

APPROVED

MAY 18 2023

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 23-097

DATE May 18, 2023

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: TERMINATION OF SANTA MONICA MOUNTAINS CONSERVANCY PROPOSITION 68 GRANT FOR THE LA RIVER GREENWAY HABITAT RESTORATION (PRJ21336) PROJECT – REALLOCATION OF QUIMBY FEES FROM THE PROJECT - STATUTORY EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE II, SECTION 2(j) [PROJECTS WHICH ARE REJECTED OR DISAPPROVED] OF CITY CEQA GUIDELINES AND ARTICLE 18, SECTION 15270 OF CALIFORNIA CEQA GUIDELINES

B. Aguirre	_____	M. Rudnick	_____
		<i>for</i> C. Santo Domingo	<u>DF</u>
B. Jackson	_____	N. Williams	_____

General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

1. Terminate the Grant of Proposition 68 funds from the Santa Monica Mountains Conservancy (Grant) for the LA River Greenway – Habitat Restoration (PRJ21336) Project (Project), as described in the Summary of this Report and as previously authorized for acceptance by the Board of Recreation and Park Commissioners (Board) under Board Report No. 20-016;
2. Approve the reallocation of Three Hundred Seventy-One Thousand Dollars (\$371,000.00) in Quimby Fees from the LA River Greenway – Habitat Restoration (PRJ21336) Project;
3. Authorize the Department of Recreation and Parks' (RAP) Chief Accounting Employee to transfer Three Hundred Seventy-One Thousand Dollars (\$371,000.00) in Quimby fees from the LA River Greenway Account No. 89460K-LW to the Quimby Account No. 89460K-00;
4. Determine that the Project is statutorily exempt from the provisions of the (CEQA) pursuant to Article II, Section 2(j) [Projects which are rejected or disapproved] of City CEQA Guidelines as well as to Article 18, Section 15270 of California CEWA Guidelines and direct staff to file a Notice of Exemption (NOE) with the Los Angeles County Clerk;

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5. Authorize RAP's Chief Accounting Employee to prepare a check to the Los Angeles County Clerk in the amount of \$75.00 for the purposed of filing a (NOE); and
6. Authorize RAP staff to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

The Board of Recreation and Parks Commissioners (Board) previously approved an application for, and an authorization to accept, a grant of Proposition 68 funds from the Santa Monica Mountains Conservancy (SMMC) for the LA River Greenway Habitat Restoration Project (BR No. 20-016). In addition, the Board authorized the allocation of Three Hundred Seventy-One Thousand Dollars (\$371,000) in Quimby Fees for the proposed Project (Report No. 20-016). Subsequently, SMMC awarded the Grant to RAP in the amount in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the proposed Project. Per Report No. 20-016, there was a total of Five Hundred Twenty-One Thousand Dollars (\$521,000) in available funding for the Project.

RAP received two bids for this Project, the first from Cal Landscapes for One Million Four Hundred Forty Thousand Dollars (\$1,440,000), and the second from Access Pacific for One Million Eighty Thousand Dollars (\$1,080,000). Both of these bids are too high for RAP to complete the Project as conceptualized, with the total funding available being only Five Hundred Twenty-One Thousand Dollars (\$521,000). RAP staff initially thought a solution to this problem would be to split the Project up into two phases. However, by splitting the Project up RAP would endure multiple startup costs, as well as a potentially uneven transition having to pick up landscaping and slope rejuvenation work months after the initial restoration. Therefore, RAP staff has determined that it does not make fiscal or practical sense to modify the scope and/or phase the Project.

In addition to the funding shortage, as stipulated in the SMMC Grant Agreement, the grant performance period for the Grant expires on June 30, 2023. Unfortunately, the SMMC has denied RAP's request for a grant extension to June 30, 2024, which RAP staff has determined is necessary in order to complete the project. Due to the increased cost of the Project, as well as it not being feasible to meet the deadline set forth by SMMC, RAP is recommending that the Project be cancelled so staff can reallocate the unexpended Quimby Funds to other projects. The Project had no expenditures to date and no requests for reimbursement of Grant funds have been made. SMMC has indicated that it will terminate the Grant based on the infeasibility of the Project to be completed under the timelines imposed by the Grant.

RAP will work with Council District 4 and local stakeholders to identify alternate funding sources and strategies to move this much needed project forward.

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Upon approval of this Report, Three Hundred Seventy-One Thousand Dollars (\$371,000.00) in Quimby Fees can be reallocated from the Project and transferred from the LA River Greenway Account No. 89460K-LW to the Quimby Account No. 89460K-00 in order to be made available for future projects.

ENVIRONMENTAL IMPACT

The proposed Project consists of the cancellation of a project. This action is statutorily exempt from the provisions of the (CEQA) pursuant to Article II, Section 2(j) of City of Los Angeles CEQA Guidelines and to Article 18, Section 15270 of California CEQA Guidelines. RAP staff will file a NOE upon Board's approval.

FISCAL IMPACT

The approval of this reallocation and transfer of Quimby Fees, and the termination of the SMMC Grant will have no fiscal impact on RAP's General Fund.

This Report was prepared by Robert Eastland, Management Assistant, Planning, Maintenance and Construction Branch.

LIST OF ATTACHMENTS

- 1) Attachment 1 – Board Report No. 20-016
- 2) Attachment 2 – Grant Agreement
- 3) Attachment 3 – SMMC LA River Greenway Habitat Restoration Grant Extension Request
- 4) Attachment 4 – SMMC LA River Greenway Habitat Restoration Request Denied

BOARD REPORT

BOARD OF RECREATION
AND PARK COMMISSIONERS

NO. 20-016

DATE February 06, 2020

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SANTA MONICA MOUNTAINS CONSERVANCY PROPOSITION 68 GRANT – LA RIVER GREENWAY – HABITAT RESTORATION (PRJ21336) PROJECT – AUTHORIZATION TO SUBMIT GRANT APPLICATION; ACCEPTANCE OF GRANT FUNDS; ALLOCATION OF QUIMBY FEES

AP Diaz	_____	S. Piña-Cortez	_____
H. Fujita	_____	C. Santo Domingo	_____
V. Israel	_____	*N. Williams	<u>NDW</u>

Neil Denis Williams

General Manager

Approved X Disapproved _____ Withdrawn _____

If Approved: Board President *[Signature]* Board Secretary *[Signature]*

RECOMMENDATIONS

1. Authorize the Department of Recreation and Parks (RAP) to submit the Santa Monica Mountains Conservancy Proposition 68 Grant (Grant) application for the LA River Greenway – Habitat Restoration (PRJ21336) Project (Project) at 4000 Whitsett Avenue, Studio City, subject to the approval of the Mayor and City Council;
2. Recommend City Council authorize RAP to apply for the Santa Monica Mountains Conservancy Proposition 68 Grant funds for the Project and designate RAP's General Manager, Executive Officer, Assistant General Manager, or designee, as the agent to conduct all negotiations, execute and submit all documents, including, but not limited to grant applications, agreements, amendments, payment requests, and all other required documents necessary for the acceptance and use of Grant funds;
3. Direct the Board of Recreation and Park Commissioners (Board) Secretary to transmit a copy of the report to the Mayor's Office, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst (CLA), and to the City Clerk for Committee and City Council approval, pursuant to the Los Angeles Administrative Code Section 14.6 *et seq.* as may be amended;
4. Authorize RAP's General Manager, Executive Officer, Assistant General Manager, or designee, as the agent to conduct all grant-related negotiations, and sign and submit all grant documents, including but not limited to grant applications, agreements, amendments, extensions and payment requests, which may be necessary for the acceptance and use of Grant funds;
5. Authorize RAP's General Manager to accept and receive the Grant funds if awarded, subject to compliance with the provisions of the California Environmental Quality Act and subject to authorization by the City Council and the Mayor to accept the Grant funds;

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6. Authorize RAP's Chief Accounting Employee or designee to establish the necessary account(s), and/or to appropriate funding received within "Recreation and Parks Grant" Fund 205 to accept the Grant funds, if awarded, from Santa Monica Mountains Conservancy;
7. Authorize RAP's Chief Accounting Employee or designee to establish new Quimby Fees Account No. 89460K-LW with LA River Greenway and Bikeway as the Account Name;
8. Authorize RAP's Chief Accounting Employee or designee to transfer Three Hundred Seventy-One Thousand Dollars (\$371,000) in Quimby Fees from the Quimby Account 89460K-00 to the LA River Greenway and Bikeway Account No. 89460K-LW;
9. Approve the allocation of Three Hundred Seventy-One Thousand Dollars (\$371,000) in Quimby Fees from the LA River Greenway and Bikeway Account No. 89460K-LW to the LA River Greenway – Habitat Restoration (PRJ21336) Project;
10. Authorize RAP's General Manager, or designee, to make technical corrections as necessary to carry out the intent of this Report.

SUMMARY

The Santa Monica Mountains Conservancy (SMMC) was established by the California State Legislature in 1980. Since then it has helped to preserve of parkland and improve recreational facilities in both wilderness and urban settings. The SMMC administers competitive grant programs including funds allocated under The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Prop 68). SMMC releases a Notice of Funds quarterly for the Proposition 68 Competitive Grant Program (Grant). SMMC was allocated \$15,000,000 to protect and enhance an urban creek pursuant to Chapter 7 of Prop 68 and \$30,000,000 for projects in accordance with the governing statutes of SMMC pursuant to Chapter 8 of Proposition 68.

The Grant requires projects to be eligible under one of the following categories:

1. Resource Protection and Restoration
2. Vegetation Management and Fire Safety
3. Visitor Serving Development and Improvement
4. Community Access, Education, and Interpretation

RAP was notified in November 2018 by SMCC that \$150,000 of the SMMC Prop 68 funds were allocated to the City of Los Angeles (City) for the proposed Project. SMMC instructed RAP at that time to submit a Grant application to receive funds for the Project. Grant applications are accepted on a continuous basis, and RAP staff has prepared an application for the Grant. RAP staff is seeking authorization from the Board to submit the Grant application.

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As applied for, the Grant will partially fund the habitat restoration of the southern bank of the Los Angeles River Greenway between Whitsett Blvd. and Laurel Canyon Blvd. in Studio City, which totals to approximately 73,304 square feet (Attachment No. 1). The total construction cost of the proposed Project is \$521,000.00 and the proposed Project scope at this time will include removal of existing non-native vegetation, as-needed irrigation repairs, slope stabilization, and installation of new plant material that will be designed to promote a natural California riparian habitat.

Due to the facilities and features it provides, LA River Greenway and Bikeway meets the standard for a Regional Park, as defined by the City’s Public Recreation Plan.

PROJECT FUNDING

Upon approval of this Report, Three Hundred Seventy-One Thousand Dollars in Quimby Fees can be transferred from Quimby Account No. 89460K-00 to the LA River Greenway and Bikeway Account No. 89460K-LW and allocated to the proposed Project.

These Quimby Fees were collected within ten (10) miles of the LA River Greenway and Bikeway, which is the standard distance for the allocation of the Quimby Fees for regional recreational facilities pursuant to Los Angeles Municipal Code Section 12.33 E.3.

FUNDING SOURCE MATRIX

Source	Fund/Dept/Acct	Work Order	Amount	Percentage
Santa Monica Mountains Conservancy	205/89/88TBD	NA	\$150,000.00	29%
Quimby Fees	302/89/89460K-LW	NA	\$371,000.00	71%
Total			\$521,000.00	100%

ENVIRONMENTAL IMPACT

The proposed Project consists of repair of minor pipes, slope stabilization, and of new gardening or landscaping, but final plans for the Project have not been prepared at this time. Subsequent to the award of the Grant, RAP staff will return to the Board with final plans for the Project and with recommendations regarding determinations under the provisions of the California Environmental Quality Act (CEQA).

FISCAL IMPACT

The total cost of the proposed Project is \$683,015.84. The Grant will contribute \$150,000 towards this project and Quimby fees will contribute an additional \$371,000.00. There is an expected fiscal impact of \$130,098.26 in staff salaries to RAP’s General Fund in order to complete the proposed Project. Future maintenance costs have yet to be determined.

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STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

Goal No. 1:	Provide Safe and Accessible Parks
Outcome No. 1:	Increased public access and recreational opportunities along the Los Angeles River.
Result:	The habitat restoration along the Los Angeles River Greenway in Studio City will create a safer and more welcoming green space for local residents to enjoy.


This Report was prepared by Nicole Panza, Management Assistant, Grants Administration, Finance Division and reviewed by Kai Wong, Senior Project Coordinator, Grants Administration, Finance Division and Bill Jones, Chief Management Analyst, Grants Administration, Finance Division

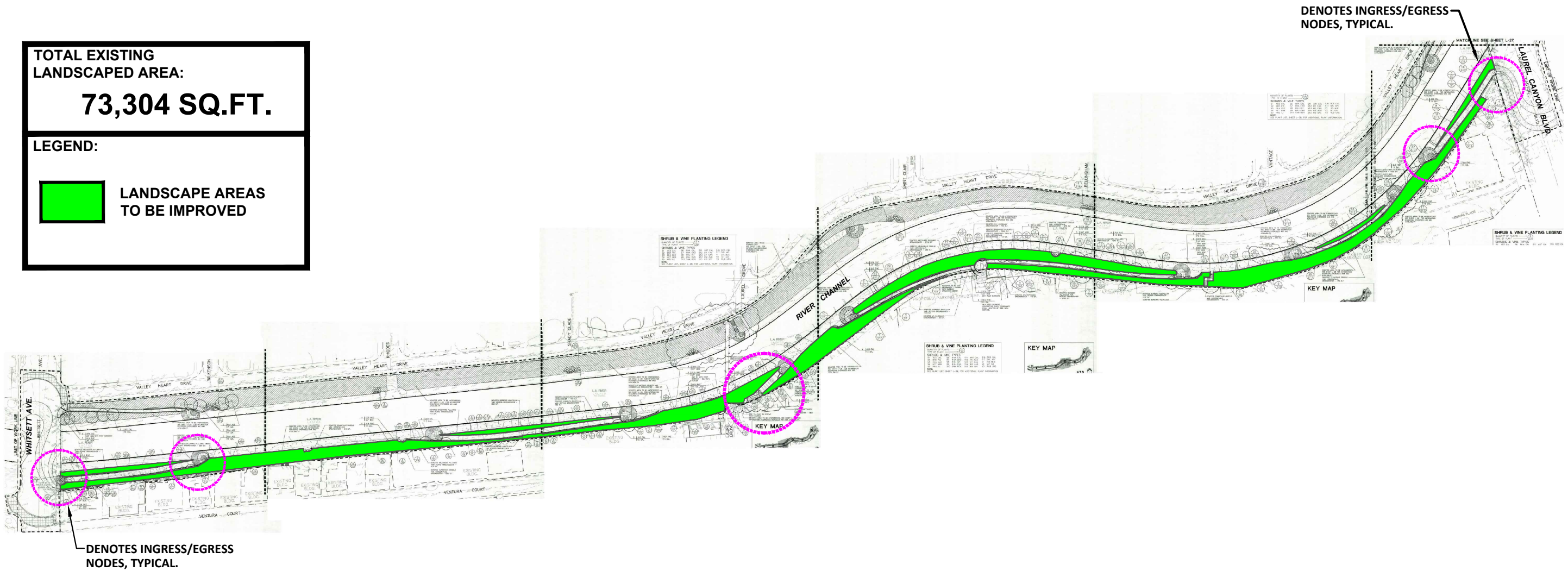
LIST OF ATTACHMENTS

- 1) LA River Greenway – Habitat Restoration Project Conceptual Plan

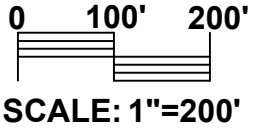
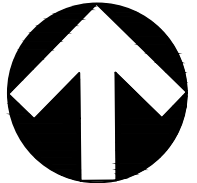
TOTAL EXISTING
LANDSCAPED AREA:
73,304 SQ.FT.

LEGEND:

 LANDSCAPE AREAS
TO BE IMPROVED



LOS ANGELES RIVER GREENWAY - Laurel Canyon to Whitsett



AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER

3810-P68-2020

AMENDMENT NUMBER

 CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME City of Los Angeles, Department of Recreation and Parks (LA River Greenway Habitat Restoration)		2. FEDERAL I.D. NUMBER 95-6000735
3. AGENCY TRANSMITTING AGREEMENT Santa Monica Mountains Conservancy	4. DIVISION, BUREAU, OR OTHER UNIT	5. AGENCY BILLING CODE 010507
6a. CONTRACT ANALYST NAME Rorie Skei, Chief Deputy Director	6b. EMAIL skei@smmc.ca.gov	6c. PHONE NUMBER
7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If Yes, enter prior Contractor Name and Agreement Number) PRIOR CONTRACTOR NAME _____ PRIOR AGREEMENT NUMBER _____		

8. BRIEF DESCRIPTION OF SERVICES
Los Angeles River Greenway Habitat Restoration Project, Studio City.

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)

Restoration and enhancement of a segment of the southern bank of the Los Angeles River in Studio City between Whitsett Avenue and Laurel Canyon Boulevard, to remove weedy nonnative species, re-establish irrigation, stabilize slopes to minimize erosion, and plant native riparian species, in accordance with the Santa Monica Mountains Conservancy Board Materials dated June 1, 2020. The grant of \$150,000.00 from Proposition 68 urban creek funds will be matched with \$533,015.00 from other funding sources.

10. PAYMENT TERMS (More than one may apply)

- Monthly Flat Rate Quarterly One-Time Payment Progress Payment
 Itemized Invoice Withhold _____ % Advanced Payment Not To Exceed _____ or _____ %
 Reimbursement / Revenue
 Other (Explain) _____

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
Proposition 68	3810-101-6088	18/19	28	2018	\$150,000.00

OBJECT CODE	AGREEMENT TOTAL	\$150,000.00
OPTIONAL USE	AMOUNT ENCUMBERED BY THIS DOCUMENT \$150,000.00	
	PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT \$0.00	
I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.	TOTAL AMOUNT ENCUMBERED TO DATE \$150,000.00	
ACCOUNTING OFFICER'S SIGNATURE	ACCOUNTING OFFICER'S NAME (Print or Type)	DATE SIGNED

AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER

3810-P68-2020

AMENDMENT NUMBER

12. AGREEMENT

AGREEMENT	TERM FROM	TERM THROUGH	TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	7/23/2020	6/30/2023	\$150,000.00	Exempt
Amendment 1				
Amendment 2				
TOTAL			\$150,000.00	

13. BIDDING METHOD USED

- Request for Proposal (RFP) (Attach justification if secondary method is used)
 Use of Master Service Agreement
 Invitation for Bid (IFB)
 Exempt from Bidding (Give authority for exempt status)
 Sole Source Contract (Attach STD. 821)
 Other (Explain) N/A - Local Assistance

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)
N/A - Local Assistance15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)
N/A - Local Assistance16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?
N/A - Local Assistance

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
 Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.
 Not Applicable (Interagency / Public Works / Other _____)

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATURE <i>Rorie Skei</i>	SIGNER'S NAME (Print or Type) Ms. Rorie Skei	DATE SIGNED 8/24/2020
18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	22. REQUIRED RESOLUTIONS ARE ATTACHED <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?	<input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes SB/DVBE Certification Number: _____
20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?	<input type="checkbox"/> None on file <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	
21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR? A. Contractor Certification Clauses <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A B. STD 204 Vendor Data Record <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A		

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any) No (Explain below) Yes _____ % of Agreement25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS? No Yes (If Yes, provide justification below)

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNATURE <i>Rorie Skei</i>	NAME/TITLE (Print or Type) Ms. Rorie Skei, Chief Deputy Director	DATE SIGNED 8/24/2020
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AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER

3810-P68-2020

AMENDMENT NUMBER

JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

N/A - Local Assistance

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE Rorie Skei	NAME/TITLE(Print or Type) Ms.Rorie Skei, Chief Deputy Director	DATE SIGNED 8/24/2020	
PHONE NUMBER (323) 221-8900	STREET ADDRESS 570 West Avenue 26, Suite 100		
EMAIL grants@smmc.ca.gov	CITY Los Angeles	STATE CA	ZIP 90065

STATE OF CALIFORNIA
STANDARD AGREEMENT
 STD 213 (Rev 06/03)



AGREEMENT NUMBER 3810-P68-2020
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:
- STATE AGENCY'S NAME
 Santa Monica Mountains Conservancy
- CONTRACTOR'S NAME
 City of Los Angeles, Department of Recreation and Parks (Los Angeles River Greenway Habitat Restoration Project)
2. The term of this Agreement is: 7/23/20 through 6/30/23
3. The maximum amount of this Agreement is: \$ 150,000.00
4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work	1 page(s)
Exhibit B – Budget Detail and Payment Provisions	1 page(s)
Exhibit C* – General Terms and Conditions	GTC 610
Check mark one item below as Exhibit D:	
<input type="checkbox"/> Exhibit - D Special Terms and Conditions (Attached hereto as part of this agreement)	page(s)
<input type="checkbox"/> Exhibit - D* Special Terms and Conditions	
Exhibit E – Additional Provisions	25 page(s)
Board Materials	
Other Materials	

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at www.ols.dgs.ca.gov/Standard+Language

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR		California Department of General Services Use Only
CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.) City of Los Angeles, Department of Recreation and Parks		
BY (Authorized Signature)  Michael A. Shull	DATE SIGNED (Do not type) <u>8/19/2020</u>	
PRINTED NAME AND TITLE OF PERSON SIGNING Michael A. Shull, General Manager		
ADDRESS 221 North Figueroa Street, Suite 350 Los Angeles, California 90012		
STATE OF CALIFORNIA		
AGENCY NAME Santa Monica Mountains Conservancy		
BY (Authorized Signature)  Rorie Skei	DATE SIGNED (Do not type) <u>8/24/2020</u>	
PRINTED NAME AND TITLE OF PERSON SIGNING Ms. Rorie Skei, Chief Deputy Director		
ADDRESS 570 West Avenue 26, Suite 100, Los Angeles, California 90065		

Exempt per: SCM Vol. 1 Sections 4.01, 4.04, and 4.06

EXHIBIT A
(Standard Agreement)

SCOPE OF WORK

1. Contractor agrees to provide to the Santa Monica Mountains Conservancy (SMMC) the following as described herein:
Restoration and enhancement of a segment of the southern bank of the Los Angeles River in Studio City between Whitsett Avenue and Laurel Canyon Boulevard, to remove weedy nonnative species, re-establish irrigation, stabilize slopes to minimize erosion, and plant native riparian species, with Board Materials date June 1, 2020.
2. The services shall be performed within the Santa Monica Mountains Conservancy Zone.
3. The services shall be provided during normal business hours.
4. The project representatives during the term of this agreement will be:

State Agency: Santa Monica Mountains Conservancy	Contractor: City of Los Angeles
Name: Chief Deputy Director	Name: Michael A. Shull
Phone: (310) 589-3200 ext. 112	Phone: (213) 202-2633
Fax: (310) 589-2408	Fax: (213) 202-2610

Direct all inquiries to:

State Agency: Santa Monica Mountains Conservancy	Contractor: City of Los Angeles
Section/Unit: Government Programs	Section/Unit: Department of Recreation and Parks
Attention: Budgets, Grants, and Contracts Officer	Attention: Michael A. Shull
Address: 570 West Avenue 26, Suite 100 Los Angeles, California 90065	Address: 221 North Figueroa Street, Suite 350 Los Angeles, California 90012
Phone: (323) 221-8900 x 101	Phone: (213) 202-2633
Email: maloney@smmc.ca.gov	Fax: (213) 202-2610

EXHIBIT B
(Standard Agreement)

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered, and upon receipt and approval of the invoices, the State agrees to compensate the contractor for actual expenditures incurred in accordance with the rates specified herein, which is attached hereto and made a part of this Agreement.
- B. Invoices shall include the Agreement Number and shall be submitted in triplicate not more frequently than monthly in arrears to:

Santa Monica Mountains Conservancy
Attn: Budgets, Grants and Contracts Officer
570 West Avenue 26, Suite 100
Los Angeles, CA 90065

- C. Refer to additional billing information for more details.

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

City of Los Angeles (LA River Greenway Habitat Restoration)
Proposition 68
3810-P68-2020

Additional General Provisions

A. Definitions

1. The term “Act” as used herein means the Prop 68: California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68).
2. The term “CEQA” as used herein means the California Environmental Quality Act, Public Resources Code Section 21000 et. Seq; Title 14, California Code of Regulations Section 15000 et. seq.
3. The term “Contract” as used herein means an agreement between the State and Grantee specifying the payment of Grant Money by the State for the performance of Project goals within the Project Performance Period by the Grantee.
4. The term “Grantee” as used herein means the party described as the Grantee on page 1 of this Contract.
5. The term “Grant Moneys” as used herein means funds derived from the sale of bonds authorized by the Act.
6. The term “Project” as used herein means the project described in Section B of Exhibit E.
7. The term “Project Performance Period” as used herein means the period of time that the Grant Moneys are available, and the time in which the Project must be complete, billed and paid as described in Section C of Exhibit E.
8. The term “State” as used herein means the Santa Monica Mountains Conservancy.
9. The term “Contractor” as used herein means the party described as the Grantee on page 1 of this Contract.

B. Project Description

The Grantee shall be responsible for restoration and enhancement of a segment of the southern bank of the Los Angeles River in Studio City between Whitsett Avenue

and Laurel Canyon Boulevard, to remove nonnative species, re-establish irrigation, stabilize slopes to minimize erosion, and plant native riparian species, in accordance with Conservancy Board materials dated June 1, 2020 (attached). Grantee shall ensure that the Conservancy receives full recognition for providing funding under this Grant Agreement in any and all publication of the deliverables under this Grant Agreement. Examples include, but are not limited to, signage recognizing the contribution at any physical project sites and the Conservancy's name and logo on any and all materials, press releases and publicity materials, documents, websites, or other forms of presentation regarding this project. The Conservancy shall have the right to use any and all such materials produced as a result of this Grant Agreement.

For Projects that involve land acquisition:

- 1.1 Prior to purchasing fee title or a lesser interest in eligible land, the Grantee (buyer) must submit necessary information to the Grant Manager. This information must include:
 - 1.1.1 An estimate of the current fair market value of the land interest to be purchased. To establish the fair market value, the Grantee will obtain one independent appraisal. One independent review appraisal will be required to review all appraisal reports and to prepare a written report of the review. All appraisals and the review appraisal must be prepared by real property appraisers currently licensed by the State of California Office of Real Estate Appraisers as a Certified General Appraiser.
 - 1.1.2 A written statement of the proposed procedure and timing of the purchase of the land interest.
 - 1.1.3 A written statement that the land is suitable for its intended uses, and that the Grantee is solely responsible for the mitigation of a hazardous material that may be found during the development of the site.
 - 1.1.4 If not included in the appraisals, an adequate map showing the location of the proposed project including the land/easement proposed for purchase. Adequacy will be determined by the Grant Manager.
- 1.2 Open an escrow account with an institution licensed by the California Department of financial Institutions and obtain the services of an escrow company that has complied with the requirements of Division 6 of the California financial code, commencing with Section 17000.

1.3 Provide the escrow company with the Purchase and Sale Agreement outlining the terms and conditions by June 30, 2023.

1.3.1 Execute and deliver to the Grant Manager an original of the Purchase and Sale Agreement to include the terms of escrow and the seller's restrictions during the term of the escrow, if any.

1.3.2 Provide the escrow company with all required deposit amounts and required insurance information.

1.3.3 Processing of grant deeds shall occur as part of the escrow instructions, and the grant deed will be recorded when all escrow instructions have been completed and immediately after escrow closes on or before June 30, 2023. If all of the property interest is not purchased, any funds disbursed under this Agreement must be returned to the Santa Monica Mountains Conservancy and any penalties for arbitrage on interest earned will be paid by the Grantee.

1.3.4 Close escrow and finalize the acquisition.

C. Project Period

The project period shall be from July 23, 2020 to June 30, 2023, unless such time period is extended by the State.

D. Project Execution

1. Subject to the availability of Grant Moneys in the Act, the State hereby grants to the Grantee a sum of money (Grant Money) not to exceed the amount stated on page 1 of this contract in consideration of and on condition that the sum be expended in carrying out the purpose as set forth in the Description of Project and under the terms and conditions set forth in this Contract.

Unless otherwise determined by the State, Grantee agrees to assume any obligation to furnish any additional funds that may be necessary to complete the Project. Any modification or alteration in the Project as

set forth in the Application on file with the State must be submitted to the Executive Director of State for approval.

2. The State and the Grantee hereby agree and acknowledge that the State's obligation to disburse the Grant Moneys under this Contract are explicitly conditioned upon Grantee's securing matching funds on a 1:1 ratio to the total amount approved by this Contract. Grantee will have the obligation to provide the State with proof of said matching funds as part of Grantee's payment requests and/or invoices to the State. In the event that Grantee is unable to provide proof of secured matching funds equal to the total Grant Moneys requested in any particular payment request/invoice, the State shall have no obligation to disburse any further Grant Moneys until such proof is provided.
3. Grantee agrees to complete the Project in accordance with the time of Project Performance Period, and under the terms and conditions of this Contract.
4. Grantee shall comply as lead agency with a California Environmental Quality Act (Public Resources Code, Section 21000, et seq.)
5. If the Project includes development, the Grantee shall comply with all applicable current laws and regulations affecting development projects, including, but not limited to, laws affecting health and safety, hazardous materials, historical preservation, environmental impacts, building standards, and the like.
6. Grantee agrees to permit periodic site visits by the State to determine if development work is in accordance with the approved Project Description including a final inspection upon Project completion.
7. Grantee agrees to submit any significant deviation from the original Project Description to the Executive Director of State for prior approval.
8. If the Project includes acquisition of real property, the Grantee agrees to comply with all applicable state and local laws or ordinances affecting relocation and real property acquisition. Documentation of such compliance will be made available for review upon request by the State.
9. Grantee agrees to provide reasonable public access to lands acquired in fee with Grant Moneys except where that access may interfere with habitat protection.

10. Grantee agrees to comply with applicable prevailing wage requirements.
11. All informational products (e.g., data, studies, findings, management plans, manuals, photos, etc.) relating to California's natural environment and produced with the use of public funds shall be cataloged in the California Environmental Information Catalog (<http://gis.ca.gov/catalog/>) maintained by the CERES Program (www.ceres.ca.gov).
11. To the extent that such state rates are available to Grantees, Grantee agrees to abide by travel expenses and per diem rates set at the rate specified by the Department of Personnel Administration for similar employees. In the event that such state rates are not available, actual travel expenses in excess of state rates will be reimbursed only upon certification that state rates were not available.
12. Recipients of grant funding shall post signs and/or include appropriate documentation within the deliverables of the Grant acknowledging the source of the funds pursuant to direction and approval by the Conservancy. The Conservancy may withhold the final disbursement pending acknowledgement of the funding source in the manner approved by the Conservancy.

E. Project Costs

The Grant Moneys to be provided Grantee under this Contract may be disbursed as follows:

1. For acquisition Projects: Acquisition of real property shall be from a willing seller of a fee interest or any other interest. The State may disburse to Grantee the amount of the purchase price together with cost allocation or overhead and incident acquisition costs.
2. For development Projects: The State may disburse to Grantee the Grant Moneys on proof of award of a construction contract or commencement of construction by force account including cost allocation and project administration costs, up to one hundred percent of the total Grant, or the actual cost, whichever is less.
3. The dollar amount of an item in the Project Budget may be increased by up to ten percent (10%) through reallocation of funds from another item or items, without approval by the Conservancy; however, the

Grantee shall notify the Conservancy in writing when any such reallocation is made and shall identify both the item(s) being increased and those being decreased. Any increase or decrease of more than ten percent (10%) in the amount of an item must be approved in writing by the State. The total amount of the Grant Funds may not be increased without Board Approval.

4. Indirect costs are costs that have been (1) incurred for common or joint objectives and (2) cannot be readily identified with a particular project or program. The Conservancy encourages Grantees to keep these costs as low as possible and requests information regarding these costs with the Grantee Data Sheet. These costs are to be stated in the agreement budget as a separate line item.

F. Work Products

1. Grantee shall ensure that the Conservancy receives full recognition for providing funding under this Grant Agreement in any and all publication of the deliverables under this Grant Agreement. Examples include, but are not limited to, signage recognizing the contribution at any physical project sites and the Conservancy's name and logo on any and all materials, documents, websites, or other forms of presentation regarding this project. The Conservancy shall have the right to use any and all such materials produced as a result of this Grant Agreement.
2. All material, data, information, and written, graphic or other work produced, developed or acquired under this agreement is subject to the unqualified and unconditional right of the Conservancy to use, reproduce, publish, display, and make derivative use of all such work, or any part of it, free of charge and in any manner and for any purpose; and to authorize others to do so. If any of the work is subject to copyright, trademark, service mark, or patent, the Conservancy is granted and shall have a perpetual, royalty-free, nonexclusive and irrevocable license to use, reproduce, publish, use in the creation of derivative works, and display and perform the work, or any part of it, and to grant to any third party a comparable and coextensive sublicense.
2. The grantee shall include in any contract with a third party for work under this agreement terms that preserve the rights, interests, and obligations created by this section, and that identify the Conservancy as a third-party beneficiary of those provisions.

3. The grantee shall not utilize the work produced under this agreement for any profit-making venture, or sell or grant rights to a third party for that purpose.

G. Project Administration

1. Grantee agrees to promptly submit project status reports as the State may request. Failure to submit such project status reports in a timely manner may result in stop payments for future payment requests until such reports are submitted. Grantee shall provide State a report showing total final Project expenditures.
2. Grantee agrees that property and facilities acquired or developed pursuant to this Contract shall be available for inspection upon request by the State.
3. Grantee agrees that income earned by the Grantee from use of the Project shall be used to further Project purposes, or, if approved by the State, for related purposes within the Grantee's jurisdiction.

G. Project Termination

1. Grantee may unilaterally rescind this Contract at any time prior to the commencement of the Project. After Project commencement this Contract may be rescinded, modified or amended by mutual agreement in writing.
2. Failure by the Grantee to comply with material terms of this Contract or any other Contract under the Act may be cause for suspension of all obligations of the State hereunder.
3. Failure of the Grantee to comply with the terms of this Contract shall not be cause for the suspension of all obligation of the State hereunder if in the judgment of the Executive Director of State such failure was due to no fault of the Grantee. In such case, any amount required to settle at minimum cost any irrevocable obligations properly incurred shall be eligible for reimbursement under this Contract.
4. Because the benefit to be derived by the State, from the full compliance by the Grantee with the terms of this Contract, is the preservation, protection and net increase in the quantity and quality of

parks, public recreation facilities and/or historical resources available to the people of the State of California and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of Grant Moneys under the provisions of this Contract, the Grantee agrees that payment by the Grantee to the State of an amount equal to the amount of the Grant Moneys disbursed under this Contract by the State would be inadequate compensation to the State for any material breach by the Grantee of this Contract. The Grantee further agrees therefore, that the appropriate remedy in the event of a breach by the Grantee of this Contract shall be the specific performance of this Contract.

5. Grantee and State agree that if the Project includes development, final payment may not be made until the Project conforms substantially to this Contract and is a useable facility.

H. Financial Records

1. The State may audit the Project. If so, the Grantee will be notified at least 30 days in advance. The audit may occur up to three years after the final payment of Grant Moneys.
2. Grantee agrees to maintain satisfactory financial accounts, documents and records for the Project and to make them available to the State for auditing at reasonable times. Grantee also agrees to retain such financial accounts, documents and records for three years following Project termination or completion.

Grantee and State agree that during regular office hours each of the parties hereto and their duly authorized representative shall have the right to inspect and make copies of any books, records or reports of the other party pertaining to this agreement or matters related thereto. Grantee agrees to maintain and make available for inspection by the State accurate records of all of its costs, disbursements and receipts with respect to its activities under this Contract.

3. Grantee agrees to use a generally accepted accounting system.

I. Use of Facilities

1. Grantee agrees that the Grantee shall use the property acquired or developed with Grant Moneys under this Contract only for the purpose for which the State Grant Moneys were requested and no

other use of the property shall be permitted except by specific act of the Legislature.

2. Grantee shall use the property for purposes for which the Grant was made and shall make no other use or sale or other disposition of the property, except as consistent with the Act and authorized by the State. This Agreement shall not prevent the transfer of the property from the Grantee to a public agency, if the successor public agency assumes the obligations imposed by this Agreement. If the use of the property is changed to a use that is not permitted by the Act, or if the property is sold or otherwise disposed of, and amount equal to (1) the amount of the grant (2) the fair market value of the real property, or (3) the proceeds from the sale or other disposition, whichever is greater, shall be reimbursed to the State, unless approved by the Executive Director of State to be used for related purposes within the Grantee's jurisdiction.
3. Grantee agrees to maintain and operate the property acquired, developed, rehabilitated or restored with Grant Moneys for a period that is commensurate with the type of project and the proportion of State funds and local matching funds or property allocated to the capital cost of the project.

J. Nondiscrimination

1. The Grantee shall not discriminate against any person on the basis of sex, race, color, national region, age, religion, ancestry, or physical handicap in the use of any property or facility acquired or developed pursuant to this Contract.
2. The Grantee shall not discriminate against any person on the basis of residence.
3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this Contract.

K. Application Incorporation

The Application and any subsequent change or addition approved in writing by the State is hereby incorporated in this Contract as though set forth in full in this Contract.

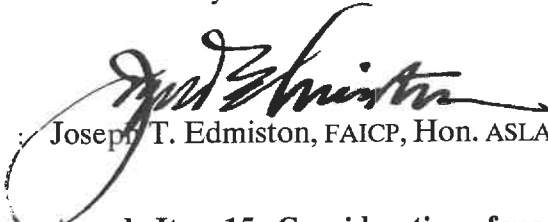
L. Severability

If any provision of this Contract or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the agreement which can be given effect without the invalid provision or application, and pursuant to this provision of this Contract, are severable.

Memorandum

To : The Conservancy
The Advisory Committee

Date: June 1, 2020

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

Subject: **Agenda Item 15: Consideration of resolution authorizing a grant of Proposition 68 funds to the City of Los Angeles Department of Recreation and Parks for the Los Angeles River Greenway Habitat Restoration Project, Studio City.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing a grant of \$150,000 from Proposition 68 urban creek funds to the City of Los Angeles Department of Recreation and Parks, which will be matched with \$533,015 from other funding sources.

Legislative Authority: Public Resources Code Sections 33204 (a) and 80110(a)(1)(A).

Background: Please see the attached grant application materials from the City Department of Recreation and Parks requesting a grant of \$150,000 from the Conservancy's Proposition 68 Los Angeles River urban creeks projects allocation.

The project entails restoration and enhancement of a segment of the southern bank of the Los Angeles River in Studio City between Whitsett Avenue and Laurel Canyon Boulevard, to remove weedy non native species, re-establish irrigation, stabilize slopes to minimize erosion, and plant native riparian species. The project is needed to restore the greenway for habitat values and beauty, and to improve its recreational value for the community.

The State Budget two years ago contained language with direction to the Conservancy that it provide the grant to the City of Los Angeles for this Los Angeles River project. The Department consulted with staff on best approaches, and prepared the subject grant application.

Using the Conservancy's Proposition 68 Guidelines for Resource Protection and Restoration, the Department's application scores a total of 142 points out of total possible 170 (140 minimum), but also has 3 to 1 matching funding, for a more than sufficient score to award the grant.

**DEPARTMENT OF RECREATION
AND PARKS**

BOARD OF COMMISSIONERS

SYLVIA PATSAOURAS
PRESIDENT

LYNN ALVAREZ
VICE PRESIDENT

NICOLE CHASE
JOSEPH HALPER
TAFARAI BAYNE

HAROLD ARRIVILLAGA
BOARD SECRETARY
(213) 202-2640

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

MICHAEL A. SHULL
GENERAL MANAGER

ANTHONY-PAUL (AP) DIAZ, ESQ.
EXECUTIVE OFFICER &
CHIEF OF STAFF

VICKI ISRAEL
ASSISTANT GENERAL MANAGER

SOPHIA PIÑA-CORTEZ
ASSISTANT GENERAL MANAGER

CATHIE SANTO DOMINGO
ASSISTANT GENERAL MANAGER

(213) 202-2633 FAX (213) 202-2614

May 14, 2020

Rorie Skei, Chief Deputy Director
Santa Monica Mountains Conservancy
570 West Avenue 26, Suite 100
Los Angeles, CA 90065

**RE: SANTA MONICA MOUNTAINS CONSERVANCY PROPOSITION 68 GRANT – LA RIVER
GREENWAY – HABITAT RESTORATION – GRANT APPLICATION PACKET**

Dear Ms. Skei:

In accordance with the Santa Monica Mountains Conservancy (SMMC) Proposition 68 Grant Program Guidelines, the City of Los Angeles Department of Recreation and Parks is submitting a grant application packet for the La River Greenway – Habitat Restoration project.

If you have any questions, please call Kai Wong at (213) 202-5650 or Bill Jones at (213) 202-5657.

Sincerely,

MICHAEL A SHULL
General Manager

MAS/NW/BJ:kw

Enclosure



EXHIBIT E
**SANTA MONICA MOUNTAINS CONSERVANCY
 GRANT APPLICATION**

Project Name: LA River Greenway - Habitat Restoration Project	Amount of Request: \$150,000.00 Total Project Cost: \$683,015.84						
Applicant Name: City of Los Angeles Department of Recreation and Parks	Matching Funds: \$533,015.84 Lat/Long: 34° 8'36.19"N, 118°24'18.21"W						
Applicant Address: 221 N. Figueroa St., Suite 350 Los Angeles, CA 90012	Project Address: 4000 Whitsett Ave., Studio City, CA 91604						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">County</th> <th style="width: 33%;">Senate District</th> <th style="width: 33%;">Assembly District</th> </tr> <tr> <td style="text-align: center;">Los Angeles</td> <td style="text-align: center;">18</td> <td style="text-align: center;">46</td> </tr> </table>	County	Senate District	Assembly District	Los Angeles	18	46
County	Senate District	Assembly District					
Los Angeles	18	46					
Phone: (213) 202-5657 Email: bill.jones@lacity.org	Tax ID: 95-6000735						

Grantee's Authorized Representative: (213) 202-2633
 Michael Shull, General Manager
Name and Title *Phone*

Overhead Allocation Notice:
 Any overhead costs will be identified as a separate line item in the budget and invoices.
 The Conservancy encourages grantees to reduce overhead costs including vehicle and phone expenses.
 The overhead allocation policy has been submitted prior to, or with, the grant application.

Outreach and Advertising Requirement:
 Applicant has read the staff report and board resolution regarding contract policies.
 Applicant has adopted contract policies for the purpose of increasing outreach and advertising to disadvantaged businesses and individuals.

All check boxes must be checked

Brief Project Description:

The scope of this project includes removal of existing plants, as-needed irrigation repairs, slope stabilization and installation of new plant material that will be designed to promote a natural California riparian habitat. Habitat restoration will ensure that all new plant material will be California Native species.

The sloped areas within this project scope occur along the southern bank of the Los Angeles River Greenway in Studio City between Whitsett Ave. and Laurel Canyon Blvd., which totals to approximately 73,304 square feet.

*attach additional pages with project detail

Tasks / Milestones:	Budget:	Completion Date
Design	\$52,039.00	November 2020
Demolition/Earthwork	\$73,304.00	August 2021
Irrigation	\$160,000.00	August 2021
Planting	\$262,308.40	November 2021
Project/Construction Management	\$78,058.95	December 2021

For Acquisition Projects: APN(s): N/A
 Acreage: N/A

I certify that the information contained in this Grant Application form, including required attachments, is accurate.

5/14/2020

Signature of Authorized Representative *Date*

Grantee Data Sheet



State of California
The Natural Resources Agency
Santa Monica Mountains Conservancy

5750 Ramirez Canyon Road
Malibu, California 90265
Phone: 310-589-3200
Fax: 310-589-3207
www.smmc.ca.gov

Date:

May 14, 2020

 New Revised

Grantee Name:

City of Los Angeles

Address:

221 N. Figueroa St., Suite 350

State/Province:

Los Angeles, CA

Zip/Postal Code:

90012

Tax ID Number:

95-6000735

Phone:

(213) 202-2633

Fax:

(213) 202-2610

Information

Will administrative/overhead costs be included?

No

If yes, is the overhead policy attached to this sheet?

Not Applicable

Will vehicle costs be included?

No

If yes, is the vehicle policy attached to this sheet?

Not Applicable

Will cell phone costs be included?

No

If yes, is the phone policy attached to this sheet?

Not Applicable

 I have completed and submitted the STD 204 Payee Data Record form.

 I have read and accepted the policies and procedures within the Santa Monica Mountains Conservancy Grant Administration Manual.

 I am aware that the Santa Monica Mountains Conservancy has urged a reduction of costs associated with overhead, cell phone, and vehicle charges.

*If a reduction in the above costs has been made, please document the reductions and attach to this data sheet.

Project Name: LA River Greenway - Habitat Restoration

Primary Contact Information

Name (1):

Michael A. Shull

Address:

221 N. Figueroa St., Suite 350

State/Province:

Los Angeles, CA

Zip/Postal Code:

90012

Phone (1):

(213) 202-2633

Phone (2):

Fax:

(213) 202-2610

Email:

michael.a.shull@lacity.org

Name (2):

Bill Jones

Address:

221 N. Figueroa St., Suite 200

State/Province:

Los Angeles, CA

Zip/Postal Code:

90012

Phone (1):

(213) 202-5656

Phone (2):

Fax:

(213) 202-2614

Email:

bill.jones@lacity.org

Notes:

Signature Field

LA RIVER GREENWAY – HABITAT RESTORATION PROJECT

PROJECT SUMMARY

The Los Angeles River was once the backbone of a vast system of riparian habitat that supported diverse plant and wildlife species. Stretching from Canoga Park in the west San Fernando Valley to Long Beach, the 51 mile long Los Angeles River covers an approximately 870 square mile watershed before flowing into the Pacific Ocean via the San Pedro/ Long Beach Harbor. However, the natural Los Angeles River system was channelized as part of a formal flood risk management program conducted by the United States Army Corps of Engineers (USACE) in the early to mid-twentieth century. Concrete channelization degraded the natural habitat of the Los Angeles River, diminishing plant and wildlife diversity, disconnecting it from the floodplain and other significant ecological zones, and changing its appearance and function. Over the years, commercial, industrial and residential development have further impacted the remaining natural habitat along the Los Angeles River.¹

Given the impact urbanization has had on the Los Angeles River and its surrounding habitat, it is imperative to restore and maintain existing green spaces such as the Los Angeles River Greenway. The 73,304 sq. ft. segment of the Los Angeles River Greenway between Whitsett Ave. and Laurel Canyon Blvd. in Studio City is currently in a state of disarray. Vegetation is overgrown resulting in low visibility, infrastructure such as fencing and irrigation has suffered damage, and refuse has accumulated due to an increase in the number of residents experiencing homelessness. These conditions have not only damaged the greenway's natural habitat, they have deterred local residents from utilizing the greenway space to its full recreational potential.

The LA River Greenway - Habitat Restoration project will re-establish a natural California habitat along this neglected segment of the Los Angeles River Greenway. Thriving riparian habitats provide multiple benefits including the conveyance and delivery of water supply, maintenance of water quality, wildlife habitat and regional migration corridors, and recreational opportunities for the surrounding community.² Current conditions at this site prevent both residents and wildlife from realizing the many benefits of this portion of the Los Angeles River Greenway. Transforming even a small portion of the riverfront greenway can go a long way to restoring the ecological function of the Los Angeles River and reconnecting communities to a valuable public resource.³

¹ "Los Angeles River Revitalization." LA River Ecosystem Restoration | Los Angeles River Revitalization, <https://www.lariver.org/blog/la-river-ecosystem-restoration>.

² Griggs, F. Thomas. "California Riparian Habitat Restoration Handbook," June 2009. https://water.ca.gov/legacyfiles/urbanstreams/docs/ca_riparian_handbook.pdf.

³ "The Los Angeles River Revitalization Master Plan," April 2007. http://boe.lacity.org/lariverrmp/CommunityOutreach/pdf/LARRMP_Final_05_03_07.pdf.

The project will provide access to safe natural recreation areas for residents to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities, thereby achieving several of the purposes of Proposition 68.⁴ The restoration will provide residents with the opportunity for outdoor recreational activities in an otherwise urbanized setting. The restoration of the natural California landscape to this portion of the Los Angeles River Greenway will also preserve a vital habitat corridor for native wildlife.

In restoring a natural Californian habitat along this stretch of the Los Angeles River, the project will support healthy soil that will store carbon and help sequester and reduce greenhouse gases.⁵ Soil sequesters carbon through a process that begins with photosynthesis. Plants draw carbon out of the atmosphere and return what isn't harvested to the soil. The carbon is then stabilized and transformed by microbes into the building blocks of organic soil matter thereby sequestering it.⁶ By increasing the potential carbon sequestration of the soil, the LA River Greenway - Habitat Restoration project is in accordance with the State's greenhouse gas emissions reductions targets.

The project promotes and implements other regional and state plans and policies such as the Los Angeles County River Master Plan. The original and updated Los Angeles County River Master Plan has the vision of a reimagined river with 51 miles of connected open space that includes among other things a thriving urban habitat, a place for communities to enjoy the outdoors, flood risk management. The improvements proposed by this project will not compromise the flood risk management infrastructure on this stretch of the river, but it will create a more inviting environment for both wildlife and surrounding communities.⁷

The project also compliments the Los Angeles River Revitalization Master Plan, which provides a framework for restoring the Los Angeles River's ecological function and for transforming it into an amenity for residents and visitors to the City of Los Angeles. The project meets the Los Angeles River Revitalization Master Plan goals of revitalizing the river by enabling safe public access and greening the neighborhoods by creating a continuous river greenway, connecting neighborhoods to the river, and extending open space, recreation and water quality features into neighborhoods.⁸

The project is consistent with the Common Ground Plan guiding principle, Land: Grow a Greener Southern California. The LA River Greenway - Habitat Restoration project will

⁴ SB-5 California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB5

⁵ California Department of Food and Agriculture. "Healthy Soils Program." CDFA.

<https://www.cdca.ca.gov/oefi/healthyssoils/docs/HealthySoilsFactSheet.pdf>.

⁶ "A Climate Change Solution Beneath Our Feet." Science and Climate, March 27, 2018.

<https://climatechange.ucdavis.edu/news/climate-change-solution-beneath-feet/>.

⁷ LA River Master Plan. <http://larivermasterplan.org/>.

⁸ "The Los Angeles River Revitalization Master Plan," April 2007.

http://boe.lacity.org/lariverrmp/CommunityOutreach/pdf/LARRMP_Final_05_03_07.pdf.

improve access to the Los Angeles River Greenway by removing overgrown plants and debris making the site a more accessible open space for the surrounding community. This project will also improve the habitat quality in the existing riverfront greenway by ensuring that all new plant material will be California Native species.⁹ Furthermore, improvements to this stretch of riverfront greenway will ensure the site's continued connectivity to the network of small parks, trails and restored natural lands along the Los Angeles River.

While the project will not directly benefit an economically disadvantaged community, it will however benefit residents by providing access to green space in an area with limited park acreage within a ½ mile walking distance. According to the Community FactFinder Report, residents living along this portion of the greenway have access to less than three acres of parks and open space per 1000 people. Additionally, given the interconnectivity of the Los Angeles River, the improvements along this segment of the Los Angeles River Greenway have the potential to benefit communities outside of the immediate vicinity of the project site.

The Department of Recreation and Parks (RAP) will use matching funds to address the \$132,684.51 shortfall for this project. This will allow RAP staff to fund the entire landscaped area from Laurel Canyon Blvd. to Whitsett Ave. The services of the local or state conservation corps will not be used for this project. RAP staff will execute this project using industry standard practices appropriate to restoring a natural California habitat.

RAP maintenance staff will be responsible for monitoring and reporting on the progress and effectiveness during and after project implementation. RAP has a lease agreement with the landowner, the Los Angeles Department of Transportation (LADOT), to maintain the Los Angeles River Greenway property after the project is completed. This project site will be incorporated into RAP staff's regular maintenance routes to guarantee successful native planting along this portion of the Los Angeles River Greenway.

The project's scope of work ultimately fulfills the Conservancy's strategic objectives of an interlinking network of parks, trails, and open space for public use and wildlife habitat, ensuring future open space and recreational lands in Los Angeles and Ventura Counties. This portion of the Los Angeles River Greenway between Whitsett Ave. and Laurel Canyon Blvd. in Studio City is part of a broader network of natural spaces along the Los Angeles River. Maintenance and improvements to these greenways ensures that the urbanized Los Angeles River has the potential to be a thriving resource, as well as an accessible and welcoming space for surrounding communities.

⁹ The California Resources Agency, San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, and Santa Monica Mountains Conservancy. "Common Ground from the Mountains to the Sea: Watershed and Open Space Plan San Gabriel and Los Angeles Rivers," October 2001. <http://smmc.ca.gov/Common%20Ground%20Plan.pdf>.

PROJECT BUDGET SHEET

LA River Greenway - Habitat Restoration Project

Native planting project

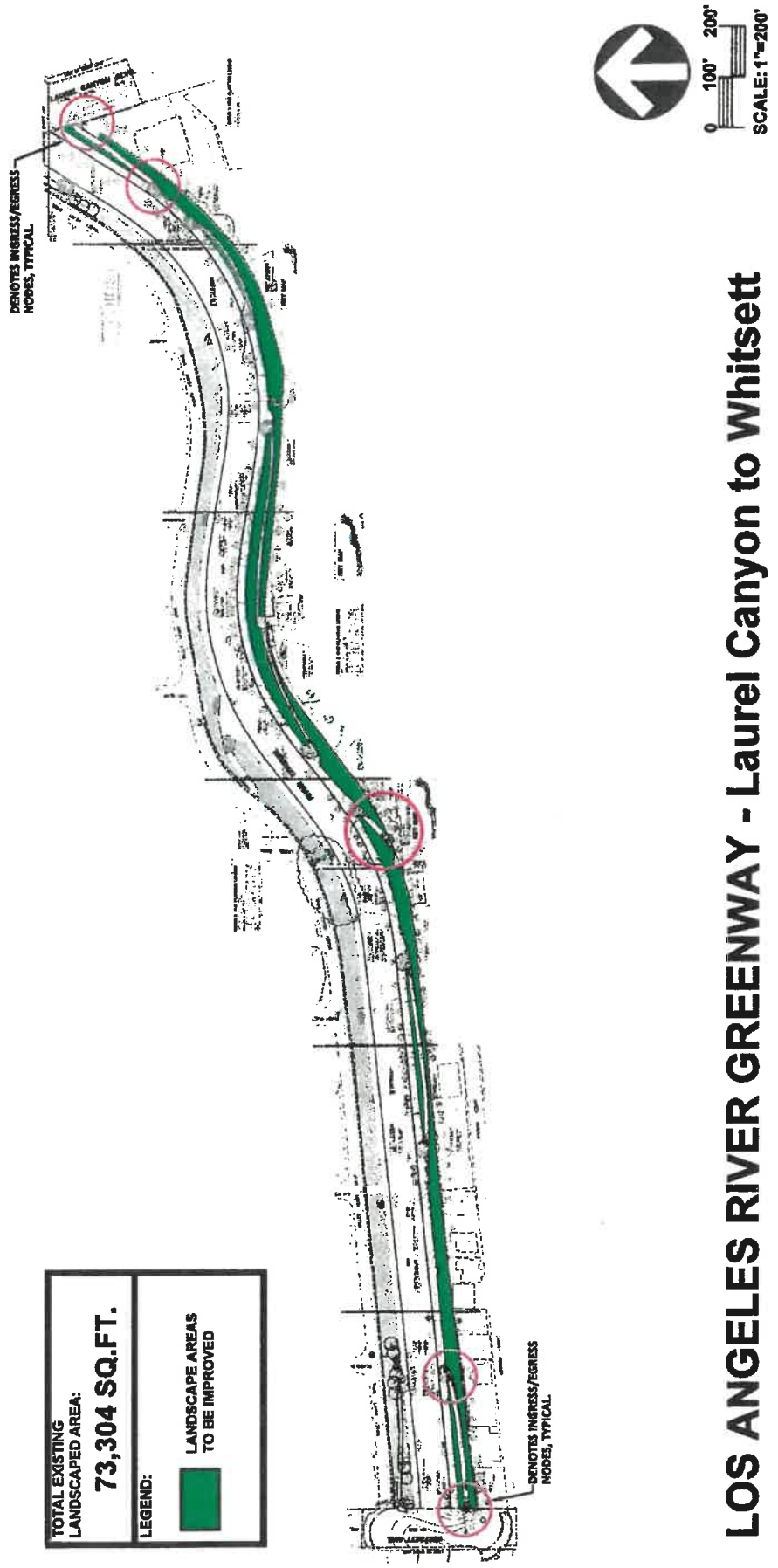
Activity	Quantity	Unit	Costs/Unit	Budget
Project Management				
Project/Construction Mngmt. (15%)				\$ 78,058.95
Design				
RAP In-House (10%)				\$ 52,039.30
Construction				
Demolition/Earthwork				
Clear and grubbing	73,304	sf	\$ 1.00	\$ 73,304.00
			Subtotal =	\$ 73,304.00
Irrigation				
Modification to existing system	80,000	sf	\$ 2.00	\$ 160,000.00
			Subtotal =	\$ 160,000.00
Planting				
Shrubs (5 gal.)	4,000	each	\$ 50.00	\$ 200,000.00
Hydroseed slope stabilization	73,304	sf	\$ 0.85	\$ 62,308.40
			Subtotal =	\$ 262,308.40
			Construction Subtotal =	\$ 495,612.40
			Construction Contingency (5%) =	\$ 24,780.62
			Construction Total =	\$ 520,393.02
			Subtotal =	\$ 650,491.28
			Project Contingency (5%) =	\$ 32,524.56
TOTAL PROJECT COST				\$ 683,015.84
FUNDING SOURCES				
Santa Monia Mountains Conservancy				\$ 150,000.00
RAP General Fund				\$ 130,098.26
Quimby				\$ 402,917.58
TOTAL FUNDS				\$ 683,015.84

EXHIBIT E

Los Angeles River Greenway – Habitat Restoration Project Schedule

	2020					2021											
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan
Development of Construction Documents*																	
Bid and Award																	
Construction																	
Plant Establishment																	
Final acceptance by RAP Board																	

* Start date of timeline is tentative and based on date of grant award.



LOS ANGELES RIVER GREENWAY - Laurel Canyon to Whitsett

June 1, 2020; Agenda Item No. 15

Resolution No. 20-20

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY GRANT OF PROPOSITION 68 FUNDS TO THE CITY OF LOS ANGELES DEPARTMENT OF RECREATION AND PARKS FOR THE LOS ANGELES RIVER GREENWAY-HABITAT RESTORATION PROJECT, STUDIO CITY

WHEREAS, The Santa Monica Mountains Conservancy is authorized to award grants to non-profit organizations pursuant to Section 33204.2(a) of the Public Resources Code; and

WHEREAS, The Santa Monica Mountains Conservancy is authorized to award grants to cities, counties, recreation and park districts pursuant to Section 33204 of the Public Resources Code; and

WHEREAS, The State of California has authorized an expenditure of funds from Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 to the Santa Monica Mountains Conservancy for capital outlay and local assistance multi-benefit grants for urban creeks and ecosystem and watershed protection and restoration projects; and

WHEREAS, The City of Los Angeles Department of Recreation and Parks has requested a grant from Proposition 68, Section 80110(a)(1) (A) of the Public Resources Code in the amount not to exceed \$150,000; and

WHEREAS, The proposed project is within the Santa Monica Mountains Conservancy Zone; and

WHEREAS, The proposed project meets one or more of the purposes of Proposition 68; and

WHEREAS, The proposed project received the minimum score required for consideration in accordance with the Conservancy's Proposition 68 grant guidelines; and

WHEREAS, the proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, the proposed project is consistent with the *Santa Monica Mountains Comprehensive Plan*, the *Rim of the Valley Trail Corridor Plan*, and the *San Gabriel and Los Angeles River Watershed and Open Space Plan*; and

WHEREAS, The proposed project is consistent with the Conservancy's Strategic Objectives to Implement the *Santa Monica Mountains Comprehensive Plan*, *Rim of the Valley Trail Corridor*

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June 1, 2020
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Master Plan, and San Gabriel and Los Angeles Rivers Watershed and Open Space Plan, Expand efforts to integrate nature into the urban environment, Link and integrate new natural parks into existing park system, Create comprehensive, regional, and integrated trails plan, Develop long term capital improvement and maintenance plans, and Increase resource stewardship; and WHEREAS, The proposed action is being taken subject to approval of the grant for compliance with the General Obligation Bond Law; and

WHEREAS, The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA); Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS the proposed project meets at least one of the purposes of Proposition 68.
2. FINDS that the proposed action is consistent with the *Santa Monica Mountains Comprehensive Plan, the Rim of the Valley Trail Corridor Master Plan, and the San Gabriel and Los Angeles River Watershed and Open Space Plan* as adopted by the Santa Monica Mountains Conservancy.
3. FINDS that the proposed action is consistent with the Conservancy's Strategic Objectives.
4. FINDS that the proposed project received at least the minimum score required for consideration in accordance with the Conservancy's Proposition 68 guidelines.
5. FINDS that the proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA).
6. ADOPTS the staff report and recommendations dated June 1, 2020 for this item.
7. ADOPTS all of the preceding whereas clauses.
8. AUTHORIZES a grant of Proposition 68 funds to the City of Los Angeles Department of Recreation and Parks in the amount not to exceed \$150,000 for restoration of native habitat along the Los Angeles River in the Studio City area.
9. FURTHER AUTHORIZES the Chairperson to execute the grant agreement and to perform any and all acts necessary to carry out this resolution; without limiting the generality of the foregoing, such authority shall include those provisions that

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he or she shall determine in the exclusive exercise of his or her discretion are necessary to carry out the purposes of this resolution and to comply with the policies of the Conservancy, and to otherwise carry out the provisions of state law and regulations.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 1st day of June, 2020 at Los Angeles and other locations, California.

Dated: 6-1-20


Executive Director

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



300 SOUTH SPRING STREET, SUITE 1702
LOS ANGELES, CA 90013

Telephone: (213) 269-6383
Facsimile: (213) 897-2801
E-Mail: Christina.Arndt@doj.ca.gov

July 23, 2020

Jeff Maloney
Chief Staff Counsel
Santa Monica Mountains Conservancy
Los Angeles River Center and Gardens
570 West Avenue Twenty-Six, Suite 100
Los Angeles, CA 90065

RE: Proposition 68 grant to the City of Los Angeles for Los Angeles River greenway restoration

Dear Mr. Maloney:

You have asked the Office of the Attorney General to review the above-referenced grant to the City of Los Angeles Department of Recreation and Parks (City) and advise the Conservancy whether the grant complies with the General Obligation Bond Law and Proposition 68. We are reviewing this grant using our opinion standard pursuant to the language in the state budget that mandates Attorney General review of Conservancy grants from its appropriation of bond funds to insure compliance with the General Obligation Bond Law and the pertinent bond acts. We note that the Legislature has charged the Attorney General to review grants only to determine whether their purposes are consistent with the General Obligation Bond Law and the specific bond acts. Thus, our review does not address other questions such as the amount of the grant or compliance with other statutes. Nor do we address the budget for the grant except to determine whether the purpose of the funding is proper. In addition, because our review is focused on the propriety of this particular grant, we do not address the Conservancy's compliance with the pre-grant requirements of Proposition 68, such as development and adoption of a strategic master plan or grant solicitation and evaluation guidelines.

The Conservancy proposes to grant the City \$150,000 of Proposition 68 funds under Public Resources Code section 80100(a)(1)(A) for restoration of a segment of the southern bank of the Los Angeles River in Studio City. The project will restore the natural environment of the area, including removing weedy non-native plant species and replacing them with native riparian species, re-establishing irrigation, and stabilizing slopes to minimize erosion. The project is

intended to provide natural habitat for wildlife as well as improved access for recreational opportunities. The Conservancy's proposed grant will only fund about a quarter of the total project cost; the City is providing matching funds for the remainder.

Proposition 68's purposes include funding projects that provide urban recreation and protect or restore natural resources. (Pub. Resources Code, § 80001, subd. (b)(4).) Proposition 68 allocated \$37.5 million to the Conservancy for projects that protect and enhance urban creeks. (Pub. Resources Code, § 80100, subd. (a)(1)(A).) Unless the project serves a disadvantaged community, a grantee under this particular Proposition 68 funding source must provide matching funds of 20 percent. (Pub. Resources Code, § 80100, subd. (b).)

Proposition 68 allocated the Conservancy's urban creek funding pursuant to Water Code section 79508. ((Pub. Resources Code, § 80100, subd. (a)(1)(C).) Section 79508 provides that "[w]atershed protection activities in the San Gabriel and Los Angeles River watersheds shall be consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan." That plan, titled "Common Ground: From the Mountains to the Sea," provides a planning framework for these watershed areas. The purpose of Common Ground is "creation of sufficient park space, a comprehensive network of trails and bike paths, and opportunities to observe nature in urban settings" in the watersheds of the San Gabriel and Los Angeles Rivers. (Common Ground, p. 1.) Common Ground supports creating "a continuous ribbon of open space, trails, active and passive recreation areas, and wildlife habitat" along the Los Angeles River. (*Id.* at p. 3.)

Proposition 68 incorporates the General Obligation Bond Law. (Pub. Resources Code, § 80161.) The General Obligation Bond Law provides that bond funds may be used for the construction of "capital assets," which includes "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." (Gov. Code, § 16727, subd. (a).)

The Conservancy's proposed grant would fund natural restoration of a segment of the Los Angeles River. This is within the purposes of Proposition 68 because it is a project that enhances an urban creek, provides urban recreation, and restores natural resources. The grant complies with the requirements of section 80100, subdivision (b), because it provides matching funds. The grant is also consistent with Common Ground, which promotes creation of greenways along the Los Angeles River. The proposed grant is consistent with the General Obligation Bond Law because it funds major reconstruction of capital assets.

Jeff Maloney
July 23, 2020
Page 3

Based on the foregoing, we find that this grant is proper pursuant to both Proposition 68 and the General Obligation Bond Law. Please feel free to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christina Bull Arndt', written in a cursive style.

CHRISTINA BULL ARNDT
Supervising Deputy Attorney General

For XAVIER BECERRA
Attorney General

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(213) 202-2633

December 13, 2022

Rorie Skei,
Santa Monica Mountains Conservancy
570 West Avenue Twenty-Six, Suite 100
Los Angeles, CA 90065

Dear Ms. Skei:

**RE: SANTA MONICA MOUNTAINS CONSERVANCY – LOS ANGELES RIVER
GREENWAY – HABITAT RESTORATION (GRANT AGREEMENT NUMBER:
SMM-3810-P68-2020) – REQUEST FOR PROJECT SCOPE CHANGE AND
GRANT PERFORMANCE PERIOD EXTENSION**

The City of Los Angeles Department of Recreation and Parks (RAP) is requesting an extension of the grant performance period from June 30, 2022 to June 30, 2024 for Santa Monica Mountains Conservancy – Los Angeles River Greenway – Habitat Restoration project (Project). The project scope for the Project is as followed:

Removal of existing non-native vegetation, as-needed irrigation repairs, slope stabilization, and installation of new plant material that will be designed to promote a natural California riparian habitat

The project scope will be changed as follows:

Removal of existing non-native vegetation, **new irrigation installation**, slope stabilization, and installation of new plant material that will be designed to promote a natural California riparian habitat

The Project has been moved from Council District 2 to Council District 4 due to Council Districts being redistrict as part of the 2020 Census updates. The Department of Recreation and Parks (RAP) staff has provide a project status update to Council District 4. The project status update includes that the project cost has double during the two pandemic years based on material supplies and has escalated due to inflation when the economy re-opened from the pandemic.



Ms. Skei
December 15, 2022
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The project status update also includes that the project would have to be divided into two phases based on the available funding of \$521,000. There is no available funding identify for Phase II. The design plan is enclosed.

RAP can only plant California native plants between October to April. If RAP does finish planting by April, Phase I of the Project will be completed within 12-15 months.

If you have any questions, please contact Kai Wong, at (213) 202-5650.

Sincerely,



JIMMY KIM
General Manager

JK:NW:BJ:kw

Enclosures

cc: Andrea Conant, Council District 4
Xochitl Ramirez, Chief Legislative Analyst
Melinda Gejer, City Administration Office
Steven Hong, Deputy City Attorney III
Matthew Rudnick, Executive Officer, RAP
Cathie Santo Domingo, Assistant General Manager, RAP
Darryl Ford, Superintendent, RAP
Ryan Carpio, RAP



Kai Wong <kai.wong@lacity.org>

SMMC Grant Extension Request for LA River Greenway Habitat Restoration Project

4 messages

Kai Wong <kai.wong@lacity.org>

Thu, Dec 15, 2022 at 1:13 PM

To: Rorie Skei <skei@smmc.ca.gov>

Cc: Melissa Smith <smith@smmc.ca.gov>, Bill Jones <bill.jones@lacity.org>

Rorie,

Here is the letter requesting for a grant extension to be extended to June 30, 2024. I have also attached two pdf files that divide the project into Phase I and Phase II.

Please let me know if you have any questions or concerns.

Thanks

--

Kai Wong
Grants Admin
Department of Recreation and Parks
(213) 202-5650
Fax: (213) 202-3214
Mail Stop 625

3 attachments



SMMC LA River Greenway Habitat Restoration Grant Extension Request LTR 12132022-signed.pdf
348K



RF-1 Reference Plan.pdf
869K



TS-1 Title Sheet.pdf
1253K

Kai Wong <kai.wong@lacity.org>

Wed, Jan 11, 2023 at 9:44 AM

To: Rorie Skei <skei@smmc.ca.gov>

Cc: Melissa Smith <smith@smmc.ca.gov>, Bill Jones <bill.jones@lacity.org>

Hi Rorie,

Just following up on our request for a grant extension. Please let us know if you require any additional information from us.

Thanks

Kai

[Quoted text hidden]

Kai Wong <kai.wong@lacity.org>

Tue, Feb 14, 2023 at 8:25 AM

To: Rorie Skei <skei@smmc.ca.gov>, Melissa Smith <smith@smmc.ca.gov>

Cc: Bill Jones <bill.jones@lacity.org>

Hi Rorie and Melissa,

I haven't heard back on the SMMC grant for the Los Angeles River Greenway project. We are requesting a grant extension since the cost for the project has increased due to inflation. Do you have all the information from us that support our request for the SMMC grant extension?

Please advise.

Kai

[Quoted text hidden]

Rorie Skei <skei@smmc.ca.gov>

Tue, Feb 14, 2023 at 8:58 AM

To: Kai Wong <kai.wong@lacity.org>, Melissa Smith <smith@smmc.ca.gov>, Melissa Vega <melissa.vega@mrca.ca.gov>

Cc: Bill Jones <bill.jones@lacity.org>

Kai, I thought staff had responded earlier. Unfortunately we can't extend the grant as the state item of appropriation expires June 30 and we can't do an extension. I suggest you submit for a new Prop 1 grant (see www.smmc.ca.gov, Grant Info for the application form and Prop 1 Guidelines), which if we get by early March, can be on the late March SMMC agenda.

So sorry for the technical difficulties.

Rorie Skei

[Quoted text hidden]