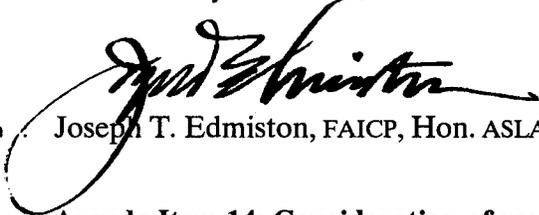


Memorandum

To : The Conservancy
The Advisory Committee

Date: October 22, 2007

From : 
Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director

Subject: **Agenda Item 14: Consideration of resolution assigning the Mountains Restoration Trust, a non-profit organization, as the Conservancy's designee to implement Los Angeles County Regional Park and Open Space District Project Agreement No. 58A1-94-0132 to acquire properties in Escondido Canyon, Malibu.**

Staff Recommendation: That the Conservancy adopt the attached resolution assigning the Mountains Restoration Trust, a non-profit organization, as the Conservancy's designee to implement Los Angeles County Regional Park and Open Space District Project Agreement No. 58A1-94-0132 to acquire properties in Escondido Canyon, Malibu.

Legislative Authority: Section 33204.2(a) and 33204.27(a) of the Public Resources Code.

Background: The subject grant agreement between the Conservancy and the District is from the 1992 Prop A bond, section 8(c)(3). The approved scope of work is acquisition of a 115-acre parcel in Escondido Canyon, and People for Parks was designated to carry out the acquisition. On September 20, 1993 and March 7, 1994, the Board passed resolutions authorizing the grant to People for Parks. People for Parks completed pre-acquisition work, but the specified 115-acre parcel was actually acquired with other funds in 1997. The remaining funds in the amount of \$200,295.00 may only be used for grants to non-profit organizations.

The project agreement will be amended to designate Mountains Restoration Trust, and to specify additional parcels in Escondido Canyon for acquisition. These parcels will overlay with the Coastal Slope Trail parcels that the Conservancy is pursuing in Escondido Canyon.

The Mountains Restoration Trust (MRT) is committed to preserving, protecting and enhancing the natural resources of the Santa Monica Mountains. MRT accomplishes this by working in several areas: land acquisition, cooperative planning, restoration, and offering education, and recreation programs. MRT is a California Public Benefit Nonprofit Organization and recognized as a 501(c)(3) organization by the IRS.

SMMC
ATTACHMENT
9/22/08
ITEM 14

October 22, 2007; Agenda Item No. 14

Resolution No. 07-100

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY ASSIGNING THE
MOUNTAINS RESTORATION TRUST, A NON-PROFIT ORGANIZATION, AS THE
CONSERVANCY'S DESIGNEE TO IMPLEMENT LOS ANGELES COUNTY
REGIONAL PARK AND OPEN SPACE DISTRICT PROJECT
AGREEMENT NO. 58A1-94-0132 TO ACQUIRE
PROPERTIES IN ESCONDIDO CANYON,
MALIBU

WHEREAS, the people of the County of Los Angeles on November 3, 1992, and on November 5, 1996 enacted Los Angeles County Proposition A, Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beach and Wildlife Protection (the Propositions), which among other uses, provides funds to public agencies and nonprofit organizations in the County for the purpose of acquiring and developing land and rights-of-way for walking, hiking, horse, bicycle, and handicapped access trails; and

WHEREAS, the Propositions also created the Los Angeles County Regional Park and Open Space District (the District) to administer said funds; and

WHEREAS, the District has set forth the necessary procedures governing application for grant funds under the Propositions; and

WHEREAS, Section 8.a.3.A has allocated funds for the acquisition and development of land and rights-of-way for walking, hiking, horse, bicycle and handicapped access trails; and

WHEREAS, the Santa Monica Mountains Conservancy was awarded funds in the Proposition for Trails Acquisition and Development in the Competitive Grants section of the Proposition (Section 11(h)); and

WHEREAS, the Santa Monica Mountains Conservancy is authorized to award grants to nonprofit organizations qualified as exempt under Section 501(c)(3) of the Internal Revenue Code of 1954, pursuant to Section 33204.2 of the Public Resources Code; and

WHEREAS, Mountains Restoration Trust is a nonprofit organization qualified as exempt under Section 501(c)(3) of the Internal Revenue Code of 1954; and

WHEREAS, the Santa Monica Mountains Conservancy will enter into an agreement with Mountains Restoration Trust to perform the above project; and

WHEREAS, the District's procedures require the Applicant to certify, by resolution, the approval of the application before submission of said application(s) to the District; and

WHEREAS, any applicant selected for a grant award will be required to enter into an Agreement with the District for the performance of the project as described in the application; and

WHEREAS, said Agreement will contain assurances that the Applicant must comply with, including an assurance to provide any additional funds that may be required to complete the project if the grant funds are insufficient and an assurance to maintain the property in perpetuity; and

WHEREAS, the project meets the relevant criteria set forth in the Proposition, including but not limited to, the fact that this project does not involve a potential landfill site; and

WHEREAS, The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA); Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan.
2. FINDS that the proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA).
3. FINDS that assigning the subject funding to Mountains Restoration Trust for acquisition of Escondido Canyon parcels as more specifically described in the staff report dated October 22, 2007 meets the requirements for funding under the terms and conditions of the Proposition, including that the property is not a designated landfill site.
4. ADOPTS the staff report and recommendation dated October 22, 2007.
5. APPROVES the filing of an application with the Los Angeles County Regional Park and Open Space District for funds allocated under Section 8.c.3 of the Proposition for the above-named Project.
6. CERTIFIES that it will be required to provide additional funding for the above-named Project if the requested grant funds are insufficient to complete said Project.

7. CERTIFIES that it has, or will have, sufficient funds to operate and maintain the property(s) in perpetuity.
8. AUTHORIZES the Executive Director to award a grant to Mountains Restoration Trust, a non-profit organization, for an amount not to exceed \$200,295, and in accordance with Division 23 of the Public Resources Code, to take such steps as are necessary to execute and implement the grant agreements.
9. APPOINTS the Executive Director or his designee as agent of the Santa Monica Mountains Conservancy to conduct all negotiations, and to execute and submit all documents including, but not limited to, applications, amendments, payment requests and so forth, which may be necessary for the completion of the aforementioned Project.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 22nd day of October, 2007 at Pacific Palisades, California.

Dated:

Executive Director