



**LOS ANGELES COUNTY
REGIONAL PARK AND
OPEN SPACE DISTRICT**

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October 01, 2019

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

Dear Directors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

1-P October 1, 2019

CELIA ZAVALA
EXECUTIVE OFFICER

**IMPLEMENT MEASURE A,
THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE, BEACHES, RIVERS
PROTECTION, AND WATER CONSERVATION MEASURE OF 2016:
RELEASE OF COMPETITIVE GRANT FUNDS
(ALL DISTRICTS)(3 VOTES)**

SUBJECT

Approval of the recommended actions will authorize the release of Competitive Grant Funding allocations for Measure A, the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure of 2016.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the proposed actions to implement the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure of 2016 are not subject to the California Environmental Quality Act for the reasons stated herein.
2. Authorize the Director of Parks and Recreation, or his designee, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, to take any and all actions necessary to execute and administer contracts for competitive grant funding for the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure of 2016.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Regional Park and Open Space District (RPOSD) is a California Special District authorized under Section 5500 of the California Public Resources Code. When voters approved the Los Angeles County Safe Neighborhood Parks Proposition in November 1992 (1992 Proposition A), they authorized the formation of RPOSD as well as a 22 year-long benefit assessment on virtually every parcel of real property Countywide. Voters approved a second Safe Neighborhood Parks Proposition in November 1996 (1996 Proposition A), authorizing a second 22-year long benefit assessment. Over the life of the two benefit assessments, RPOSD will have raised over \$1.2 billion of dedicated local funding for grants to the 88 cities and unincorporated areas in Los Angeles County, Los Angeles County Departments, state and local agencies, and non-profit organizations for parks, recreation, beaches, wildlife protection land acquisition, and capital projects, as well as their maintenance.

While RPOSD is perpetual and continues beyond the life of the two benefit assessments, additional revenue was needed to continue dedicated local funding for grant projects and their maintenance. Following adoption of the 2016 Countywide Comprehensive Parks and Recreation Needs Assessment Final Report, the Board of Supervisors (the Board), in its capacity as governing body of RPOSD, adopted a resolution placing the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure (Measure A) onto the 2016 general election ballot. Measure A sought voter approval of a special tax on parcels of real property to continue RPOSD's funding programs. 74.9% of County voters approved Measure A on November 8, 2016.

Measure A Update

The progress made by RPOSD since the Board's approval for the release of annual allocations of Measure A in June 2018 include:

- Finalization of the Steering Committee Proceedings documents that include policies, procedures, and guidelines;
- Successful application of the Special Tax of \$0.015 per square foot of structural improvements on parcels of real property Countywide in the last two fiscal years (FY2017/18 & FY 2018/2019);
- Completion of the Grants Administration Manual (GAM) for Measure A, adopted by the Board in March 2019;
- Launch and implementation of the Grants Management System, WebGrants, in May 2019;
- Continuous collaboration and the ongoing development of the Technical Assistance Program (TAP) for supporting all potential Grantees, especially those serving High and Very High Need study areas, and;
- Continuous provision of information and education to the 88 cities and unincorporated areas in Los Angeles County, Los Angeles County Departments, state and local agencies, non-profit organizations, and the general public through regular District operations.

The Second Appellate District, Div. 1 and the California Supreme Court ruled in favor of RPOSD, which allowed for maintaining RPOSD's proposed implementation strategy for 1) annual allocations for eligible grant projects, 2) maintenance and servicing funds, and 3) innovation and oversight funds for general Measure A administration as well as development and implementation of the Technical Assistance Program (TAP), as approved by the Board in March 2019.

Approval of the recommendations will also authorize the Director to move forward with any and all actions necessary for the execution and administration of contracts for competitive grant funding and the release of all Measure A Competitive Grant Funding allocations, as described in the report from the Measure A Steering Committee and the approved Grants Administration Manual.

Implementation of Strategic Plan Goals

The recommendations further the Board-approved County Strategic Plan Goals of Supporting the Wellness of Our Communities (Goal II.2) and Pursuing Operational Effectiveness, Fiscal Responsibility, and Accountability (Goal III.3) by implementing voter-approved Measure A competitive grant funding for parks, recreation, open space, beaches, cultural, and related projects in all Supervisorial Districts.

FISCAL IMPACT/FINANCING

The release of all competitive grant funds have no fiscal impact. These funds were generated for the express purpose of providing competitive grants as defined in the voter approved Measure A resolution. These funds have been accrued and reserved during the time that Measure A was being litigated to enable refunding of the tax revenues should the results of the litigation be against RPOSD.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 8, 2016, 74.9% of Los Angeles County voters approved Measure A. The Board declared the certified election results as official on December 6, 2016.

WHEREAS, on June 12, 2018, the Board authorized implementation of Measure A, including the release of only the annual allocations for grant projects, maintenance and servicing, technical assistance, and innovation and oversight funds;

WHEREAS, on June 12, 2018, the determination of ongoing litigation (Case B284932, DONDLINGER vs. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT) in the Second Appellate District, Div. 1, was still in progress;

WHEREAS, on June 12, 2018, pending resolution of the litigation, the Board authorized the release of only the Annual Allocation funds, with the requirement that any public agency that utilized these funds would enter into an agreement stating that expended funds would be repaid to the Los Angeles County Regional Park and Open Space District should the litigation be resolved in opposition of the Los Angeles County Regional Park and Open Space District; and,

WHEREAS, on April 17, 2019, the determination of ongoing litigation (Case S254507, DONDLINGER vs. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT) in the California Supreme Court concluded in favor of the Los Angeles County Regional Park and Open Space District.

As noted above, the release of funds should be made available without any current legal reservations. The petition filed by the Plaintiff in the Supreme Court was denied on April 17, 2019 (Case S254507, DONDLINGER vs. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT). This previously outstanding litigation inhibiting the distribution of competitive grant funds is no longer a factor.

ENVIRONMENTAL DOCUMENTATION

The recommendations to implement Measure A and pursue State of California grant funding are not subject to the California Environmental Quality Act (CEQA) in that the actions do not meet the definition of a project according to Section 15378 (b)(5) of the State CEQA Guidelines, because the

actions are administrative activities of government grants.

CONTRACTING PROCESS

RPOSD is authorized to enter into agreements and/or contracts for grant funds, goods, and/or services under the State of California Public Resources Code Section 5500 et seq. Contracts/grant agreements will be entered and administered under the recommended authority only if all applicable conditions have been met. Contracts will be reviewed and approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommendations will allow organizations within the 88 cities and unincorporated areas of Los Angeles County to compete and utilize funding provided by the Measure A Competitive Grant Fund allocation for eligible grant projects. In addition, it will make available the identified annual allocation funding for eligible grant projects to the Department of Beaches and Harbors and Parks and Recreation. The recommendations will also allow RPOSD to develop and implement the Measure A Technical Assistance Program to prepare applicants and their project proposals for potential competitive grant opportunities and modernize its business processes through procurement and implementation of an online, paperless grants management system and independent special tax calculation system.

CONCLUSION

Upon approval, please instruct the Executive Officer-Clerk of the Board to return an adopted copy of this action to the Chief Executive Office, Capital Programs Division, and to the Department of Parks and Recreation.

Respectfully submitted,



JOHN WICKER

Director

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c: County Counsel
Executive Office, Board of Supervisors