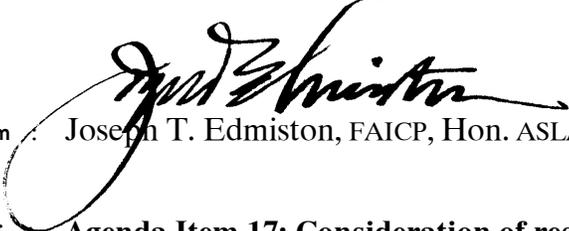


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: September 25, 2017

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

Subject: **Agenda Item 17: Consideration of resolution authorizing a grant of Proposition 84 funds to the Mountains Recreation and Conservation Authority for Franklin/Ivar Park, Los Angeles.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of Proposition 84 funds in the amount of \$25,000 to the Mountains Recreation and Conservation Authority for Franklin/Ivar Park, Los Angeles.

Legislative Authority: Sections 33204.2, 33204.27(a), and 75060(d)(1) of the Public Resources Code.

Background: The Mountains Recreation and Conservation Authority (MRCA) has submitted the attached grant application for Franklin/Ivar Park. Franklin/Ivar Park will convert a vacant .75-acre lot owned by the Santa Monica Mountains Conservancy into a natural park in the heart of urban Hollywood. Elements of Franklin/Ivar Park include pedestrian walkways, small amphitheater with seating, California-native plant landscaping, picnic area, play elements for children, and other park amenities. A unique element is that 35% of the site is devoted to a screen of “carbon eating” trees designed to mitigate pollution from the 101 freeway. The project is funded by grants from California State Parks and the Natural Resources Agency.

Construction on the park began in November 2016, and is now nearly complete. A few small additions to the park are desired to increase the usability of the space. Primarily, the addition of 3-5 strategically placed larger trees would increase the amount of shade for park patrons. Additional work by MRCA crews is needed to provide some finishing touches to things that are not typically part of the general contractor’s scope of work, such as park signs, trash receptacles, miscellaneous cleanup and painting.

## **Analysis - Proposition 84 and the Common Ground Plan**

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.

(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 Franklin/Ivar Park 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.

The park is consistent with the Conservancy’s Strategic Objectives to *Expand Efforts to Integrate Nature into the Urban Environment*, and *Expand Education, Public Access, and Resource Stewardship Components in a Manner That Best Serves the Public, Protects Habitat, and Provides Recreational Opportunities* in several ways. The park provides walking trails and a natural play area for children in a dense urban neighborhood with a critical lack of usable park space. This site will be the only park within a half mile, and will serve a population of 13,235--3,053 of which are families with income below the poverty level. Interpretive elements are included that encourage use of California native plants, educate park visitors on smart water practices including the water efficient irrigation and the bio-swale to cleanse storm water.

#### **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 constitute planning of a land improvement project 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 \$25,000 of Proposition 84 funds.