



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

**TO:** The Governing Board

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

**DATE:** August 7, 2012

**SUBJECT:** **Agenda Item IX: Consideration of resolution of formation establishing Community Facilities District No. 2. (Open Space Protection and Fire Prevention.**

Staff Recommendation: That the Governing Board of the Mountains Recreation & Conservation Authority ("MRCA") adopt the attached Resolution of Formation for the purpose of forming Community Facilities District No. 2 (Open Space Protection and Fire Prevention) (the "CFD").

Background: On June 27, 2012, the Board, after public notice, adopted a resolution declaring its intention to establish CFD No. 2 to provide funding to maintain, improve, acquire, protect and preserve open space, wildlife corridors, natural habitats, lands, waters, and facilities owned or managed by the MRCA in the eastern Santa Monica Mountains.

The proposed boundaries for CFD No. 2 are within the Santa Monica Mountains Conservancy Zone in the City of Los Angeles generally within the northern slope of the Santa Monica Mountains west of Interstate 405 and east of the City of Calabasas ("Woodland Hills, Encino and Tarzana Hillside Areas"). CFD No. 2 includes a total of approximately 11,291 acres that include public lands that provide open space recreation, viewshed, watershed, and animal habitat resources. The proposed boundary map has been recorded with the Los Angeles County Recorder, is on file with the Board Clerk, and is attached to the Resolution of Formation as Exhibit A.

The public facilities and services proposed to be financed by the CFD and the rate and method of apportionment of special tax are on file with the Board Clerk and attached to the Resolution of Formation as Exhibit B. The types of services and facilities to be financed by the CFD ("Services and Facilities") shall include maintenance, acquisition, improvement, servicing, protection, and preservation of open space, parkland, wildlife corridors, natural habitats, lands, waters, and facilities

owned or managed by the MRCA within the CFD; and administrative or incidental expenses thereto. The Services and Facilities include, but are not limited to, the protection of water quality, the reduction of the risk of wildfires, park ranger safety and security services, and the collection and accumulation of reserves for the aforementioned purposes.

On July 25, 2012, the MRCA published a notice in the Los Angeles Daily News indicating that a public hearing was to be held on August 7, 2012 regarding the proposed establishment of the CFD. This public hearing was held by the Board and the proposed special tax to be levied within the CFD has not been precluded by majority protest.

If the attached resolution of formation is approved, the special tax would be submitted to a vote of the registered voters within the proposed CFD in the November 6, 2012 general election. Each voter will have one vote.

The Rate and Method of Apportionment, as set forth in Exhibit C of the Resolution of Intention, provided for a 10-year maximum special tax of \$22.00 per developed parcel. The maximum annual special tax rate was subsequently reduced to \$19.00 per developed parcel and the amended Rate and Method of Apportionment is included as Exhibit C in the Resolution of Formation.

If the CFD is approved by two-thirds or more of voters in the CFD who vote on the proposition in the November 2012 general election, the CFD would generate \$305,000 per year.

Staff has been working with legal counsel to ensure that all proceedings undertaken thus far by MCRA in connection with the establishment of the CFD and the levy of the special tax have been valid and in conformity with the applicable provisions of Government Code § 53311 et seq.