

Memorandum

To : The Conservancy
The Advisory Committee

Date: July 26, 2010

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

Subject: **Agenda Item 13: Consideration of resolution authorizing the City of Los Angeles to expend funds from the Santa Monica Mountains Conservancy Trust Fund to assist the Mountains Recreation and Conservation Authority's acquisition of APNs 5565-003-036, 037, 038, 039, 040 and 041, located at the southwest corner of Laurel Canyon Boulevard and Mulholland Drive.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing the City of Los Angeles to expend funds from the Santa Monica Mountains Conservancy Trust Fund to assist the Mountains Recreation and Conservation Authority's acquisition of APNs 5565-003-036, 037, 038, 039, 040 and 041, located at the southwest corner of Laurel Canyon Boulevard and Mulholland Drive.

Legislative Authority: Sections 33211(c) of the Public Resources Code and Section 6500 *et seq.* of the Government Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has had six parcels located at the southwest corner of Laurel Canyon Boulevard and Mulholland Drive under option since December 2007. The parcels contribute to a wildlife corridor across Laurel Canyon Boulevard eventually to Griffith Park and to the openness of the Mulholland Scenic Parkway. If the parcels (approximately six acres) are acquired, the MRCA plans to connect the property via trail to the Laurel Canyon Community park and to restore native vegetation. The parcels form the northern gateway to Laurel Canyon, contain a year-round spring, and feature lots of flat usable terrain.

To date the City of Los Angeles has invested over \$115,000 and the MRCA has invested \$275,000 of its Benefit Assessment District funds. Approximately 300 individuals have contributed over \$150,000. An attached figure shows the permanent conservation easement areas on three of six lots that this funding has irreversibly secured to date.

The MRCA has structured the deal with the seller to make a \$750,000 payment to secure fee title to one lot (see attached figure) and cover all accrued interest and substantial principal through January 2011. In February 2010 City Councilmembers Paul Koretz and Tom LaBonge put forward a motion for a transaction with the MRCA that would result in the MRCA acquiring 80 City surplus properties in Benedict and Beverly Glen Canyons and the City applying \$750,000 of the sale proceeds to make the subject payment. Initially the acquisition track through the City would have had the \$750,000 transferred directly into the MRCA's escrow on the Laurel

Canyon properties. However in the last three weeks, the City Attorney's office has opined that the funding must first go into the Santa Monica Mountains Conservancy Trust Fund. The Santa Monica Mountains Conservancy Trust Fund (Trust Fund) was created by the City in 1987 as a result of residual funds resulting from the Conservancy's funding the acquisition of Runyon Canyon Park in the eastern Santa Monica Mountains. It has not contained funding for over a decade.

The City of Los Angeles Administrative Code includes the following language on the Trust Fund:

Sec. 5.121.2. Santa Monica Mountains Conservancy Trust Fund.

2. The Santa Monica Mountains Conservancy Trust Fund is hereby created. Net proceeds from the sale of parcels of real property owned by the City of Los Angeles and located in the Santa Monica Mountains, as that term is defined in California Public Resources Code Section 33105, maybe deposited in said fund if the City Council of the City of Los Angeles so designates in the Ordinance, order or resolution authorizing such sale. Other funds may be deposited therein in the discretion of the City Council. The funds in the Santa Monica Mountains Conservancy Trust Fund are to be used for open space conservation purposes within said Santa Monica Mountains, subject to the agreement of both the Council of the City of Los Angeles and the Santa Monica Mountains Conservancy or their respective successors.

SECTION HISTORY

Added by Ord. No. 161,906, Eff. 2-22-87.

The Laurel Canyon and Mulholland properties definitely meet the requirements of the Trust Fund and represent an acquisition with great public benefit. The subject \$750,000 in funding would only enter the Trust Fund if the City Council has approved the Beverly Glen-Benedict Canyon land sale to the MRCA and use of the Trust Fund for the Laurel Canyon and Mulholland \$750,000 payment. In other words, no other specific project would go unfunded by the use of this money for Laurel Canyon and Mulholland. The proposed action would represent the Conservancy's consent for the City to apply these funds to that transaction. Most likely this Laurel Canyon acquisition will die if the \$750,000 payment is not made this summer. The MRCA and active community members hope to use the remainder of 2010 to find a large donor seeking naming and signage rights to the park. City of Los Angeles DOT records from 2008 show that the intersection hosts almost 18,000,000 vehicle trips annually. The motion should be heard by a City Council committee on July 27th on soon thereafter.