

Memorandum

To : The Conservancy
The Advisory Committee

Date: May 23, 2011

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

Subject: **Agenda Item 16: Consideration of resolution authorizing a grant to the Mountains Recreation and Conservation Authority for improvements to the Los Angeles River Center and Gardens, Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant in the amount of \$750,000 to the Mountains Recreation and Conservation Authority for improvements to the Los Angeles River Center and Gardens, Los Angeles.

Legislative Authority: Sections 33204(c), 33204.2, 33204.27, and 75050(g)(2) of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted an application for Proposition 84 grant funding for planning and construction of restoration and improvements to the Los Angeles River Center and Gardens (River Center) in the City of Los Angeles. Since opening in March 2000, the River Center has proved to be an extremely popular location for a variety of activities. In June 2003, the Conservancy granted Proposition 40 funds to MRCA for improvements to the River Center. Those funds were used for a number of improvements including upgraded irrigation, specimen plant care, additional site furnishings, fire monitoring systems, water feature care, and replacement of one roof and one HVAC system.

Before acquisition in 1998, the buildings and grounds had been vacant for over seven years, and many deferred maintenance problems developed. Since then, all funds available for capital improvements were used for the most critical projects necessary to keep the property open to the public and operating. In order to serve a greater number of users and maintain the current level of service, additional capital improvements are necessary to the buildings, grounds, and infrastructure.

Some of the improvements that are needed include new roofing for four buildings, replacement of aging and failing HVAC systems for at least two buildings, replacement of worn finishes, stabilization of courtyard elements, more efficient lighting systems, and accessibility improvements. Improved audio/visual systems in the meeting spaces are also desired to better serve the public. These proposed improvements will serve to protect the facilities so that they can continue to be used for public enjoyment.

Analysis: The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocated funds to the Santa Monica Mountains Conservancy in Chapter 5, 75050(g)(2) of the Public Resources Code, for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water and other natural resources and the implementation of watershed protection activities throughout the watershed of the Upper Los Angeles River pursuant to Section 79508 of the Water Code.

Chapter 1, Section 75005 of Proposition 84 defines the following terms:

(f) "Development" includes, but is not limited to, the physical improvement of real property including the construction of facilities or structures.

(l) "Preservation" means rehabilitation, stabilization, restoration, development and reconstruction, or any combination of those activities.

(m) "Protection" means those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation.

(n) "Restoration" means the improvement of physical structures or facilities. . .Restoration projects shall include the planning, monitoring and reporting necessary to ensure successful implementation of the project objectives.

The Los Angeles River Center Improvements project is within the Los Angeles River watershed. As outlined in the MRCA's application, staff finds the proposed project consistent with Proposition 84's policy to promote the access to and enjoyment of land and water resources. All of the activities planned under this grant can be considered development, preservation, protection, or restoration for purposes of Proposition 84 because they physically improve the lands being used for the park.

All elements of the project fit within the definitions of eligible activities (development, preservation, protection, restoration). Rehabilitation and stabilization of the building roofs, HVAC systems, and courtyards, upgraded interior lighting and audio/visual systems, and improvements to accessibility will all result in the protection of the property and its resources, and are necessary to allow the continued use and enjoyment of the site. The definition of restoration specifically includes planning as an eligible activity.

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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. Capital assets also includes equipment with an expected useful life of two years or more.

This project is for the development of a capital asset, that is, a land and water resource in the Los Angeles River watershed. As such, it is a proper expenditure of bond funds. In addition, the activities that this grant will fund will enhance the useful life of the facilities and on that basis as well qualify as capital assets for purposes of the General Obligation Bond Law.

Consideration: The amount of the requested grant is \$750,000.