

September 22, 2008; Agenda Item No. 14

Resolution No. 08-68

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY AMENDING RESOLUTION NO. 07-100 TO FURTHER ASSIGN THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY TO BE THE CONSERVANCY'S DESIGNEE TO IMPLEMENT LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT PROJECT AGREEMENT NO. 58A1-94-0132 TO ACQUIRE PROPERTY WITHIN THE ESCONDIDO CANYON WATERSHED, SANTA MONICA MOUNTAINS, 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 local districts for the purpose of acquiring sites identified as necessary for park, recreation, or conservation purposes and for the development of essential related public pursuant to Section 33204(c) of the Public Resources Code; 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 either the Mountains Recreation and Conservation Authority or the 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, 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 and project to either the Mountains Recreation and Conservation Authority or the Mountains Restoration Trust for acquisition of Escondido Canyon parcels as more specifically described in the staff report dated September 22, 2008 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 September 22, 2008.
5. 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.

6. AMENDS Resolution No. 07-100 to authorize the Executive Director to enter into an agreement with, and/or assign, either the Mountains Recreation and Conservation Authority or the Mountains Restoration Trust, a non-profit organization, the ability to expend the remaining \$200,295, or the full project balance (which ever is greater) in Project Agreement No. 58A1-94-0132 to acquire properties within Escondido Canyon.
7. 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, agreements, 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 22<sup>nd</sup> day of September, 2008 at Thousand Oaks, California.

Dated:

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Executive Director