LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

December 2, 2008

The Honorable Board of Directors
Los Angeles County
Regional Park and Open Space District
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Directors:

**APPROVE THE REVISED PLAN OF EXPENDITURE,
APPROVE REALLOCATION OF PER PARCEL DISCRETIONARY FUNDS,
ALLOCATE CITIES EXCESS FUNDS AVAILABLE
TO THE THIRD SUPERVISORIAL DISTRICT, AUTHORIZE AWARD AND
ADMINISTRATION OF AN EXCESS FUNDS GRANT, AND APPROVE COSTS
INCURRED PRIOR TO EXECUTION OF A GRANT AGREEMENT
TO THE CITY OF SANTA MONICA
FOR ITS EUCLID PARK DEVELOPMENT PROJECT
(THIRD DISTRICT- 3 VOTE MATTER)**

SUBJECT

These actions will allocate $43,429 in 1992 Proposition Specified Funds allocated to the County, $135,554 in 1996 Proposition Per Parcel Discretionary Funds allocated to the County and $94,017 in Cities Excess Funds available to the Third Supervisorial District to enable the City of Santa Monica to complete the development of Euclid Park Project. The Department of Parks and Recreation, to whom the Specified and Per Parcel Discretionary funds were allocated, will assign the right to apply for those funds to the City.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the proposed actions to be exempt from the California Environmental Quality Act, for the reasons cited herein.

2. Approve the revised plan of expenditure for $43,429 of Specified Funds originally allocated to the Department of Parks and Recreation for projects at County-owned or operated property under Section (8), Subsection (a), Paragraph (1) of the Safe Neighborhood Parks Proposition of 1992 (1992 Proposition) for the City of Santa Monica's Euclid Park Development Project.

3. Approve the reallocation of $135,554 of Per Parcel Discretionary funds allocated to the County under Section (3), Subsection (c), Paragraph (1) of the Safe Neighborhood Parks Proposition of 1996 (1996 Proposition) for the City of Santa Monica's Euclid Park Development Project.

4. Allocate $94,017 of Cities Excess Funds available to the Third Supervisorial District to the City of Santa Monica for its Euclid Park Development Project.

5. Authorize the Director of Parks and Recreation, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, to award a grant in the amount of $273,000 consisting of the funds from the aforementioned sources, to the City of Santa Monica for its Euclid Park Development Project.

6. Authorize the Director to reimburse the City of Santa Monica (City) for costs incurred prior to the execution of the grant project agreement for the Euclid Park Development Project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions would complete the funding for the City's Euclid Park Development Project. Euclid Park sits on .34 acres in a densely-built neighborhood in Santa Monica, adjacent to a residential complex for persons with disabilities. The park was designed with a "backyard" neighborhood theme and features a children's play area, a garden area, three circular-shaped seating areas, two small lawn areas, and a trellis entry linking the open space with adjacent meeting rooms at the residential complex. Designed to accommodate persons with disabilities, curved walks move park patrons to all areas of the park.

The total cost of the project is $789,000. The City contributed $317,000 in City General Funds and a Community Development Block Grant in the amount of $199,000. The $273,000 ($43,429 in 1992 Proposition Specified Funds, $135,554 in 1996 Proposition Per Parcel Discretionary Funds, and $94,017 in Cities Excess Funds) in the requested actions will complete the funding need. In 2003, United Cerebral Palsy, which runs the 13-unit residence adjacent to the park, completed renovations on the complex. In May of 2004, the City awarded a design contract to develop the park and work on the project commenced the following year. The City began the project before all the funding was in place and so costs for the project were incurred before your Board's recommended actions.

The 1996 Proposition requires that agencies to which funds were allocated under the Safe Neighborhood Parks Propositions of 1992 and 1996 encumber all such funds prior to receiving grants of Excess Funds. The Department and the City have met this requirement.

In a related item on today's agenda, the Department of Parks and Recreation, which is the designated recipient of Specified Funds allocated to the County under Section (8), Subsection (a), Paragraph (1) of the 1992 Proposition and Per Parcel Discretionary Funds allocated to the County under Section (3), Subsection (c), Paragraph (1) of the 1996 Proposition, is requesting that your Board, in its capacity as the County's Board of Supervisors, assign the right to apply for the funds to the City.

It is also recommended that the Director of Parks and Recreation be authorized to award the grant to the City when applicable conditions have been met, such as grantee qualifications, consistency between the projects and requirements of the 1996 Proposition and grantee agreement with the California Environmental Quality Act (CEQA) requirements for the project, and to administer the grant under procedures previously approved by your Board.

Finally, since project costs were incurred prior to the execution of an amended grant agreement for the funds, your Board's approval would be required to allow the Director to reimburse the City for these expenditures.

IMPLEMENTATION OF STRATEGIC GOALS

The proposed recommendations further the Board approved County Strategic Plan Goal No. 1 (Service Excellence), Goal No. 4 (Fiscal Responsibility), Goal No. 5 (Children and Families' Well-being), and Goal No. 6 (Community Service), by enabling recreational opportunities in the City of Santa Monica in the Third Supervisorial District.

FISCAL IMPACT/FINANCING

Sufficient funds, in the amount of $178,983, are appropriated in the Los Angeles County Regional Park and Open Space District's (District) Assessment Project Fund (HB4) under Other Charges and $94,017 is appropriated in the Third Supervisorial District portion of the Los Angeles County Regional Park and Open Space District Excess Funds Project Fund, HD6 for the Euclid Park Project.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Specified Funds – 1992 Proposition
The 1992 Proposition provided funding for projects that were specified in the measure and identified a procedure for revision of those projects prior to July 1, 1998. That procedure remains the method, by which specified project funds may be approved by your Board for other uses. An agency may submit a revised plan of expenditure to use the funds for a project that is consistent with the purposes of the 1992 Proposition after the grantee's governing body considers and approves the revision of its project at a public meeting.

Per Parcel Discretionary Funds – 1996 Proposition
Per Parcel Discretionary Funds identified in Section (3), Subsection (c), Paragraph (1) of the 1996 Proposition are subject to reallocation by your Board under the provisions of Section (5), Subsection (d) of the 1996 Proposition. Agencies eligible for these funds were required to encumber their funds by June 30, 2001. Beginning with Fiscal Year 2001-02, any Per Parcel Discretionary Funds not committed to expenditure are available for your Board to award for projects that your Board deems to be of the highest priority and fit within one or more of the classes of expenditures specified in Section (3) of the 1996 Proposition.

If your Board does not approve the Department's request to assign the $43,429 in 1992 Proposition Specified Funds and the $135,554 in 1996 Proposition Per Parcel Discretionary Funds to the City for its Euclid Park Project, the Department may either expend the funds for the uses originally specified, request your Board's approval to fund different new projects with the funds, or relinquish its claim to the funds.

Excess Funds
The 1996 Proposition provides a method for determining each fiscal year the amount of funds available in the following fiscal year to fund capital improvement projects in addition to the amounts specifically identified for projects in the Safe Neighborhood Parks Propositions of 1992 and 1996. The recommended grant would be funded from the Excess Funds available to the Third Supervisorial District from Excess Funds for City projects.

The Board may establish additional conditions on grants of Excess Funds. The Director of Parks and Recreation would be authorized to award a grant when all applicable conditions have been met. Any funds allocated by the Board, but not encumbered by award of a grant contract in the same fiscal year, shall be available for allocation by the Board in the following fiscal year.

Your Board approved a Procedural Guide on June 17, 1997, to govern the administration of Regional Park and Open Space District grants for Specified and Per Parcel projects. This Procedural Guide would appropriately govern the administration of the recommended additional grant as well.

However, the Procedural Guide for Specified and Per Parcel Projects, approved by your Board, does not delegate the authority to the Director to reimburse otherwise eligible project costs incurred before the execution of a project grant agreement. Because the City incurred costs prior to execution of the agreement for the Euclid Park Project, the Director is recommending your Board's approval to allow the District to reimburse the City for these costs.

CONTRACTING PROCESS

A Grant Project Agreement will be entered into and administered under authority delegated to the Director of Parks and Recreation and pursuant to the Procedural Guide approved by the Board in 1997. The Project Agreement will be approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These actions will have no impact on any other projects funded through the District but are required so that the City of Santa Monica may complete the funding for the Euclid Park Development Project.

ENVIRONMENTAL DOCUMENTATION

All public agency projects funded by the Los Angeles County Regional Park and Open Space District are required to comply with California Environmental Quality Act (CEQA) as a condition of the grant. The lead agency is responsible for preparing the appropriate environmental documentation for the project. The City of Santa Monica is the lead agency for the Euclid Park Development Project.

The proposed administrative actions are not subject to CEQA in that the actions do not meet the definition of a project according to Sections 15378 (b)(4)(5) of the State CEQA Guidelines, because the actions are administrative activities for government grants which by their terms do not involve any commitments to any specific projects which may result in a potentially significant physical impact on the environment.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to return one conformed copy of this action to the Chief Executive Office, Capital Projects Division, and to the Department of Parks and Recreation.

Respectfully submitted,

John Wicker for

Russ Guiney
Director, Parks and Recreation

RG:IV:RR:LB:REGIONALPARKOPENSPACEDISTRICTS(SANTA MONICA BL)

c: Chief Executive Officer
Executive Officer, Board of Supervisors (22)
County Counsel