your Board's approval, the Philharmonic will award a construction contract by the end of March 2003. This will allow the contractor to begin acquisition of certain project elements including structural steel, the acoustical canopy, and the stage turntable that have long fabrication durations. On-site construction is scheduled to begin in October 2003 and be completed in early June 2004.

## **IMPACT ON CURRENT SERVICES**

Construction work is scheduled to be performed outside of the normal operating season (from October to June) to allow the facility to remain open during its normal performance season. The work area will be closed throughout the duration of construction, scheduled for October 2003 through June 2004. The remainder of the Hollywood Bowl Complex will remain open during construction.

The Honorable Board of Supervisors  
February 27, 2003  
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**CONCLUSION**

It is requested that the Executive Officer-Clerk of the Board return one conformed copy of this action to the Chief Administrative Office, Capital Projects Division; Parks and Recreation; and Public Works.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

DAVID E. JANSSEN  
Chief Administrative Officer

TIM GALLAGHER  
Director of Parks and Recreation

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cc: County Counsel  
Executive Officer

February 27, 2003

**ENCLOSURE A**

**ASSIGNMENT TO THE LOS ANGELES PHILHARMONIC ASSOCIATION  
OF THE RIGHT TO APPLY FOR FUNDING UNDER SECTION (3)  
SUBSECTION (b), PARAGRAPH (6) OF THE SAFE NEIGHBORHOOD PARKS  
PROPOSITION OF 1996 FOR IMPROVEMENTS AT THE HOLLYWOOD BOWL**

WHEREAS, under Section (3), Subsection (b), Paragraph (6), of the Safe Neighborhood Parks Proposition of 1996 (the 1996 Proposition), the County of Los Angeles has the right to apply for maximum of \$18,000,000 for implementation of improvements at the Hollywood Bowl; and

WHEREAS, on November 12, 1997, the County of Los Angeles Board of Supervisors assigned to the Los Angeles Philharmonic Association (the Philharmonic) the right to apply for a maximum of \$1,350,000 for the purpose of performing consultant studies, defining a project description, determining environmental documentation, and providing a cost estimate for additional proposed improvements at the Hollywood Bowl; and

WHEREAS, on October 17, 1999, the County of Los Angeles Board of Supervisors assigned to the Philharmonic the right to apply for \$800,000 to continue with the design of the proposed project as described in the Project Formulation Document and the Hollywood Bowl Master Plan approved by the Executive Committee of the Philharmonic Board of Directors on August 17, 1998; and

WHEREAS, on August 8, 2000, the County of Los Angeles Board of Supervisors assigned to the Philharmonic the right to apply for \$1,200,000 to continue with the design, environmental documentation, and project management for the design for the new Shell and Stage Area Improvement Project; and

WHEREAS, on December 12, 2000, the County of Los Angeles Board of Supervisors assigned to the Philharmonic the right to apply for \$2,000,000 for construction and related soft costs for Phase I - Understage/Operations Facilities of the Hollywood Bowl Shell Rehabilitation Project and Acoustical Improvements.

WHEREAS, on December 11, 2001, the County of Los Angeles Board of Supervisors assigned to the Philharmonic the right to apply for \$600,000 to continue with the design services, historic documentation, environmental mitigation measures, and a portion of the project management services required for plans and specifications of the Shell Rehabilitation Project; and



Enclosure A  
February 27, 2003  
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WHEREAS, the County desires the Philharmonic to complete the implementation of the Shell Rehabilitation Project which requires the remaining \$9,113,000 Safe Neighborhood Parks Proposition of 1996 under Section (3), Subsection (b), Paragraph (6) to partially fund the Shell Rehabilitation Project.

NOW, THEREFORE, BE IT RESOLVED, that the County of Los Angeles Board of Supervisors does hereby assign to the Philharmonic the right to apply for additional funding not to exceed \$9,113,000 from the Regional Park and Open Space District under Section (3), Subsection (b), Paragraph (6) of the 1996 Proposition to complete the Shell Rehabilitation Project consistent with the Operating Lease, as amended.

COUNTY OF LOS ANGELES  
BOARD OF SUPERVISORS

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

Attest: \_\_\_\_\_  
Violet Varona-Lukens, Executive Officer

APPROVED AS TO FORM:  
LLOYD W. PELLMAN  
COUNTY COUNSEL

By: \_\_\_\_\_  
Helen S. Parker  
Principal Deputy

February 27, 2003

**ENCLOSURE B**

**BUDGET ADJUSTMENT  
CAPITAL PROJECTS/REFURBISHMENTS BUDGET  
FISCAL YEAR 2002-03**

**FINANCING SOURCES**

Capital Projects/Refurbishments  
Building and Improvements  
Hollywood Bowl Museum HVAC Improvements  
A01 - PK - 77412 - 6014  
\$300,000 Decrease Appropriation

Capital Projects/Refurbishments  
Building and Improvements  
Hollywood Bowl Patron Entrance Expansion  
A01 - PK - 77413 - 6014  
\$350,000 Decrease Appropriation

Capital Projects/Refurbishments  
Building and Improvements  
Hollywood Bowl Various Upgrades and Improvements  
A01 - PK - 77414 - 6014  
\$550,000 Decrease Appropriation

Capital Projects/Refurbishments  
Building and Improvements  
Hollywood Bowl Refurbishing Retaining Walls  
A01 - PK - 86275 - 6014  
\$350,000 Decrease Appropriation

Capital Projects/Refurbishments  
Building and Improvements  
Hollywood Bowl General Refurbishments  
A01 - PK - 86274 - 6014  
\$450,000 Decrease Appropriation

**FINANCING USES**

Capital Projects/Reburbishments  
Building and Improvements  
Hollywood Bowl Shell and  
Understage Project  
A01 - PK - 77090 - 6014  
\$2,000,000 Increase Appropriation