



## Legislation Text

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**File #:** 17-0315, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Stephanie Katsouleas, Public Works Director

Prem Kumar, City Engineer

Gilbert Gamboa, Senior Civil Engineer

**SUBJECT:**

City Council Consideration of the Following Items Related to the Roundhouse: a) Request to Approve the Final Design Elements for the Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project and Receive an Update on the Pier and Roundhouse Building Improvement Project; b) Adopt a Resolution Authorizing the City Manager to Execute the Amended and Restated Cooperation Agreement Between the City of Manhattan Beach, Oceanographic Teaching Stations, Inc., and Harrison Greenberg Memorial Foundation for Improvements to Roundhouse Aquarium (Public Works Director Katsouleas).

**APPROVE FINAL DESIGN, RECEIVE UPDATE AND ADOPT RESOLUTION NO. 17-0103**

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**RECOMMENDATION:**

Staff recommends that City Council:

- a) Approve the proposed final design elements for the Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project and receive an update on the Pier and Roundhouse building improvement project
- b) Approve the Amended and Restated Cooperation Agreement between the City of Manhattan Beach, Oceanographic Teaching Stations, Inc., and Harrison Greenberg Memorial Foundation for improvements to the Roundhouse Aquarium, and authorize the City Manager to execute the agreement.

**FISCAL IMPLICATIONS:**

**Roundhouse Aquarium Improvements**

The proposed aquarium beautification is expected to be primarily funded by the Harrison Greenberg Foundation (Foundation). The Foundation has committed \$1.25 million directly towards the major renovations of the Roundhouse Aquarium and will undertake additional fundraising efforts to meet the total project cost, which could cost as much as \$2.5 million to complete. No City Funds will be expended on the Aquarium improvements, although there will be staff time expended for coordination and oversight as needed.

**Pier and Roundhouse Exterior Improvements**

This facility project is included in the approved Capital Improvement Program. A total of \$1.6 million is available from the State Pier and Parking Funds, as well as Water and Sewer Enterprise Funds.

### **Amended and Restated Cooperative Agreement**

As mentioned above, the proposed aquarium renovation project is expected to be primarily funded by the Harrison Greenberg Memorial Foundation (Foundation). The City previously committed \$150,000 of City funds toward the improvements, which are now, through this amended agreement, being reallocated to design and project management support rather than construction oversight and management. No additional funding is being requested.

### **EXECUTIVE SUMMARY**

The Pier and Roundhouse are state facilities which have been managed and maintained by the City of Manhattan Beach for decades through a cooperative agreement. OTS, as a tenant of the Roundhouse, has operated an aquarium there for more than 20 years. The aquarium has been enjoyed by the community as well as countless students who have come to learn about marine life and species. However, due to the intense exposure to the marine environment, both the Pier and Roundhouse building are in need of renovation and repair. Likewise, through a partnership with OTS and the Harrison Greenberg Memorial Foundation, interior improvements to the aquarium, which are now in the final design stage, will transform the aquarium into a new, state-of-the-art facility to be enjoyed by patrons for years to come.

This staff report and associated presentation provide an update on the status of the pier improvements, an overview of the proposed final design elements of the aquarium improvements, and a recommendation to update the Cooperative Agreement between the City, OTS and Foundation for those improvements, which are anticipated to begin in January, 2018.

### **BACKGROUND:**

#### **Pier and Roundhouse Aquarium Improvements**

A Citywide Facility Assessment Study (FSA) of the Pier, Pier Roundhouse and Pier Comfort Station was completed in 2013. The FSA indicated that these pier facilities had deteriorated due to exposure to the marine environment and heavy community and visitor use and were in need of rehabilitation. The last major renovations done to the Pier Roundhouse and Pier Comfort Station were performed in 2002.

On April 7, 2015, City Council approved a consultant agreement with Nonzero\architecture for architectural and engineering design services for the rehabilitation of the Pier, Roundhouse and beachside Comfort Station. When the design drawings for the rehabilitation of the Pier, Pier Roundhouse and Pier Comfort Station were partially complete, Mr. Michael Greenberg proposed to make a major investment to fully renovate the existing Roundhouse Aquarium in honor of his late son, Harrison Greenberg, who had a deep love for the ocean, marine life, and the City of Manhattan Beach. Due to the nature of this proposal and the pier work proposed, staff bifurcated the pier renovations from the Comfort Station renovations and proceeded with completion the Comfort Station work in June, 2016. Implementation of remaining pier improvements would then be coordinated with the aquarium renovations in order to minimize pier access and construction impacts on the community.

On July 19, 2016, City Council approved a Cooperative Agreement between City of Manhattan Beach, the Oceanographic Teaching Station (OTS) and the Foundation for the Roundhouse

Aquarium Beautification Project. In this Cooperative Agreement, the Foundation pledged \$1.25 million towards the project and committed to undertake additional fundraising efforts. The Cooperative Agreement also includes a commitment from the City to contribute \$150,000 towards the Roundhouse Aquarium renovations and an additional \$100,000 for in-kind staff time to the overall project. Under the terms of the Cooperative Agreement, the three parties also agreed to engage the services of a project manager to oversee design development and construction of the Roundhouse Aquarium Project. Project Manager responsibilities were awarded to Anderson Penna Partners at the August 16, 2016 City Council meeting. Please note, however, that City staff will continue to project manage the Pier utilities and Roundhouse building exterior improvements, which are not part of the Agreement.

On February 21, 2017, City Council approved a consultant agreement with Cambridge Seven Architects (C7A) for design services for the aquarium renovations and a contract amendment with Nonzero\architecture for additional professional services in order to coordinate with C7A for architectural, structural, mechanical, electrical and plumbing design which interface with both projects. A design kickoff workshop was conducted on March 7-9, 2017. Subsequent design workshops and City Council ad-hoc subcommittee meetings have been held each month thereafter with representatives of the City, OTS and the Foundation.

On May 16, 2017, the preliminary designs for the Pier improvements and the Roundhouse Aquarium renovation were presented to the public and approved by City Council. Outreach for this project included notifications through the City's website, social media and through articles included in several local newspapers. The approved conceptual design incorporated the City's determination that the best use of the Roundhouse interior would be to optimize the aquarium design by removing the existing small concession space and relocating the main entrance to the east side of the Roundhouse in alignment with the Pier. Since that time, C7A has finalized the aquarium design which is being presented at this council meeting.

### **Amended and Restated Agreement**

The State of California owns the Manhattan Beach Pier. Pursuant to an operating agreement with the State, the City has management responsibility for the Pier, including the Roundhouse aquarium building. The aquarium itself is currently operated by Oceanographic Teaching Stations (OTS) through an agreement with the City. OTS is a non-profit corporation comprised of volunteers and a few staff members who all contribute to maintain the health and safety of the marine animals under their care and also teach numerous classes involving hundreds of students each year.

On July 19, 2016, City Council approved a tri-party Cooperation Agreement between City of Manhattan Beach, OTS and the Foundation to fund, manage, design and construct improvements to the aquarium and its operations, now called the Roundhouse Aquarium Beautification Project. Since that time, it was determined that OTS and the Foundation would assume full responsibility for the aquarium improvements as a tenant improvement, including procurement, construction, construction management, etc. This transition necessitates a change to the tri-party Cooperative Agreement to memorialize the modified responsibilities of each party.

### **DISCUSSION:**

#### **Pier and Roundhouse Aquarium Design**

The Harrison Greenberg Foundation Roundhouse Aquarium Beautification Project will ultimately enhance the experience students and the public have enjoyed for four decades. The project work

includes a complete interior remodel and reconfiguration of the aquarium along with two upgraded, public access restrooms. The project also will enhance the architecture and exhibit designs, and provide interactive elements. A presentation on the final proposed aquarium design is attached to this staff report.

Additionally, the existing Roundhouse building exterior maintenance improvements performed by the City will be consistent with the existing architectural character and design of the building, and serve to upgrade only those building elements that are in need of repair due to deteriorating conditions. The summary list of Pier utilities and Roundhouse exterior improvements include:

1. Replacement of potable water, fire protection and sanitary sewer pipelines
2. Replacement of the sanitary sewer sump pump
3. Installation of two fish cleaning sink stations at west end of the pier
4. Installation of a life ring cabinet on the Pier
5. Installation of communication services for security and emergency telephone system
6. Replacement of wiring for electrical power utility
7. Replacement of the Roundhouse mission tile roof and cupola
8. Replacement of all exterior doors, windows, shutters, louvers and vents
9. Installation of rain gutter across Roundhouse building main entrance
10. Repairs to stucco and paint exterior walls with anti-graffiti coating

During construction of both the Pier and aquarium improvements, a smaller, temporary aquarium at the base of the pier adjacent to the south parking lot will be in operation. Temporary housing for remaining aquarium animals will be provided at other nearby aquaria. Construction phasing will be implemented to allow limited public/fishing access to the pier during renovations.

The attached Power Point and Roundhouse Fly-Through Video Presentation (weblink provided) further illustrates the proposed improvements.

### **Approvals and Permits for Pier and Roundhouse Aquarium Improvements**

Concurrently with the preparation of final design and construction documents, the project team is following formal application procedures and coordinating with outside agencies to ensure all federal, state and local requirements pertaining to the improvements are satisfied. These necessary governmental and regulatory approvals include:

- State of California, Department of Parks and Recreation
- California Coastal Commission
- US Army Corps of Engineers
- Los Angeles Regional Water Quality Control Board
- Los Angeles County Department of Beaches and Harbor

A Coastal Development Permit project application package was submitted to the California Coastal Commission (CCC) on April 24, 2017 with an anticipated public hearing date in September, 2017. A notice of incomplete application from the CCC was received on May 31, 2017 and the City's response was submitted on June 9, 2017. Subsequently, representatives of the City's project team attended a meeting on June 14, 2017 with CCC staff to discuss the project application. CCC staff expressed great interest and appreciation for the project.

## **Project Timeline**

It is anticipated that the bidding phase for both the Pier and aquarium improvements will be completed between September-October, 2017 and the construction phases will be underway between January-May, 2018. Collectively, the improvements listed above both enhance the pier complex for user groups while ensuring that the look and feel of the Roundhouse is preserved.

Staff recommends that City Council approve the proposed final aquarium design elements presented herein so that staff and (C7A) can finalize plans and specifications and subsequently begin the construction contract procurement phase. As a tenant improvement, the proposed Roundhouse aquarium interior renovations will be administered by OTS and the Foundation through private contract(s) separate from the City's Pier utility and Roundhouse exterior capital improvements that will occur at the same time.

## **Amended and Restated Cooperative Agreement**

As stated above, the original agreement anticipated that the City would manage and oversee both design and construction of the Roundhouse aquarium renovation project in addition to other pier improvements. However, the City, OTS and the Foundation now desire to amend and restate the original agreement to allow the Foundation to complete the interior aquarium renovations directly in partnership with the operator, OTS, without City support and administration.

City staff, OTS, and the Foundation have agreed to the terms outlined in the attached amended and restated cooperation agreement, which outlines the roles and responsibilities of each party. In summary, the following list highlights the major elements of the amended and restated cooperation agreement:

- Foundation has pledged a minimum of \$1.25 million towards the project and committed to undertaking fundraising efforts to meet the total expected project costs.
- City has pledged to reallocate \$150,000 to design and other soft costs (this item amended from the original agreement).
- City has pledged an additional \$100,000 for in-kind services including, but not limited to staff time for permitting, plan check and inspection services.
- City is the lead in the procurement of professional project management and design services with input from OTS and the Foundation, which is already underway.
- Foundation shall carry out the Roundhouse aquarium interior renovation improvements, including executing and managing all construction contracts, contractors and vendors, with input from OTS and approval from the City as the manager of the property (this item amended from the original agreement).
- Prior to the City entering into any contracts, the Foundation shall deposit sufficient funds with the City for project management, design and other necessary professional services; this has already occurred.
- City shall establish a separate fund for the Roundhouse aquarium renovation project management and design services; this has already occurred.
- Foundation shall fund the balance of the costs necessary to complete construction of the Roundhouse aquarium renovation project, including providing a 20% contingency amount once a final design and cost estimates have been approved by Foundation, OTS and the City.
- Funding for the project will be used to pay for preservation of the animal specimens and for

temporary facilities to allow continued aquarium and teaching operations during construction.

- City will be responsible for obtaining all necessary obtaining all governmental and regulatory approvals for the Roundhouse aquarium renovation project.
- All construction work shall continue to comply with prevailing wage and other applicable provisions of the California Labor Code and related regulations (this item amended from the original agreement in that Foundation is now the responsible party for labor compliance).
- City approved indemnification and insurance provisions shall be carried out in all construction contracts let by the Foundation for the renovation project (this item amended from the original agreement).
- OTS to operate and maintain Roundhouse aquarium after construction completion to a standard acceptable to City.
- No additional signage to the exterior of the Roundhouse will be added, other than signage approved by City.
- A memorial recognizing the contributions of Foundation shall remain displayed in the Roundhouse so long as the Roundhouse Aquarium remains in operation.

#### **PUBLIC OUTREACH/INTEREST:**

There has been and will continue to be periodic presentations to City Council to provide status updates on the project. A project focused webpage is also available on the City's website. The community will be invited to review the information and provide comments through social media outreach.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1(d) categorical exemption pursuant to Section 15301 of the State CEQA Guidelines. A Notice of Exemption was filed with the Los Angeles County Clerk's office for the project.

#### **LEGAL REVIEW:**

The City Attorney has reviewed this report and provided the legal review and analysis necessary for Council consideration of the attached Amended and Restated Cooperation Agreement.

#### **Attachments:**

1. HGFRAB Project Presentation Lead-In Video (Web-Link Provided)
2. PowerPoint Presentation
3. Roundhouse Aquarium Fly-Through 3D Design Video (Web-Link Provided)
4. Resolution No. 17-0103
5. Roundhouse Aquarium Amended and Restated Cooperation Agreement