

# Memorandum

To : The Conservancy  
The Advisory Committee

Date: April 29, 2013

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

Subject: **Agenda Item 15: Consideration of resolution authorizing entering into a license agreement for the operation of a nursery on a portion of La Tuna Canyon Park, Verdugo Hills.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing entering into a license agreement for the operation of a nursery on a portion of La Tuna Canyon Park, Verdugo Hills.

Legislative Authority: Public Resources Code Section 33211.5(d)(2):

Notwithstanding any other law, ordinance, rule, or regulation, the conservancy may exercise its discretion in determining whether to authorize any license, permit for special use, easement, project, activity, or other entitlement to be undertaken by the conservancy or its agents, for the use of conservancy owned or managed land.

Background: Was recently notified by the Mountains Recreation and Conservation Authority (MRCA) that a nursery operation was doing business on a small portion of Conservancy owned parkland, known as the La Tuna Canyon Park (Subject APN: 2572-026-902).

The portion of the property in question is degraded property separated from the bulk of La Tuna Canyon Park by public roads. It appears that the expansion of an existing nursery operation on private land onto Conservancy land was on a mistaken assumption regarding ownership of the property. There currently do not appear to be any negative impacts to the property in question from the operation of the nursery.

Staff requests authorization to enter into a revokable license agreement with the nursery owner for the continued operation of this business. Staff has researched lease rates that would be comparable with the uses proposed hereunder upon which the fee for this license would be based, with appropriate adjustments. Any revenue derived from this license agreement will be utilized by the MRCA for the operation and management of Conservancy parkland under the existing agreement for reciprocal services.

Issuance of this temporary license will allow staff and the nursery owner to find a final resolution of this matter.