

Memorandum

To : The Conservancy
The Advisory Committee

Date: December 11, 2017

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

Subject: **Agenda Item 20: Consideration of resolution authorizing a grant of Proposition 40 funds to the Mountains Recreation and Conservation Authority for Temescal Gateway Park improvements, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 40 funds to the Mountains Recreation and Conservation Authority for Temescal Gateway Park Improvements in the amount of \$350,000, City of Los Angeles.

Legislative Authority: Sections 33204.2 and 33204.27 of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached grant application for capital improvements to Temescal Gateway Park. Temescal Gateway Park, owned by the Conservancy, is one of the most popular parks in the Santa Monica Mountains. It encompasses 141 acres of oak and sycamore canyons, ridge top views, and access to trails in Topanga State Park, and Will Rogers State Historic Park. Park amenities include trails, picnic areas, open outdoor areas, restrooms, meeting rooms, an auditorium and classrooms. Stewart Hall and Elizabeth A. Cheadle Hall are frequently used for both public and private special events, as are the classrooms, cabins, and bungalows. The park also contains several structures that are used as residences for park staff. The demand for all of these uses continues to grow.

The MRCA is now proposing a targeted investment in the park's infrastructure and a few of the buildings to lengthen their lifespan and increase usability. These improvements will enhance the utility and safety of the existing park and will contribute to a more enjoyable user experience. Elements to be rehabilitated or restored include flooring in both Elizabeth A. Cheadle Hall and Stewart Hall, various improvements to park residences, expansion of data service lines to the parking lots, and minor accessibility improvements to pedestrian pathways. The building formerly used as a pool house has been recently identified as suitable for conversion to an additional park staff residence. Once completed, MRCA may assign it to one of their sworn peace officers as a residence. The requested grant would fund planning and construction of these improvements.

These improvements will enhance the utility and safety of the existing park and will contribute

to a more enjoyable user experience. The improvements will restore, protect, and preserve the natural and developed resources of the site.

Analysis - Proposition 40

The Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) allocated \$40 million to the Santa Monica Mountains Conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources in accordance with the Conservancy Act. The California Attorney General has previously advised the Conservancy that Proposition 40 bond proceeds may be used for preservation which, as defined in the bond act, includes interpretation, protection, rehabilitation, restoration, stabilization, development or reconstruction. Proposition 40 also defines “development” to include “improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.” In the General Provisions of the Proposition, the Legislature declared that “to maintain a high quality of life for California’s growing population requires a continuing investment in parks, recreation facilities, and in the protection of the state’s natural and historical resources.” Proposition 40 bond proceeds may also be used to pay costs that are incidentally but directly related to the acquisition, development, rehabilitation, restoration or protection of a capital asset.

As outlined in the application, the proposed project is consistent with Proposition 40. The activities to be planned are all development, stabilization, rehabilitation, restoration, and protection of land and water resources, and once completed, the property will continue to be used as a recreational facility. The capital improvements to be planned will enhance the useful life of park facilities, provide improved and enhanced public access to parkland, and/or are major maintenance projects that ordinarily not be done more often than every five to fifteen years. This project will enable MRCA to provide a continuing investment in parks and recreation facilities within the Santa Monica Mountains, available to visitors from and the surrounding region.

The proposed project site is located within the Santa Monica Mountains Zone, as defined in the Conservancy Act. The Conservancy Act declares that the Santa Monica Mountains Zone is a unique and valuable resource that should be held in trust for the public and that the preservation and protection of this resource is in the public interest.

Analysis - General Obligation Bond Law

The General Obligation Bond Law provides that bond funds may be used for the construction and acquisition of “capital assets.” Capital assets include major maintenance, reconstruction, demolition for purposes of reconstruction of facilities, and retrofitting work that is ordinarily

done no more often than once every 5 to 15 years or expenditures that continue or enhance the useful life of the capital asset (Government Code Section 16727 (a)). Capital assets also includes equipment with an expected useful life of two years or more, and tangible physical property with an expected useful life of 10 to 15 years. Section 16727 (a) also allows bond funds to be used for costs that are incidentally but directly related to construction or acquisition including costs for planning, engineering and other design work.

The activities that MRCA proposes to fund with this grant constitute planning of a land improvement project to protect land and water resources, protect and restore rivers, lakes and streams, their watersheds and associated land, water and other natural resources. Thus, the proposed activities fall within the definition of “capital assets” or are incidentally but directly related to acquisition or construction, and therefore are proper under the General Obligation Bond Law.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$350,000 of Proposition 40 funds.