

Memorandum

To : The Conservancy
The Advisory Committee

Date: May 22, 2017

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

Subject: **Agenda Item 13: Consideration of resolution authorizing an augmentation to grant SMM-84-1531 to the Mountains Recreation and Conservation Authority for Wilacre Park Improvements, Studio City.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing an augmentation of Proposition 40 funds to grant SMM-84-1531 to the Mountains Recreation and Conservation Authority for Wilacre Park, in the amount of \$350,000, Studio City.

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

Background: In April 2015, the Mountains Recreation and Conservation Authority (MRCA) was awarded a grant in the amount of \$400,000 for capital improvements at Wilacre Park. The grant funded parking lot and facility improvements to provide safe trailhead access for the public and to upgrade facilities that had not had any recent major improvements and are under-sized compared to the level of visitation. Wilacre Park is one of the most heavily-visited trailheads in the Santa Monica Mountains because of its central location off of Laurel Canyon Boulevard, excellent trail connections to regional open space, and convenient parking.

Specific components of the grant included a pre-engineered restroom, modification of the parking lot layout, and consideration of improvements to visitor amenities depending on the final site arrangement. The project now has 90% complete construction documents, and MRCA has requested additional funding to complete elements that were not anticipated in the original grant request. The requested augmentation would be used to add a secured storage building to the project, cover general cost increases and additional consulting fees, provide an adequate allowance for unexpected conditions, and include several necessary refinements to the project that only became known as engineering proceeded. These include a low retaining wall, deeper over-excavation for building foundations, larger area of parking resurfacing, and a larger footprint for the ADA parking and path of travel. The attached augmentation request outlines the specific project changes.

The current request for an additional \$350,000 in Proposition 40 funding from the Conservancy is for necessary additional capital improvement related costs to supplement the budget and comprehensively complete the project. All of the elements that make up the augmentation

support the original grant purpose to plan, design, and construct improvements to enhance the safety and experience for the visitors and the functionality of the site so that it can continue to be a valuable amenity and resource for the many hikers and users of the park.

Analysis–Proposition 40

The “California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002” (Proposition 40) allocated \$40 million to the Santa Monica Mountains Conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources in accordance with the Conservancy Act. The California Attorney General has previously advised the Conservancy that Proposition 40 bond proceeds may be used for preservation which, as defined in the bond act, includes interpretation, protection, rehabilitation, restoration, stabilization, development or reconstruction. Proposition 40 also defines “development” to include “improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.” In the General Provisions of the Proposition, the Legislature declares that “to maintain a high quality of life for California’s growing population requires a continuing investment in parks, recreation facilities, and in the protection of the state’s natural and historical resources.” Proposition 40 bond proceeds may also be used to pay costs that are incidentally but directly related to the acquisition, development, rehabilitation, restoration or protection of a capital asset.

As outlined in the augmentation request, the proposed project is consistent with Proposition 40. The activities to be planned are all development, stabilization, rehabilitation, restoration, and protection of land and water resources, and the improvements to property will enable use for interpretation and as a recreation facility. The capital improvements to be planned will enhance the useful life of park facilities, provide public access to parkland, and/or are major maintenance projects that ordinarily not be done more often than every five to fifteen years. This project will enable MRCA to provide a continuing investment in parks and recreation facilities within the Hollywood Hills, available to visitors from and the surrounding region.

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 MRCA proposes to fund with this grant constitute planning of improvement projects to protect land and water resources, protect and restore rivers, lakes and streams, their watersheds and associated land, water and other natural resources. 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.

Analysis–Consistency with Plans

The proposed grant augmentation is consistent with all applicable plans, including the *Santa Monica Mountains Strategic Plan* and *Rim of the Valley Trail Corridor Master Plan*. These two plans, adopted in 1997 and 1990 respectively, identify the Conservancy’s goals and priorities in preserving important resources and providing public recreation. The requested grant augmentation meets the following goal objectives of these two plans:

- Increase public access and educational/interpretive capabilities;
- Increase resource stewardship capabilities;
- Provide opportunities for multi-use trail recreation in a naturalistic setting;
- Maintain scenic resources, and contribute to recreational resources which enhance residents’ quality of life;
- Complete trail amenities recommended by the Plan;
- Expand efforts to integrate nature into the urban environment; and
- Develop long term capital improvement and maintenance plans.

Consideration: The application from the Mountains Recreation and Conservation Authority is for \$350,000 of Proposition 40 funds.