

Memorandum

To : The Conservancy
The Advisory Committee

Date: May 21, 2018

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

Subject: **Agenda Item 15: Consideration of resolution authorizing a grant of Proposition 1 funds to the Mountains Recreation and Conservation Authority for water capture and other improvements at the Caballero Creek Park project, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 1 funds to the Mountains Recreation and Conservation Authority for water capture and other improvements at the Caballero Creek Park project, in the amount of \$2,000,000, City of Los Angeles.

Legislative Authority: Sections 33204.2 and 33204.27 of the Public Resources Code; and Section 79735(a) of the Water Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted a grant application for water capture and other improvements at the Caballero Creek Park project. The project will convert a 1.6 acre parcel owned by the City of Los Angeles located adjacent to the confluence of the Caballero Creek and the Los Angeles River into a multi-benefit park. The project is a partnership between MRCA, City of Los Angeles, and the County of Los Angeles. Once completed, the park will be owned and operated by the City of Los Angeles.

In 2012, the project received Conservancy Proposition 84 funds for project planning and design. The MRCA has also received competitive grants from the Natural Resources Agency's Urban Greening Program, the State Coastal Conservancy and Los Angeles County Proposition A for implementation of the project, and the City of Los Angeles has also earmarked a contribution. The park will feature a constructed wetland that treats dry weather flows from Caballero Creek and a catch basin on Lindley Avenue, and then circulates the treated water through a habitat bioswale. Any water that is not absorbed in the bioswale will be stored in a cistern for irrigation use. Although some potable water will still be needed for a drinking fountain and backup purposes, the wetland-bioswale-cistern system is intended to make the park a "net zero" water user. The cost of building all of the system's necessary components (pumps, cistern, pipes, secured enclosure, debris filters, photovoltaic light, drainage elements, vaults, maintenance access, etc.) exceeds the available funding, and the requested grant will ensure that all of these watershed protection components can be included.

The project achieves multiple purposes of Proposition 1 by achieving multiple benefits including recreation, water quality enhancements, native habitat, reduction of green house gases, stormwater management, and interpretation. The park's location is adjacent to a disadvantaged neighborhood as defined by the CalEnviroScreen mapping tool.

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 acquisition of a capital asset, as well as 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.

Scoring - Competitive Grant Program

Please see the attached Proposition 1 grant application from the Mountains Recreation and Conservation Authority for a detailed description. Scoring under the Conservancy's Proposition 1 Guidelines results in the Caballero Creek Park project receiving 133 points (out of a possible 149 (105 minimum required); plus 15 out of 18 climate change value points, plus 20 out of 25 possible points under Additional Criteria. Total points: 168 (out of possible 192).

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$2,000,000 of Proposition 1 funds.