LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

April 3, 2007

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 SECOND SUPERVISORIAL DISTRICT SPECIFIED EXCESS FUNDS TO THE DEPARTMENT OF PARKS AND RECREATION, AUTHORIZE AWARD AND ADMINISTRATION OF AN EXCESS FUNDS GRANT AND AUTHORIZE ADVANCE OF FUNDS UNDER SPECIFIED CONDITIONS TO THE BALDWIN HILLS REGIONAL CONSERVATION AUTHORITY FOR BALDWIN HILLS ACQUISITION AND DEVELOPMENT (SECOND DISTRICT - 3 - VOTE MATTER)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Allocate Second Supervisorial District Specified Excess Funds in the amount of $3,454,020 to the Department of Parks and Recreation (Department) for the acquisition of land and for development of related recreation facilities and public access in the Baldwin Hills.

2. 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 Baldwin Hills Regional Conservation Authority (Authority) for the above acquisition and development project 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.

3. Authorize an advance of $3,454,020 of Second Supervisorial District Specified Excess Funds to the Authority, in the same manner and on the same conditions as approved by your Board for the advance of funds from the Safe Neighborhood Parks Proposition of 1996 (the 1996 Proposition) on October 19, 1999, and on February 14, 2006.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Approval of the first recommendation will allocate $3,454,020 in Specified Excess Funds to the Department for acquisition of lands for park, wildlife, natural and open space purposes and for development of related recreation facilities and public access in the Baldwin Hills.

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.

In a related item on today's agenda, the Department, which is the designated recipient of Specified Excess Funds for projects in the Baldwin Hills under 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 Authority.

It is also recommended that the Director of Parks and Recreation be authorized to award the grant to the Authority 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.

Finally it is recommended that your Board approve the advance of the $3,454,020 in Second Supervisorial District Specified Excess Funds to the Authority.

On April 27, 1999, the Los Angeles County Board of Supervisors authorized the formation of the Baldwin Hills Regional Conservation Authority (Authority) and assigned to the Authority the right to apply to the Los Angeles County Regional Park and Open Space District (District) for a maximum of $8,250,000 allocated to the County under Section (3), Subsection (b), Paragraph (2) of the 1996 Proposition. On October 19, 1999, your Board authorized that those funds be advanced to the Authority, subject to the Procedural Guide for Specified and Per Parcel Projects (Procedural Guide) adopted by your Board on June 17, 1997, on the conditions that those funds and any interest thereon be used for the specified project, acquisition of lands for park, wildlife, natural and open space purposes, and development of related recreation facilities and public access in the Baldwin Hills, and that any documentation normally required for reimbursement by the District will instead be required prior to any expenditure of the advanced funds.

As with the funds advanced pursuant to your October 19, 1999, action and the $4,677,474.40 advanced to the Authority on February 14, 2006, the $3,454,020 in the current action and any interest thereon would be required to be spent for acquisition and development in the Baldwin Hills as specified in the 1996 Proposition and governed by the Procedural Guide. The Project Agreement will require that the Authority maintain the advanced funds in an account separate from any other funds and that the Authority provides the District with quarterly status reports which include a detailed description of all activity of that account. Any documentation normally required by the Procedural Guide to be submitted to the District prior to the receipt of District funds will be required to be submitted to the District prior to expenditure of funds from the advanced funds account.

The Authority has in the past, and expects to examine a variety of acquisition and development options to carry out its purposes, and requests that it be authorized to continue:

- to expend the grant funds to pay interest costs on acquisitions as allowable acquisition costs;
- to be allowed to pay for pre-construction and pre-acquisition (e.g., planning and preparation of cost estimates) costs on projects undertaken but not completed with these funds, in an amount not to exceed 20 percent of the 25 percent of the grant that is available for non-construction and/or non-acquisition costs;
- and, because the Authority does not have staff or other resources needed to carry out a program of community involvement in the planning process which it considers vital to the success for projects in the Baldwin Hills, it requests that the costs of providing public information remain eligible for District funding.

If the advance of these funds is approved by your Board, the total amount of money advanced to the Authority will be $16,381,494.40.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed recommendations support 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 and/or development of land for the Baldwin Hills in the Second Supervisorial District.

FISCAL IMPACT/FINANCING

Sufficient appropriation for the advance in the amount of $3,454,020 is budgeted in the Second Supervisorial District portion of the Los Angeles County Regional Park and Open Space District Excess Funds Project Fund, HD6.

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 Second Supervisorial District from Specified Excess Funds.

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 grant as well.

Under the applicable Procedural Guide, interest costs and project definition expenses are not eligible for District funding and only those pre-construction and pre-acquisition costs directly related to projects actually completed would be eligible for District funding. However, the great variety of acquisition and development opportunities available in the Baldwin Hills and the expectation that the Authority will continue to attract significant additional funds for these purposes justify the requested expansion of eligible expenditures.

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 advance of funds will provide for the acquisition and/or development of land in the Baldwin Hills area in the Second Supervisorial District.

ENVIRONMENTAL DOCUMENTATION

The proposed actions are not subject to the California Environmental Quality Act (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 Baldwin Hills Regional Conservation Authority will prepare appropriate environmental documents for the acquisitions and/or development of land funded from the recommended action to advance funds.

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

RG:IV:LB:OPENSPACEDISTRICT(BHRCA NEW ADVANCE BL)

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