

# Memorandum

To : The Conservancy  
The Advisory Committee

Date: November 2, 2015

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

Subject: **Agenda Item 10: Consideration of resolution authorizing a grant of Proposition 12 funds to the Mountains Recreation and Conservation Authority for capital improvements at Ramirez Canyon Park, City of Malibu.**

Staff Recommendation: That the Conservancy adopt the attached resolution recommending authorizing a grant of Proposition 12 funds to the Mountains Recreation and Conservation Authority for capital improvements in the amount of \$400,000 at Ramirez Canyon Park, City of Malibu.

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

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached grant application for capital improvements to Ramirez Canyon Park. Located in a deep canyon off the Malibu coast, 22-acre Ramirez Canyon Park is surrounded on three sides by pristine National Park Service wilderness and includes a critical section of the regionally significant Coastal Slope Trail. Featuring a year-round stream, a sycamore meadow, and accessible trails and facilities, Ramirez Canyon Park is an ideal place for programs specifically designed for people with special needs, seniors, and at-risk youth visiting nature for the first time. The proposed grant includes the restoration, rehabilitation and enhancement of existing structures within the park.

The park's structures were built many years ago to residential standards and require significant work to ensure their continued use. The proposed grant will be used to plan and implement necessary capital improvements at Ramirez Canyon Park, including complete roof replacements for the Art Deco and Peach houses. The predicted storms for the 2015-16 winter have the potential to cause significant damage to the structures and their contents due to deteriorated roofing and other elements such as skylights, windows and doors. The improvements will also protect the structures in the long run from severe weather caused by climate change, even if the upcoming winter is uneventful.

## **Analysis - Proposition 12**

The Safe Neighborhoods Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Proposition 12), Public Resources Code Section 5096.353, allocated funding to the Santa

Monica Mountains Conservancy for capital outlay and grants for the acquisition from a willing seller, enhancement, and restoration of natural lands, improvements of public recreation facilities, and for grants to local agencies and nonprofit organizations to increase access to parks and recreational opportunities for underserved urban communities. Ramirez Canyon Park is a public recreation facility that provides recreational opportunities for underserved urban communities. The proposed grant would fund capital improvements at the park, consistent with the purposes of the funding.

### **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 the MRCA proposes to fund with this grant include actual construction of improvements and major maintenance that will continue and enhance the useful life of Ramirez Canyon Park. 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.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$400,000 of Proposition 12 funds.