LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

December 6, 2005

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:

ALLOCATE THIRD SUPERVISORIAL DISTRICT CITIES EXCESS FUNDS TO THE CITY OF MALIBU AND AUTHORIZE AWARD AND ADMINISTRATION OF AN EXCESS FUNDS GRANT (THIRD DISTRICT - 3 - VOTE MATTER)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed actions do not meet the definition of a project under the California Environmental Quality Act (CEQA) as cited herein.

2. Allocate Third Supervisorial District Cities Excess Funds in the amount of $700,000 to the City of Malibu acquisition of land for its Legacy Park Project.

3. 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 to the City of Malibu when applicable conditions have been met and to administer the grant as of the date of this action and pursuant to procedures in the Procedural Guide for Specified and Per Parcel Projects.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Approval of the second recommendation will allocate $700,000 in Cities Excess Funds to the City of Malibu (City) toward the acquisition of 20 acres of land for its Legacy Park Project, formerly known as the "Chili Cook-Off" site. The project site will be developed for public open space and passive recreational use including pathways, park furniture, landscaping and demonstration gardens. In addition, the site may be used for riparian and wetland habitat as well as wildlife habitat restoration and protection. The total cost for the project is $25,000,000 and will be funded from various funding sources including the $700,000 above and $1,000,000 in general funds from the City of Malibu.

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.

Finally, it is recommended that the Director of Parks and Recreation be authorized to award the grant to the City of Malibu, when applicable conditions have been met, such as grantee qualifications and consistency between the projects and requirements of the 1996 Proposition, and to administer the grant under procedures previously approved by your Board.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed recommendations further the Board approved County Strategic Plan Goal No. 1 (Service Excellence), Goal No. 4 (Fiscal Responsibility) and Goal No. 5 (Children and Families' Well-being) by allocating Excess Funds for the acquisition of land for a park in the City of Malibu in the Third Supervisorial District.

FISCAL IMPACT/FINANCING

Sufficient appropriation for the grant in the amount of $700,000 is budgeted in the Third Supervisorial District portion of the Los Angeles County Regional Park and Open Space District Excess Funds Project Fund, HD6.

Funds for the grant are available from the Third Supervisorial District's portion of the Regional Park and Open Space District allocations of Excess Funds for Fiscal Year 2005-06.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

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 available for cities.

The Board may establish additional conditions on grants of Excess Funds. The Director of Parks and Recreation would be authorized to award grants 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 grants as well.

County Counsel has reviewed these actions as to form.

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)

The recommended project will provide a new park in the City of Malibu in the Third Supervisorial District.

ENVIRONMENTAL DOCUMENTATION

The proposed actions are exempt from 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.

All projects funded by the District are also required to comply with CEQA. The City of Malibu is the lead agency for the Legacy Park Project, and as such, will prepare appropriate environmental documents for the project.

CONCLUSION

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

Respectfully submitted,

Russ Guiney
Director, Parks and Recreation

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