

# Memorandum

To : The Conservancy  
The Advisory Committee

Date: September 25, 2017

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

Subject: **Agenda Item 19: Consideration of resolution authorizing a grant of Proposition 40 funds to Mountains Recreation and Conservation Authority for King Gillette Ranch Improvements, unincorporated Los Angeles County.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 40 funds in the amount of \$350,000 to Mountains Recreation and Conservation Authority for King Gillette Ranch Improvements, unincorporated Los Angeles County.

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

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached application for a grant for capital improvements at King Gillette Ranch. The MRCA manages the park in cooperation with the Santa Monica Mountains Conservancy, the Santa Monica Mountains National Recreation Area unit of the National Park Service, and California State Parks. The proposed grant would fund planning and implementation of improvements to structures and systems on the property.

The King Gillette Ranch property includes over a dozen buildings of varying ages. Only the stable has been significantly remodeled since it became public parkland. The other buildings have had only isolated upgrades and occasional major maintenance projects such as roofing, HVAC systems, and basic improvements that are necessary to extend the life span of the structures. Earlier this year crews and contractors completed replacement of the roof of the DeCensis house, a residential structure located away from the main campus. Now that the structure is water-tight, additional improvements to the interior can be made to preserve and protect the structure. Improvements are also needed for other structures, including replacement of the dormitory building's chiller and boiler systems. These items can no longer be repaired due to their age and the lack of contractors who can work on vintage systems.

Portions of the property's water and sanitary utility lines require replacement, as do portions of the fencing and gates that secure the site. Additional work may be identified after these items are completed, or as they become critical to protect resources and public safety.

### **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 grant 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 Santa Monica Mountains, 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.

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