

Memorandum

To : The Conservancy
The Advisory Committee

Date: February 25, 2013

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

Subject: **Agenda Item 17: Consideration of resolution authorizing (a) acceptance of proceeds from the Estate of Edith Carrillo for the acquisition of public parkland and (b) entering into an agreement with the Mountains Recreation and Conservation Authority to complete the acquisition and take title to the property.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing (a) acceptance of proceeds from the Estate of Edith Carrillo for the acquisition of public parkland and (b) entering into an agreement with the Mountains Recreation and Conservation Authority to complete the acquisition and take title to the property.

Legislative Authority: Sections 33211(a) and 33204.27(a) of the Public Resources Code.

Background: Upon her death in 1953, Edith Carrillo, the wife of actor and conservationist Leo Carrillo, established a testamentary trust for the benefit of her husband and other heirs. The trust recently terminated upon the death of her last heir.

At Ms. Carrillo's direction, after the death of her last heir, the assets of the trust were to be distributed to the State of California to be used to acquire public parkland. Ms. Carrillo also expressed a preference that the parkland to be acquired be in the vicinity of Santa Monica and that it be named "The Leo A. Carrillo and Edith Carrillo Memorial Park." The trust funds are currently held by the Charitable Trusts Section of the State of California Department of Justice.

Conservancy staff was recently approached by the Attorney General's office about the possibility of using the proceeds of the trust to acquire property for public park purposes. Staff has since identified several potential acquisitions in the coastal areas of the Santa Monica Mountains that would satisfy the requirements and preferences expressed by Ms. Carrillo.

The Supervising Deputy Attorney General administering the trust's assets requested that the Conservancy adopt a resolution authorizing accepting the funds to acquire property suitable for a public park in the Santa Monica area or the Santa Monica Mountains and committing to naming the property as requested. The attached resolution will satisfy these requests.

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The resolution will also authorize entering into an agreement with the Mountains Recreation and Conservation Authority (MRCA) for the acquisition of the proposed park and requiring the MRCA to adhere to the conditions outlined herein. Said agreement will be subject to approval by the Governing Board of the MRCA. When the Conservancy and MRCA identify and negotiate an acquisition of suitable property, the two agencies will provide property information to the Supervising Deputy Attorney General who will have the funds disbursed directly into escrow.

Staff will provide regular updates on the status of potential acquisitions made possible by Ms. Carrillo's trust.