



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center & Gardens
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MEMORANDUM

TO: The Governing Board

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

DATE: December 3, 2008

SUBJECT: **Agenda Item XII: Consideration of resolution authorizing: (a) the bargain sale acquisition of APNs 2277-018-014, 015, 016, 017; 2277-019-003, 004, 005, 007, 008, 009, 010, 011, 012; 2277-020-001, 002, 003, 004, 005, 006; 2278-001-004, 005, 006, 007, 008, totaling 5 acres in the Hopevale-Pacheco Canyon Area using funds from the Santa Monica Mountains Open Space Preservation Assessment District No. 1; (b) acceptance of a maintenance endowment from private entities, and (c) allowance for permanent placement of an acknowledgment plaque, Sherman Oaks.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing: (a) the acquisition of APNs 2277-018-014, 015, 016, 017; 2277-019-003, 004, 005, 007, 008, 009, 010, 011, 012; 2277-020-001, 002, 003, 004, 005, 006; 2278-001-004, 005, 006, 007, 008, totaling approximately 5 acres in the Hopevale-Pacheco Canyon Area using funds from the Santa Monica Mountains Open Space Preservation Assessment District No. 1; (b) acceptance of a maintenance endowment from private entities or entering into equivalent agreements, and (c) allowance for permanent placement of an acknowledgment plaque, Sherman Oaks.

Background: The subject five acres are part of an approximately 50 acre habitat block on the north-facing slope of the Santa Monica Mountains in Sherman Oaks. Staff became aware of this area during the preparation of the list of potential properties for the Santa Monica Mountains Open Space Preservation District No. 1. The site supports numerous native walnut trees and some oaks and Mexican elderberry trees. The middle of the property is bisected by a level, driveable dirt road that begins at the terminus of Hopevale Drive. Public access (a few street parking spots) is available both from this point and from the terminus of Pacheco Drive. In short, the site has a great trail, easy maintenance and patrol access, high habitat value, great ambience, and good geographic location for providing special

benefit to the property owners in the more easterly area of Acquisition Area A of District No. 1. The District's Citizen Oversight Committee approved the twenty-two parcels at its August 18, 2004 meeting.

Staff has had on again off again contact with the owners' representatives over the past three years. There was always a difference between the available Area A funding, the appraised value and the sellers' expectations. There was also the issue of absorbing an additional acre-plus of annual brush clearance. A group called Save our Sherman Oaks Canyon has been extraordinarily active in opposing the development and has retained counsel.

The owners' representative has now, for all intents and purposes, decided to sell the property to the MRCA for the remaining funds in the Area A account. That amount is approximately \$930,000. The property was appraised in November 2004 and will need to be appraised again. Most likely a sale around that number will be a bargain sale. The sellers' other requests are that the Governing Board move quickly with an action and that staff provide a written offer. In addition if the sale is a bargain sale, they wanted the opportunity at their expense to put in a small (design approved by staff) rock pedestal and bronze plaque recognizing the families' contribution.

Because the property requires substantial annual brush clearance, to move forward on the acquisition, staff has conditioned the acquisition on the community coming up with a \$50,000 endowment or some equivalent mechanism to fund brush clearance. The community is actively working on fund raising and alternative scenarios. Staff expects to attend a major community meeting on December 14th to solve for this issue.