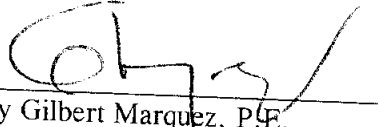


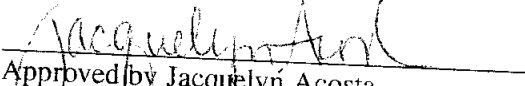


City of Carson Report to Mayor and City Council

March 4, 2014
New Business Discussion

SUBJECT: CONSIDER APPROVAL OF PROPOSED IMPROVEMENTS TO THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER; AND APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATES, AND AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR PROJECT NO. 1454: COMMUNITY CENTER RENOVATION


Submitted by Gilbert Marquez, P.E.
Acting Director of Public Works/City Engineer


Approved by Jacquelyn Acosta
Acting City Manager

I. SUMMARY

This item is on the agenda at the request of the Community / Senior Center Committee (Committee).

On January 15, 2013, the City Council conceptually approved the City-Funded enhancements, and directed staff to receive more refined estimates for the improvements (Exhibit No. 1).

At the July 16, 2013 City Council meeting, staff provided a status of the approved improvements of the Community Center to City Council (Exhibit No. 2).

During tonight's City Council meeting, via the use of a comprehensive PowerPoint presentation, City staff will be outlining what improvements are being considered, and they will seek approval by the City Council, so that the project can proceed.

II. RECOMMENDATION

TAKE the following actions:

1. AUTHORIZE staff to proceed with the completion of the Plans, Specifications and Estimates and advertise the project for construction bids.
2. APPROVE the cost of the project for an estimated amount of \$800,000.00.
3. APPROPRIATE \$514,000.00 from the Restricted Fund Balance-Bond Funded Capital Projects to augment the amount currently budgeted for this project.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

At the December 6, 2011 City Council meeting, the City Council approved a five-year contract with Choura Events Catering (Choura) to exclusively provide catering services at the Congresswoman Juanita Millender-McDonald Community Center (Community Center) (Exhibit No. 3). Associated with the contract, Choura would be required to make at least \$113,000.00 of facility improvements to the Community Center. As part of the motion to approve the contract, it was agreed that then Mayor Pro Tem Julie Ruiz-Raber and Councilmember Lula Davis-Holmes would work with City staff and Choura officials to develop a plan of action, and identify enhancements that would not only improve the aesthetics of the facility, but also increase the marketability of, and reservation rate at the Community Center. This work group met regularly to determine what types of improvements Choura should invest in, as well as those improvements which the City would be responsible for.

At the January 15, 2013 City Council meeting, the City Council approved the recommended improvements for the project. Since then, the work group transitioned into the Community / Senior Center Committee (Committee) and consists of Mayor Dear and Councilmember Davis-Holmes. The Committee has been very active, and has been making decisions about the details of the improvement project.

At the July 16, 2013 City Council meeting, the status of the approved improvements was presented. Subsequently, there have been a series of meetings with the Committee to evaluate the additional improvements presented which resulted in a few changes. The improvements are now comprised of the following.

Outside of the North Entrance

Improvements to the hardscape, which included removing concrete and installing sections of brick inserts to enhance the appearance of the front walkway, was completed simultaneously with the completion of the Ocean Friendly Garden.

North Entrance Breezeway

The installation of brick inserts, similar to the improvement at the north entrance, is complete. The discolored cement within the surrounding area will be replaced with 12" x 12" ceramic tile laid diagonally with new 6" x 6" accent tile. In addition, a drainage line will be installed to resolve the water ponding issue within this area.

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Main Reception Lobby Within the North Main Entrance

Repainting/improving the walls, ceilings and doors will be completed. The granite countertops, lighting, furniture and doors have been selected by the Committee. Installation will begin as soon as the contract is awarded to the lowest responsible bidder. The carpet will be removed and will be replaced with 24" x 24" ceramic field tile laid diagonally with new 6" x 6" ceramic accent tile; the base board has been selected, and will go out to bid soon.

Atrium, Including Area Underneath the Stairway

New soil and foliage was placed in the planter area consistent with the Ocean Friendly Garden landscaping in the front of the Community Center. Light emitting diode (LED) lighting highlights will be installed and new bistro tables and chairs will be placed in the atrium.

Halls A, B and C; Women's Restroom; and Foyer

The stainless steel art piece will be removed, salvaged and stored at the Corporate Yard; it will be replaced with a decorative water wall. Within Halls A, B and C, the existing fabric wall will be removed from the floor up to 48" above the floor, and replaced with new stone material with a bull nose top edge. The remaining fabric will be removed and replaced with a tackable acoustic wall. The carpeting will also be replaced.

The City is responsible for renovating the entire women's restroom that will include new tile, high-end hardware for sinks and faucets, toilets with shutter stalls, a granite counter top will replace the existing Formica counter top in the powder area, and lighting and mirrors will be upgraded. Materials have been selected by the Committee and construction should start as soon as the contract is awarded to the lowest, responsible bidder. The carpet in the foyer and powder area will be removed and replaced with 24" x 24" ceramic field tile with 6" x 6" ceramic accent tile to match the proposed flooring in the lobby/reception area.

Carson-Dominguez Room

The roof with the chronic leak has been repaired. Repairs and improvements to the fabric ceiling system, new planter boxes and vegetation, and a water feature for the outside patio will be completed. The carpeting in this room will also be replaced with new carpet. The existing board walls have been patched, primed and painted.

Other Improvements Identified

Mayor Pro Tem Santarina suggested that the men's restroom for Halls A, B and C also be refurbished. The Committee investigated that request and directed staff to give them a cost with improvements comparable to the women's

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restroom which will include the installation of 12" x 12" ceramic field tile with 6" x 6" ceramic accent tile, wallcovering finish with 6" wide accent tile, wood trim, and new lavatory.

Mayor Dear suggested that an entrance to the south side of the west wing of the facility be constructed to allow a maintenance service access for small equipment such as a scissor-lift used for replacing light fixtures in the high ceiling.

In order to proceed with the project, the City retained the services of an architectural firm, Westberg & White, Inc., and signed an agreement with them on December 9, 2013, to complete the plans, specifications and estimates.

Westberg & White, Inc. have prepared the preliminary plans, including the renderings and presented them to the Committee on numerous occasions.

On February 26, 2014, staff and the architect met with the Committee to review the conceptual plans and specifications. The Committee directed staff to present the conceptual plans to the City Council for comments and approval.

Upon the City Council's approval of the plans, specifications and estimates, the first implementation of the improvements would be recarpeting and removal and replacement of the acoustic walls in Halls A, B and C; repair of the stage in Hall B; recarpeting the Carson-Dominguez Room. The last time the carpet was removed and replaced was in 1997 and it is severally deteriorated, worn out and has exceeded its life expectancy.

The Community Center was dedicated on April 15, 1983, and is the pride and joy of the community, and ongoing investments to the facility will pay off by making the Community Center more competitive which in turn will increase revenue. Unless the City maintains the facility and makes ongoing upgrades, the facility will never reach its full operational potential.

The last major construction that has been completed at the Community Center is the construction of the Carson-Dominguez Room which was completed in 2002. In 2012, the City upgraded the plumbing fixtures in the restrooms. Other than the construction of the Carson-Dominguez Room in 2002, and minor upgrades to the plumbing fixtures, no major renovations have been done to the Community Center. Staff believes that the proposed additional improvements to the Community Center will be beneficial not only aesthetically but will also improve the marketability of the facility which would generate more revenue for the City.

Staff, therefore recommends, that the City Council approve the completion of the plans, specifications and estimates, and authorize staff to advertise the project for construction bids. This project will be subject to the Project Labor Agreement and shall comply with the requirements of the Enhanced Electrical Safety Policy.

V. FISCAL IMPACT

Funds for this project were included in the FY 2013/14 budget; but the total estimated project cost of \$800,000.00 exceeds the \$286,000.00 budget, therefore, the budget will need to be increased by \$514,000.00. Funds should be appropriated from the available balance of the Restricted Fund Balance-Bond Funded Capital Projects, to account no. 01-99-999-004-8004/0145401. The available balance of the Restricted Fund Balance-Bond Funded Capital Projects is \$576,246.60

On February 19, 2013, City Council approved the appropriation of \$125,000.00 to account no. 01-90-010-001-8004 during the Mid-Year Budget Review. However, it was not carried forward to FY 2013/14.

As part of the approved contract, Choura agreed to make facility improvements to the Community Center valued at approximately \$113,000.00.

VI. EXHIBITS

1. Minutes, January 15, 2013, Item No. 19. (pgs. 7-8)
2. Minutes, July 16, 2013, Item No. 10. (pg. 9)
3. Minutes, December 6, 2011, Item No. 12. (pgs 10-15)

Prepared by: Debbie Torres, Acting Administrative Analyst

Document 1

TO:Rev01-06-2014

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

March 4, 2014

Action taken by City Council

Date _____

Action _____

ITEM NO. (19) CONSIDER APPROVAL OF PROPOSED IMPROVEMENTS TO
THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD
COMMUNITY CENTER AT CARSON (COMMUNITY SERVICES
DEPARTMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE Choura's proposed improvements, so furnishings and building materials can be selected and construction can commence.
2. CONCEPTUALLY APPROVE City-funded enhancements and direct staff to receive more refined estimates so the City Council can determine if they believe the project justifies an appropriation at the City Council meeting when the mid-year budget review is being considered.

ACTION: It was moved to approve staff recommendation and to consider Project Labor Agreement should the contractor project exceed \$125,000 on motion of Dear, seconded by Gipson. During discussion of the motion, City Attorney Wynder opined that motion include City Manager to enter into Agreements necessary to move forward with West Basin Water District. Friendly amendment was accepted by Dear and Gipson.

Motion as amended was unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Santarina, Council Member/Agency Member/Authority Commissioner Gipson, Council Member/Agency Member/Authority Commissioner Davis-Holmes, and Council Member/Agency Member/Authority Commissioner Robles

Noes: None
Abstain: None
Absent: None

ACTION: It was moved to allocate funds and direct staff to repair water leaks at Congresswoman Juanita Millendar-McDonald Community Center at Carson on motion of Dear, seconded by Santarina. Friendly amendment to repair within 30 days by Davis-Holmes, was accepted by Dear and Santarina.

Motion as amended was unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro
Tem/Agency Vice Chairman/Authority Vice Chairman Santarina, Council
Member/Agency Member/Authority Commissioner Gipson, Council
Member/Agency Member/Authority Commissioner Davis-Holmes, and
Council Member/Agency Member/Authority Commissioner Robles

Noes: None
Abstain: None
Absent: None



**ITEM NO. (10) STATUS OF THE APPROVED IMPROVEMENTS TO THE
CONGRESSWOMAN JUANITA MILLENDER-MCDONALD
COMMUNITY CENTER AT CARSON (COMMUNITY SERVICES)**

This item was heard after Item No. 8.

Council Member/Agency Member/Authority Commissioner Davis Holmes asked that improvement items identified in the report be included in the budget workshop as budget items.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor Dear ordered this item received and filed without further objection.

ITEM NO. (12) **CONSIDER AWARDING A 5-YEAR CONTRACT SERVICES AGREEMENT
TO JAY'S CATERING TO PROVIDE EXCLUSIVE CATERING SERVICES
AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD
COMMUNITY CENTER AT CARSON (PUBLIC SERVICES)**

City Manager Biggs summarized the staff report and recommendation and referred to replacement page 20, Exhibit No. 9, Summary of Catering Proposals, of the staff report which replaced pages 20 and 21 that was previously provided to the Mayor, Council, and staff.

Public Comments

Comments in Support of Jay's Catering

The following persons offered comments in support of awarding a 5-year contract services agreement to Jay's Catering:

Harold Williams, 20113 Belshaw, Carson, California 90746

Eulina Morris, 3924 W. 117th Street, Hawthorne, California 90250

Bob Levenson, 211 E. 222nd Street, Carson, California 90745

Frances Cottrell, 19302 S. Cliveden Avenue, Carson, California 90746

Tiny Cook, 17701 S. Avalon, No. 197, Carson, California 90746

Terri Forsythe, 17700 Avalon Boulevard, No. 282, Carson, California 90746

Linda Loaeza, 10581 Garden Grove Boulevard, Garden Grove, California 92843, representing Jay's Catering

Also presented highlights of the Jay's Catering contract.

Mary Lallande, 10581 Garden Grove Boulevard, Garden Grove, California 92843, Marketing Director, Jay's Catering

Also presented the marketing campaign for the wedding venue sites.

Barbara Breiter, 10581 Gardena Grove Boulevard, Garden Grove, California 92843, Controller, Jay's Catering

Also presented the financial aspects of the Jay's Catering contract.

Comments in Opposition of Jay's Catering

The following persons offered comments in opposition of awarding a 5-year contract services agreement to Jay's Catering:

Ronald Shimokaji, 1502 E. Carson Street, Space No. 135, Carson, California 90745

Also stated his concern of the conduct of some members of the City Council and the ethical issues of the integrity of the process and as an appointed official he found it difficult to accept the conduct with the appearance of impropriety; felt that the whole process was tainted.

Vera Robles DeWitt, 21316 S. Avalon, Carson, California 90745

EXHIBIT NO. 03



Also stated her concern that the RFP process appeared to be tainted and unfair on how the process was handled; allegations of corruption made toward staff and improper activity; referred to the Council's actions on January 18, 2011 and June 15, 2011 and urged the Council to consider the original bid and award the catering services contract to Choura Events Catering.

Comments in Support of Choura Events Catering

The following person offered comments in support of Choura Events Catering:

Ryan Choura, owner, Choura Events Catering

Also stated that Choura Events was interested in doing business with the city of Carson and that the process was not fair and was not provided their third Last, Best and Final offer like Jay's Catering and requested that the Council reconsider.

(Council Member Gipson exited the meeting at 9:50 P.M.)

The following issues were discussed:

Upon inquiry, Mr. Choura, Choura Events Catering, stated that he would utilize the kitchen by Community Halls A, B, and C for outside caterers which the city would benefit from additional revenue.

(Council Member Gipson reentered the meeting at 9:51 P.M.)

Upon inquiry, Ms. Loaeza, Jay's Catering, discussed the wedding concept to be implemented at the Congresswoman Juanita Millender-McDonald Community Center.

Upon inquiry, City Manager Biggs stated that the negotiating team included Public Services General Manager Cruz, Administrative Services General Manager Acosta, Community Center Supervisor Ramirez, and Public Information Manager Cruz.

Mayor Dear stated for the record that he took great offense from the speaker who discussed the corruption, accusations, tainted process and improper actions and that the four employees involved were above reproach and were great employees who would never be involved in any way of any type of tainted, illegal, and unethical process.

Council Member Davis-Holmes referred to the wedding garden concept and stated her concern as to why the areas were not used in the past when they have always been there.

Upon inquiry, Ms. Loaeza stated that they did not have the ability or authority to rent the areas and spaces; never been a price point established, never been able to sit with the center management to work with concepts; no training to staff that they were available; referred to the Meditation Garden by City Hall that there was not much to do which was smaller of the three sites and that the other two areas would have to sell those areas and that there were many requests for wedding ceremonies; need to invest money for a vision for the spaces; referred to the Courtyard Plaza Garden to make more of a private space and possibly add fountain and pillars; referred to the International Sculpture Garden area to possibly add stone pavers, etc., to make it easier for the brides to walk on.



Council Member Davis-Holmes stated that Jay's Catering would have to negotiate with city staff and come up with a plan to use the areas, whereupon, Ms. Loaeza discussed further their wedding concept proposal.

Council Member Davis-Holmes inquired that in 2003 the food percentage was 22% and that the Last, Best and Final offer went down to 20%, whereupon, Ms. Loaeza, stated that the main point was to look at the overall financial benefit of their plan and that they need the city to work with them to make huge capital investment into the center. There was money to be spent to develop and ask for consideration to do the higher sales than just banquets, projecting revenue, and that the figures were not correct that were presented.

Upon inquiry, City Attorney Wynder discussed the evaluation and negotiation process.

Upon inquiry, Mr. Choura discussed the ethics, staff, modifications to the event space, how much money to be able to invest in property based on how increase revenues by series of different projects, wedding garden events, infrastructure changes to the building, invest in series of changes of the building, upgrading for corporate clients, charities, submitted numbers with expectation that those numbers would be questioned in a negotiation process and never reached that point and was open to do that, and had 13 sales staff who sell weddings.

Council Member Gipson stated his concern with the issue of ethics, staff, elected officials and requested clarification.

Upon inquiry, Ms. Dewitt stated that allegations cast at staff was by Ms. Loaeza and not by her and referred to the January 18, 2011 meeting tape and felt that there was impropriety with elected officials interfering with professional staff in negotiations which was inappropriate, and that it was inappropriate that the vendor prepares the agenda on the negotiations. She also referred to the August 17, 2011 agenda for negotiations and stated that it was not fair and that elected officials should not be involved in the day to day negotiations when you have professional staff and that there was the appearance of tainted.

Upon inquiry, City Manager Biggs referred to Triangle Page 17, Comparison of Catering Contract Proposals, and clarified that both firms were given a chance to present a Last, Best and Final offer and that there was no third Last, Best, and Final offer from Jay's Catering and that staff took their

Last, Best and Final offer and did their best efforts to negotiate from that position to enhance the deal to the extent that they could across the table with the vendor and that there were some changes from that that resulted in what was recommended in the contract. Staff did their best to assess given the facts given.

Administrative Services General Manager Acosta referred to Triangle Pages 17, 18, and 19, Exhibit No. 8, and discussed the Comparison of Catering Contract Proposals.

Council Member Davis-Holmes inquired about the \$18,000 that was reduced because Jay's Catering agreed to provide Council meals, whereupon, Mr. Choura agreed which was not and clarified that the numbers in the Last, Best and Final offer were numbers seen at the time and would not have seen Jay's Catering Last, Best, and Final offer of \$23,000 only per year and the \$18,000 only per year and



that the \$4,300 estimation would be a great partner and would commit. Furthermore, he agreed to local hiring, utilizing parks for additional revenue in which the city would receive 10% of every invoice, marketing efforts in various publications, and include the community evaluation.

Council Member Santarina requested that the community customer evaluation tool be included in the contract and asked Choura Events Catering and Jay's Catering for their suggestions.

Mr. Choura agreed to the community evaluation tool and discussed their email notification, sitting in committee meetings, personal notes from him, direct emails from him, and suggested other means such as workshops.

(Council Member Davis-Holmes exited the meeting at 10:43 P.M.)

Ms. Breiter, Jay's Catering, discussed their formal evaluation forms which were already in place, that they contact clients themselves, and would be willing to take to a higher level.

(Council Member Davis-Holmes reentered the meeting at 10:46 P.M.)

Mayor Dear stated his concern of the comments made by Ms. DeWitt.

Upon inquiry, Mr. Choura stated that in their Last, Best and Final offer included the capital improvement fund to invest \$100,000 to improve the Community Center.

Ms. Breiter, Jay's Catering, stated that the \$113,000 or more investment capital improvement was to create more revenue generating facility in the first year and that Choura Events Catering's Last, Best and Final offer of the \$100,000 was for over five years and discussed Jay's Catering's \$250,000 in revenue efforts.

Mayor Dear clarified that he did not have an issue with the ethics of staff but had an issue with the process with the committee not looking at all the factors that needed to be looked at to make a professional logical conclusion.

Upon inquiry, City Attorney Wynder clarified that the RFP that went out included an attached contract in which the vendors were told that that were expected to sign unless noted exceptions and that the contract required any successful vendor to feed the Council and the Agency at Council

meetings. Neither vendor in either of their original proposal or their Last, Best and Final proposal took objection to that provision of the contract, therefore, in the City Attorney's perspective, that provision of the contract would have been in whether awarded the contract to either of the two vendors.

Upon request, Mr. Choura stated that Choura Events would pay \$20,000 back to the city.

RECOMMENDATION for the City Council:

1. AWARD a five-year contract services agreement to Jay's Catering to provide exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at



Carson, for the period December 1, 2011, through November 30, 2016, with the option to extend for one additional five-year term.

ACTION: It was moved to Approve a five-year contract services agreement for exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at Carson with Choura Events Catering pending a date in 2012 on motion of Ruiz-Raber and seconded by Davis-Holmes.

Mayor Dear offered a substitute motion to Award a five-year contract services agreement to Jay's Catering to provide exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at Carson, for the period December 1, 2011, through November 30, 2016, with the option to extend for one additional five-year term and seconded by Santarina.

Vote on Substitute Motion

The substitute motion was not carried by the following vote:

Ayes:	Mayor Dear and Council Member Santarina
Noes:	Mayor Pro Tem Ruiz-Raber, Council Member Gipson, and Council Member Davis-Holmes
Abstain:	None
Absent:	None

Vote on Main Motion

The main motion was carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, and Council Member Gipson
Noes:	Council Member Santarina
Abstain:	None
Absent:	None

City Manager Biggs clarified that the motion was to grant the contract in the form provided this evening and update the terms to reflect Choura Events Catering's name and their Last, Best, and Final offer and include City Attorney Wynder's clarification to add the City Council meals for City

Council meetings and would meet with Choura Events Catering for a target transition date after the City Attorney updated the contract.

Council Member Davis-Holmes requested to include the perks for the non-profit groups coming in related to the city functions and with everything existing in the contract.

Mr. Choura agreed to invest \$113,000 or more in the first year at the Congresswoman Juanita Millender-McDonald Community Center.



Council Member Santarina stated his appreciation with Mr. Choura who elaborated on his suggestion of the community evaluation requirement and was assured by the City Attorney that he would include in the contract.

Council Member Davis-Holmes requested that she and Mayor Pro Tem Ruiz-Raber be involved in the interior selections of the paints, carpets, etc.

RECESS: The City Council was Recessed at 11:26 P.M. by Mayor Dear for staff.

RECONVENE: The City Council was Reconvened at 11:49 P.M. by Mayor Dear, with all members previously noted present, for Item No. 9.

