



## MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens  
570 West Avenue 26, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 221-9933

### MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: June 2, 2010

SUBJECT: **Agenda Item IX: Consideration of resolution requesting a budget amendment and scope change for grant SMM-0776.**

Staff Recommendation: That the Governing Board adopt the attached resolution requesting a budget amendment (grant augmentation) in the amount of \$1,100,000 and a scope change to include Malibu Bluffs park to the Santa Monica Mountains Conservancy for grant SMM-0776.

Two and a half years of work by staff and a consultant team on the Malibu Parks Public Access Enhancement Plan - Public Works Plan has advanced this landmark project close to the release of a Final Environmental Impact Report (July 2010) and consideration of a Public Works Plan by the California Coastal Commission early this fall. In addition the MRCA has closed on two key Coastal Slope Trail properties that link Ramirez Canyon Park to Escondido Canyon Park. Substantial progress has been made on two other Coastal Slope Trail acquisitions. In addition, the California Coastal Commission approved the groundbreaking Malibu Local Coastal Plan Amendment (LCPA) last June. Major strides have also occurred to provide a potential new Coastal Slope Trail parking lot and Ramirez Canyon Park access road on the Lauber property located between the park and Kanan Dume Road. The work embodied in the 3,000 page Draft Environmental Impact is emblematic of the detail and caution necessary to support the development of a multi-park Public Works Plan in a highly litigious environment.

The Santa Monica Mountains Conservancy (Conservancy) amended the scope of work for grant SMM-0776 to the Mountains Recreation and Conservation Authority (MRCA) in December 2007 to work full force on project planning and design for the Malibu Public Parks Access Enhancement Plan - Public Works Plan. To date the Conservancy has approved \$2,200,000 for SMM-0776 for this purpose.

The full \$2,200,000 has now either been expended or is encumbered by contracts with at least five consultants. The complexity, difficulty, and expected legal challenges to the project have required extraordinary amounts of work to assure the quality and viability of the project. The project components are continually being refined or eliminated both to reduce implementation cost, to respond to Draft EIR

comments, and to reduce legal exposure. This extensive front end work effort should pay great dividends in regards to reducing litigation and implementation costs.

The proposed action would authorize a request to the Conservancy for an additional \$1.1 million to complete the project. Of that amount, approximately \$450,000 would be budgeted for potential legal costs at various stages of the project's EIR and California Coastal Commission approval process. The remaining \$650,000 requested from the Conservancy, in approximate order of proportionate cost, would cover the main EIR consultant, staff time, the principal engineering firm, geology and geotechnical consultants, coastal planning consultants, an ADA consultant, and printing costs. This budget request is staff's best assessment of a funding amount that will be adequate, even under unfavorable circumstances, to deliver a certified FEIR, an approved Public Works Plan, and a conclusion of legal challenges. Favorable circumstances--such as acceptable legal settlements--would lead to substantially reduced costs.

The proposed action would also add all necessary project planning and design and legal work associated with the Malibu Bluffs park portion of the project to the grant's scope of work. The Malibu Bluffs project planning and design work to date has been covered under a separate Conservancy grant.

If this item is approved, staff will prepare a formal grant augmentation request for the Chairperson's signature to send to the Conservancy for consideration at their June 2010 meeting.