

Memorandum

To : The Conservancy
The Advisory Committee

Date: March 28, 2011

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

Subject: **Agenda Item 13: Consideration of resolution authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for the restoration and improvement of Hollywood Bowl Overlook, City of Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for the restoration and improvement of Hollywood Bowl Overlook in the amount of \$250,000, City of Los Angeles.

Legislative Authority: Sections 33204(c), 33204.2, and 33204.27 of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted an application for Proposition 84 grant funding for planning and construction of restoration and improvements to the Hollywood Bowl Overlook in the City of Los Angeles. Located at 7036 Mulholland Drive, the Overlook is one of the primary visitor features of the fifty five-mile Mulholland Scenic Parkway and Corridor, one of the most famous thoroughfares in the country. Additional history and background of the project site is provided in the attached application from MRCA.

MRCA is proposing a capital improvement project to improve visitor accommodations and restore the site's resources. The Overlook is an extremely popular tourist destination, with visitors coming by the hundreds on tour buses as well as automobiles. A benefit of the high visitation is the opportunity to reach so many people with information related to the area's natural, historical and cultural resources. Unfortunately, this high level of visitation has caused more than normal wear and tear on the site's resources. Furthermore, the parking area is not optimally designed to simultaneously accommodate multiple tour buses, automobiles, and pedestrians, and these conflicts can impede enjoyment of the site's resources.

MRCA's initial site assessment indicated that the following conditions need to be addressed: fencing and gates damaged by automobile collisions, erosion of the hillside from extended visitor use, unstable portions of the retaining wall, parked buses blocking auto access, vehicle-pedestrian conflicts, and dated signage and interpretive wayside displays. MRCA has requested grant funds for planning and engineering, approvals, and construction of

improvements.

Analysis: The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), allocated funds to the Santa Monica Mountains Conservancy in Chapter 7, 75060(d)(1) of the Public Resources Code for the protection of beaches, bays and coastal waters and watersheds of the Santa Monica Bay, including projects to prevent the contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote the access to and enjoyment of the coastal resources of the state.

Chapter 1, Section 75005 of Proposition 84 defines the following terms:

(f) "Development" includes, but is not limited to, the physical improvement of real property including the construction of facilities or structures.

(i) "Interpretation" includes, but is not limited to, a visitor serving amenity that educates and communicates the significance and communicates the significance and value of natural, historical, and cultural resources in a way that increases the understanding and enjoyment of these resources.

(l) "Preservation" means rehabilitation, stabilization, restoration, development and reconstruction, or any combination of those activities.

(m) "Protection" means those actions necessary to prevent harm or damage to persons, property or natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation.

(n) "Restoration" means the improvement of physical structures or facilities. . .Restoration projects shall include the planning, monitoring and reporting necessary to ensure successful implementation of the project objectives.

The Hollywood Bowl Improvements project is within the Santa Monica Bay watershed, and is consistent with Proposition 84's policy to promote access and enjoyment of land and water resources. All of the activities planned under this grant can be considered development, preservation, protection, or restoration for purposes of Proposition 84 because they physically improve the lands being used for the park. All of the project elements are visitor-serving amenities that educate and communicate the significance and value of natural and cultural resources.

All elements of the project fit within the definitions of eligible activities (development, interpretation, preservation, protection, restoration). Rehabilitation and stabilization of the retaining wall, restoration of eroded areas, and improvements to the circulation will all result in the protection of the property and its resources, and are necessary to allow the continued use and enjoyment of the site. The definition of restoration specifically includes planning as an eligible activity.

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. Capital assets also includes equipment with an expected useful life of two years or more.

This project is for the development of a capital asset, that is, a land and water resource in the Santa Monica Bay watershed. As such, it is a proper expenditure of bond funds. In addition, the activities that this grant will fund will enhance the useful life of the facilities and on that basis as well qualify as capital assets for purposes of the General Obligation Bond Law.

Consideration: The amount of the requested grant is \$250,000.