

**Baldwin Hills Conservancy (BHC)**  
**NOTICE OF PUBLIC MEETING**  
**The meeting of the Baldwin Hills Conservancy will be held**  
**Friday, April 10, 2009 from 10:00 a.m. - 12:00 p.m.**  
**Kenneth Hahn State Recreation Area**  
**Community Center**  
**4100 South La Cienega Blvd.**  
**Phone (323) 298-3660**

**MEETING AGENDA**

PUBLIC COMMENTS ON AGENDA OR NON-AGENDA ITEMS WILL BE CALLED PRIOR TO ACTION ITEMS

***Public Comment and Time Limits: If you wish to speak on an agenda item or a non-agenda item, please fill out a speaker card identifying the subject of your comments and give it to a staff person before the public hearing. The cards are available near the door to the meeting room. Individuals wishing to comment will be allowed up to three minutes to speak. Speaker times may be reduced depending on the number of speakers.***

**CALL TO ORDER Mr. Robert L. Jones, Chairman**

1. Roll Call
2. Approval of Minutes (March)
3. Presentation and update on the Baldwin Hills Outdoor Resources Interpretation Project – Margot Griswold and Stacey Villagon, L.A. Audubon Society
4. Consideration of a resolution delegating authority to the Executive Officer to enter into a lease agreement and execute required documents to establish new office space for the Conservancy – David McNeill, Executive Officer
5. Consideration of a resolution authorizing the Executive Officer to partner with local agencies, college districts and institutions to seek Federal Recovery Act Funds for green resource development and training opportunities in the Baldwin Hills – David McNeill, Executive Officer
6. Executive Officer Report – David McNeill
7. Deputy Attorney General Report – Rosana Miramontes
8. Ad Hoc Committee Reports – Negotiations Committee
9. Board Member Announcements

10. Next meeting is tentatively scheduled for Friday, May 22 at 10:00 a.m.

***Pursuant to Government Code Sections 54956.8, 54956.9, the Conservancy may hold a closed session to discuss and take possible action regarding instructions on real estate negotiations, on personnel matters and/or to receive advice of counsel on pending or potential litigation. Confidential memoranda related to these issues may be considered during such closed session discussions.***

11. Closed Session: Conference to discuss negotiations and strategies for the following properties: Parcel Number: 4204-008-901 (Portion), Negotiating Party: City of Los Angeles, Agency Negotiator: David Myerson, Parcel Numbers 4221-024-010 and 011, Negotiating Party: Andrew Maytas, Agency Negotiator: David Myerson. Parcel Number: 4204-014-905, 902 and 024, Negotiating Party: Ed Dolin, Agency Negotiator: David Myerson

### **ADJOURNMENT**

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodations to attend or participate in this meeting, including auxiliary aids or services, please call Gloria Dangerfield at the Conservancy at (310) 558-5593 at least five days prior to the meeting. For more information about the Conservancy, you may visit our website at **[www.bhc.ca.gov](http://www.bhc.ca.gov)**

## BALDWIN HILLS CONSERVANCY

3578-C Eastham Drive • Culver City, CA 90232

Ph: (310) 558-5593

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www.bhc.ca.gov

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### Memorandum

**To:** Governing Board

**Fr:** David McNeill, Executive Officer

**Date:** April 10, 2009

**Re: Item 3:** Presentation and update on the Baldwin Hills Outdoor Resources Interpretation Project – Margot Griswold and Stacey Villagon, L.A. Audubon Society

**Recommendation:** No action required.

**Background:** Pursuant to grant #BHC07018 between the BHC and the Los Angeles Audubon Society, restoration specialists have been working with students from Dorsey High School to implement a science-based intern program in Baldwin Hills Parklands for native plant propagation, habitat restoration as well as environment interpretation. Over the last 12 months, students have gained extensive knowledge from their work at the greenhouse at the Baldwin Hills Scenic Overlook as well as the Native Plant and Wildlife Garden at Kenneth Hahn State Recreation Area. Hours of volunteer time have translated into environmental programming in the Baldwin Hills Parklands that benefits students from elementary to high school, as well as develop career paths for students moving on to college in the coming year. This grant will continue for another year as the current group of students begins their spring recruitment for the next cadre of students to enter the program.

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### Memorandum

**To:** Governing Board

**Fr:** David McNeill, Executive Officer

**Date:** April 10, 2009

**Re: Item 4:** Consideration of a resolution delegating authority to the Executive Officer to enter into a lease agreement and execute the required documents to establish new office space for the Conservancy – David McNeill, Executive Officer

**Recommendation:** Approve resolution #09-03, delegating authority to the Executive Officer

**Background:** Staff is closing negotiations for approximately 1800 square feet of office space located at the Wateridge Building located at 5100 Goldleaf Circle Suite 270. The full gross lease, which includes utilities, is for 48 months with an option for an additional 12 months at the end of the term. The first 12 months of the lease will not exceed the Conservancy's proposed 2009-10 support budget (see attached) which provides for up to \$29,000 for Facilities Operation and \$17,000 for Utilities totaling \$46,000 for the fiscal year.

The Conservancy will require 2% increases annually for Facilities Operation and Utilities budget items to meet the obligations under the lease. Staff plans to modify the Conservancy's 2010-11 Budget Change Proposal to address the increase by either; 1) requesting additional support funds to meet standard operational needs; or 2) redirecting funds from the General Expenses or Other Expenses line items. If approved, Staff would plan to move offices on or near April 24 when the space has been built out and begin operating from the new offices in May.



**BALDWIN HILLS CONSERVANCY (BHC)**

**RESOLUTION 09-03**

**RESOLUTION DELEGATING AUTHORITY TO THE EXECUTIVE OFFICER TO ENTER INTO A LEASE AGREEMENT AND EXECUTE REQUIRED DOCUMENTS TO ESTABLISH NEW OFFICE SPACE FOR THE CONSERVANCY**

WHEREAS, the Baldwin Hills Conservancy (BHC) was created to acquire open space and manage public lands within the Baldwin Hills area, and to provide recreation, restoration and protection of wildlife habitat within the Conservancy territory; and

WHEREAS, the BHC governing board holds the authority to conduct all conservancy business required for the purposes of its division pursuant to Public Resource Code Sections 32567 and 32568; and

WHEREAS, the BHC governing board may employ and executive officer and staff to perform functions that cannot be provided by volunteers; and

WHEREAS, the BHC receives annual appropriations in the State Budget for facilities, operations and utilities; and

WHEREAS, the Executive Officer has negotiated a lease agreement for new office space commensurate with BHC staff , operations and budget; and

WHEREAS, this action is exempt from the environmental impact requirements of the California Environmental Quality Act (CEQA).

**Now, THEREFORE BE IT RESOLVED, THE GOVERNING BOARD ADOPT RESOLUTION 09-03, DELEGATING AUTHORITY TO THE EXECUTIVE OFFICER TO ENTER INTO A LEASE AGREEMENT AND EXECUTE REQUIRED DOCUMENTS TO ESTABLISH NEW OFFICE SPACE FOR THE CONSERVANCY**

Passed and Adopted by the Board of the  
BALDWIN HILLS CONSERVANCY

on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Robert L. Jones  
Chair

ATTEST: \_\_\_\_\_  
Rosana Miramontes  
Deputy Attorney General

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### Memorandum

**To: Governing Board**

**Fr:** David McNeill, Executive Officer

**Date:** April 10, 2009

**Re: Item 5:** Consideration of a resolution authorizing the Executive Officer to partner with local agencies, college districts and institutions to seek Federal Recovery Act Funds for green resource development and training opportunities in the Baldwin Hills

**Recommendation:** Approve resolution #09-04

**Background:** With the passage of the American Recovery and Reinvestment Act of 2009, Staff has been exploring opportunities for leveraging funds for green projects within the BHC territory. Several provisions in the Recovery Act are aligned with BHC's statutory mission to acquire and manage public lands within the territory and to provide recreational open space, wildlife habitat restoration and protection of lands for educational uses within the area. Working in partnership with local agencies, the BHC is a position to potentially access funding under the State Stimulus portion of the Resource and Environmental Protection in the following areas:

- Brownfield Remediation - \$100 million available nationally  
Local Administrator: CA Department of Toxic Substance Control
- State Energy Programs - \$400 million available nationally  
Local Administrator: CA Energy Commission

The State Legislative Analyst Office has provided a report (see attached [http://www.lao.ca.gov/2009/bud/fed\\_stimulus/fed\\_stimulus\\_031009.pdf](http://www.lao.ca.gov/2009/bud/fed_stimulus/fed_stimulus_031009.pdf)) that offers insight into other areas of investment that intersect with the goals of the BHC, including Education, Labor Workforce Development, as well as Transportation. Working in tandem with area stakeholders, including the Metropolitan Transportation Authority, and education institutions like West L.A. College, Los Angeles Trade Tech, USC as well as local Unified School Districts, the Baldwin Hills can become a model for sustainable resource management and green job training beginning as early as elementary school. Additionally, the possibility of including private stakeholders like Southern California Edison and Plains Exploration and Production Company could also result in projects that improve the current delivery infrastructure of power and explore renewable sources of energy.

Staff expects to invest time and resources preparing to apply for funds in collaboration with partner agencies. Competitive grant cycles could start as early as June of this year with an expectation a successful application could yield additional resources to leverage BHC projects and help fulfill our mission.

## SUMMARY

The recently enacted federal economic stimulus package—titled the American Recovery and Reinvestment Act (ARRA)—commits a total of \$787 billion nationwide. As reflected in the figure below, this funding provides: (1) \$330 billion in aid to the states, (2) about \$170 billion for various federal projects and assistance for other non-state programs, and (3) \$287 billion for tax relief.

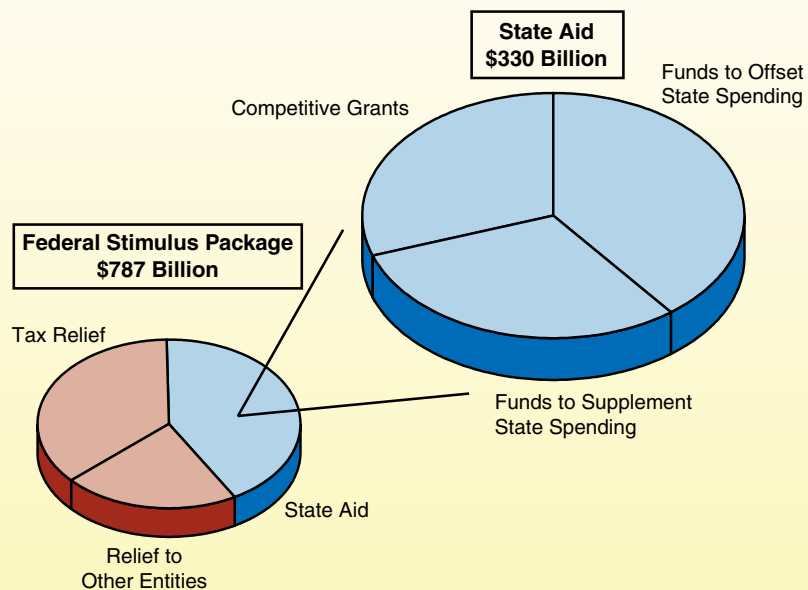
This report focuses on the state aid component of the stimulus package, as it consists of the federal dollars with which the Legislature will be most involved. As the figure shows, the state aid “pie” also consists of three pieces: (1) federal dollars that can be used to address budget shortfalls, (2) funds that supplement existing state spending, and (3) competitive grants. We estimate that California will receive over \$31 billion from the first two components (see table on next page) and billions more in competitive grants.

### The State “Trigger”

A significant portion of the \$31 billion in aid to California will be available to address the state’s budgetary problems. We estimate that, based on the enacted state 2009-10 budget, California can use \$10.4 billion in new federal dollars for this purpose over the life of ARRA. Of that amount, \$8 billion would be available in 2008-09 and 2009-10. The Director of Finance and State Treasurer will determine their own estimate of the latter amount by April 1 of this year. If the amount is less than \$10 billion, then annual state program reductions of nearly \$1 billion and revenue increases of about \$1.8 billion adopted as part of the 2009-10 budget package will go into effect.

Given the state’s continuing economic struggles, however, it is possible that state revenues (and the Proposition 98 minimum funding level) may continue to fall. In that case, it may be possible to use additional federal education dollars for budgetary relief.

### Federal Economic Stimulus Package Provides Significant Aid for States





## Key Considerations for the Legislature

The Legislature will need to take many actions in the coming months to ensure that the funds are used in ways that meet its priorities and preferences. To assist in this process, we offer the following considerations in making decisions regarding these new federal funds:

- **Maximize the Benefit of Federal Funds to the General Fund Budget.** In this report, we make specific recommendations about how to help the state's budgetary situation under different scenarios.
- **Recognize the Short-Term Nature of New Federal Funds.** Most of the state aid coming to California is intended to *supplement* current state spending. There is the risk, however, that the higher levels of service provided by the federal dollars will create ongoing expectations of state support once the funding expires. We offer strategies to address this risk.
- **Act Quickly in a Handful of Cases.** In certain instances, the state will need to act rapidly to ensure it receives the maximum amount of relief or to use the funds in the most effective way possible. Addressing a Medi-Cal eligibility issue and providing direction on the use of transportation funds are two such examples.
- **Use Next Few Months to Oversee Implementation of New Federal Spending.** For most of the new federal dollars and programs, the Legislature will have more time to take necessary actions. For example, the Legislature can use its budget process to monitor the state's revenue picture and take whatever actions are needed to use federal

### California Will Receive Over \$31 Billion in State Aid

(In Millions)

| Program Area                         | Federal Fiscal Year |                 |                | Totals          |
|--------------------------------------|---------------------|-----------------|----------------|-----------------|
|                                      | 2008-09             | 2009-10         | 2010-11        |                 |
| Health                               | \$3,986             | \$4,026         | \$1,024        | \$9,036         |
| Education                            | —                   | 7,973           | —              | 7,973           |
| Labor and workforce development      | 3,498               | 2,420           | 79             | 5,997           |
| Social Services                      | 1,500               | 1,441           | 577            | 3,518           |
| Transportation                       | 1,302               | 1,302           | —              | 2,604           |
| General purpose fiscal stabilization | —                   | 1,100           | —              | 1,100           |
| Resources/environmental              | 597                 | —               | —              | 597             |
| Housing programs                     | 381                 | —               | —              | 381             |
| Criminal justice                     | 264                 | —               | —              | 264             |
| Other                                | 27                  | —               | —              | 27              |
| <b>Totals<sup>a</sup></b>            | <b>\$11,555</b>     | <b>\$18,262</b> | <b>\$1,680</b> | <b>\$31,497</b> |

<sup>a</sup> Does not include significant additional federal funds the state is likely to receive from competitive grants.

dollars to keep the 2009-10 budget in balance. Similarly, the Legislature can use policy and budget subcommittee hearings to craft needed legislation, specify its wishes as to how new dollars are to be spent and oversee the administration's plans with regards to the new funds.

## OVERVIEW OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act (ARRA) of 2009, H.R. 1. The spending and tax-cut plan is intended to help stabilize state budgets and spur economic growth. The stimulus package commits a total of \$787 billion nationwide, and it will have a significant fiscal impact on California.

### One-Third of the Federal Funding Is for State Aid

Figure 1 shows how ARRA funding falls into three main categories. The stimulus package provides about \$330 billion in federal funds in aid to states. A variety of tax provisions intended to boost the economy will cost the U.S. Treasury \$287 billion more. Finally, about \$170 billion is available to be spent by federal agencies on federal projects or for other non-state programs, such as direct grants to local entities.

### State Aid Comes in a Variety of Forms

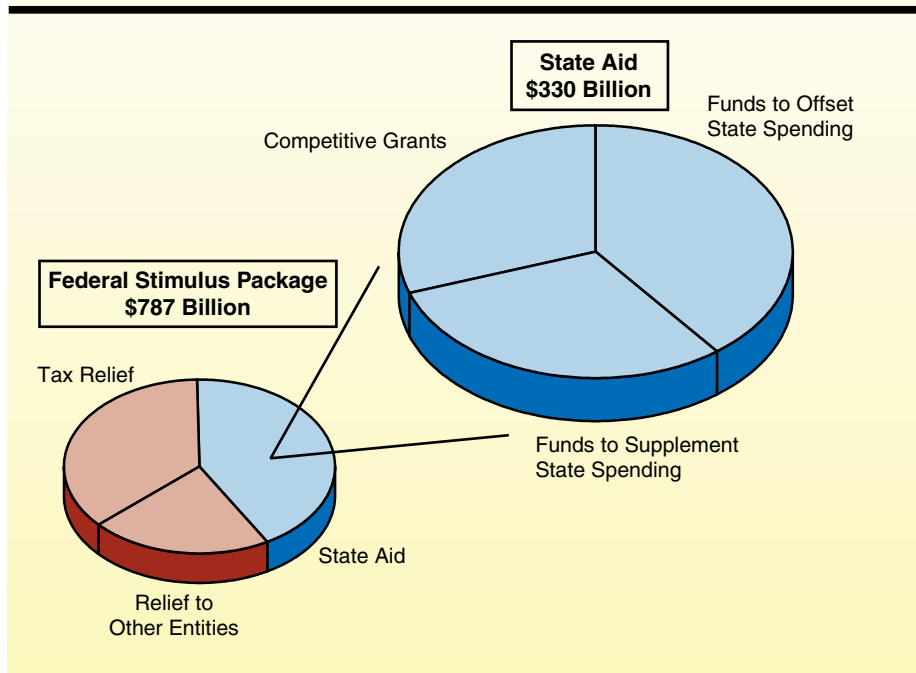
Of the roughly \$330 billion in aid available nationwide for states:

- Almost \$100 billion is available to supplant or offset states' general fund spending.
- As much as \$130 billion will be available to states to supplement or increase state spending on a wide variety of programs.
- States and other entities (such as local governments) will also be able to apply for up to \$100 billion in competitive or discretionary grants.

All of the funding for state relief is provided on a temporary basis and generally will be only available for the next few years.

**Figure 1**

### Federal Economic Stimulus Package Provides Significant Aid for States



**California Will Receive a Significant Amount of Additional Federal Funds**

Of the \$330 billion available under ARRA nationwide for state aid, we estimate that California will receive approximately \$31 billion in additional federal funds during the current and the next two federal fiscal years (FFYs). As Figure 2 shows, the state’s health programs will receive the largest share of these federal funds, about \$9 billion, and education-related programs will receive nearly \$8 billion in additional federal funds. These programs are followed by labor and workforce development and social services programs, which will receive about \$6 billion and \$3.5 billion, respectively.

In some of the program areas, the year-by-year flows of funds are estimates and may occur differently than depicted in Figure 2. In addition, this figure does not capture the unknown, but potentially significant additional federal funds that the state is likely to receive when it applies

for competitive grant funding included in ARRA. Finally, given the complexity of this legislation, our estimates of the state’s allocations included in this report should be considered preliminary and subject to revision as more information becomes available.

**Some Federal Funds Are Available To Offset General Fund Spending**

**2009-10 Budget Package Is Linked to Federal Fiscal Relief.** The Governor signed the *2009-10 Budget Act* and related legislation on February 20, 2009, to address the state’s projected \$40 billion shortfall. Based on the administration’s estimates, the act assumes that the state will receive \$8 billion in federal stimulus funds to offset General Fund expenditures. The Governor vetoed an additional \$510 million from the universities’ budgets in anticipation that even more fiscal relief would be available to backfill that reduction.

**LAO Estimates of Offsets Under Budget Package.** Our estimates of federal funds that can offset General Fund costs under the 2009-10 budget package are similar to the administration’s. As Figure 3 shows, we project that state spending would be reduced by almost \$8 billion through 2009-10, with an additional \$2.4 billion in offsets in 2010-11.

These amounts capture offsets in General Fund expenditures that

**Figure 2  
California Will Receive Over \$31 Billion in State Aid**

(In Millions)

| Program Area                         | Federal Fiscal Year |                 |                | Totals          |
|--------------------------------------|---------------------|-----------------|----------------|-----------------|
|                                      | 2008-09             | 2009-10         | 2010-11        |                 |
| Health                               | \$3,986             | \$4,026         | \$1,024        | \$9,036         |
| Education                            | —                   | 7,973           | —              | 7,973           |
| Labor and workforce development      | 3,498               | 2,420           | 79             | 5,997           |
| Social Services                      | 1,500               | 1,441           | 577            | 3,518           |
| Transportation                       | 1,302               | 1,302           | —              | 2,604           |
| General purpose fiscal stabilization | —                   | 1,100           | —              | 1,100           |
| Resources/environmental              | 597                 | —               | —              | 597             |
| Housing programs                     | 381                 | —               | —              | 381             |
| Criminal justice                     | 264                 | —               | —              | 264             |
| Other                                | 27                  | —               | —              | 27              |
| <b>Totals<sup>a</sup></b>            | <b>\$11,555</b>     | <b>\$18,262</b> | <b>\$1,680</b> | <b>\$31,497</b> |

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occur “on the natural” or with the state making relatively minimal changes to existing programs to receive the funds. For example, the single greatest source of relief comes from the increase in the percentage of program costs funded by the federal government for the state’s Medicaid program, known as Medi-Cal in California. This source of funding and the others shown in Figure 3 are discussed in more detail later in this report.

### Federal Stimulus and the State Trigger

The budget package requires the State Treasurer and the Director of Finance to determine by April 1, 2009 if ARRA makes available by June 30, 2010 additional federal funds that may be used to offset at least \$10 billion in General Fund expenditures. If they determine that federal fiscal relief reaches that \$10 billion threshold, then nearly \$1 billion in cuts to various programs

and a 0.125 percentage point increase in personal income tax rates included in the budget package would trigger off—that is, not go into effect.

**Language Open to Interpretation.** The language in the *2009-10 Budget Act* describing what needs to happen in order for the trigger to be reached is somewhat open to interpretation. For example, the language states that the federal legislation must “make available” by June 30, 2010, federal funds “that may be used” to offset \$10 billion in General Fund expenditures. This wording raises such questions as whether \$10 billion must actually be used to offset state General Fund costs, or whether this requirement would be satisfied if funds of this amount were identified that theoretically could be used in this way.

Our estimate of \$8 billion in federal funds being available to offset General Fund expenditures, shown in Figure 3, excludes offsets

**Figure 3**

### Stimulus Funds Potentially Available to Offset General Fund Expenditures

*Based on Enacted Budget Package  
(In Millions)*

| Program Area/Provision                       | State Fiscal Year |                |                | 2008-09 and<br>2009-10<br>Combined | All Years       |
|--|-------------------|----------------|----------------|------------------------------------|-----------------|
|  | 2008-09           | 2009-10        | 2010-11        |                                    |                 |
| <b>General Purpose</b>                       |                   |                |                |                                    |                 |
| State Fiscal Stabilization Fund              | —                 | \$1,100        | —              | \$1,100                            | \$1,100         |
| <b>Health</b>                                |                   |                |                |                                    |                 |
| Medi-Cal-related programs                    | \$2,631           | \$3,740        | \$1,957        | \$6,371                            | \$8,328         |
| Early Start program                          | —                 | 53             | —              | 53                                 | 53              |
| <b>Labor and Workforce Development</b>       |                   |                |                |                                    |                 |
| Workforce Investment Act discretionary funds | —                 | \$37           | \$37           | \$37                               | \$74            |
| Unemployment Insurance—interest relief       | —                 | 30             | 209            | 30                                 | 239             |
| <b>Social Services</b>                       |                   |                |                |                                    |                 |
| CalWORKs Emergency Fund                      | \$40              | \$200          | \$190          | \$240                              | \$430           |
| Foster Care and Adoption Assistance programs | 33                | 45             | 24             | 78                                 | 102             |
| Department of Child Support Services         | 22                | 30             | 7              | 52                                 | 59              |
| <b>Totals<sup>a</sup></b>                    | <b>\$2,726</b>    | <b>\$5,235</b> | <b>\$2,424</b> | <b>\$7,961</b>                     | <b>\$10,385</b> |

<sup>a</sup> The General Fund impact of the education American Recovery and Reinvestment Act funds is addressed later in this report.

## 2009-10 BUDGET ANALYSIS SERIES

the state might achieve from education-related federal funds. This is because our estimate is based on the level of state revenues assumed in the *2009-10 Budget Act* and the corresponding level of support provided for state education programs. The state's continuing economic struggles, however, suggest that revenues (and the Proposition 98 minimum guarantee) may continue to fall. Under such a scenario, it may be possible to use additional federal education funding to offset

a greater amount of General Fund spending for state education programs, as we discuss in the "Education" section of this report. Ultimately, the interpretation of this provision of statute is a matter for the Director of Finance and the State Treasurer to decide. The administration has indicated that its preliminary conclusion is that the available federal funds will be insufficient to avoid the tax increase and cuts contained in the February budget package.

**BALDWIN HILLS CONSERVANCY (BHC)**

**RESOLUTION 09-04**

**RESOLUTION AUTHORIZING THE EXECUTIVE OFFICER TO PARTNER WITH LOCAL AGENCIES, COLLEGE DISTRICTS AND INSTITUTIONS TO SEEK FEDERAL RECOVERY ACT FUNDS FOR GREEN RESOURCE DEVELOPMENT AND TRAINING OPPORTUNITIES IN THE BALDWIN HILLS**

WHEREAS, the BHC was created to acquire open space and manage public lands within the Baldwin Hills area, and to provide recreation, restoration and wildlife habitat restoration and protection of lands for educational uses within the Conservancy territory; and

WHEREAS, the BHC may undertake development activities with bond funds including, but not limited to, improvement, rehabilitation, restoration, enhancement, preservation, protection and interpretation of land and water resources pursuant to Public Resources Code 5096.650(b) of the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 provides funds for Brownfield Remediation and State Energy Programs; and

WHEREAS, California may receive over \$600 million to administer for competitive grants to qualified agencies; and

WHEREAS, the BHC seeks to leverage existing funds and partnerships to fulfill its mission; and

WHEREAS, this action is exempt from the environmental impact requirements of the California Environmental Quality Act (CEQA).

**Now, THEREFORE BE IT RESOLVED, THE GOVERNING BOARD ADOPT RESOLUTION 09-04, AUTHORIZING THE EXECUTIVE OFFICER TO PARTNER WITH LOCAL AGENCIES, COLLEGE DISTRICTS AND INSTITUTIONS TO SEEK FEDERAL RECOVERY ACT FUNDS FOR GREEN RESOURCE DEVELOPMENT AND TRAINING OPPORTUNITIES IN THE BALDWIN HILLS**

Passed and Adopted by the Board of the  
BALDWIN HILLS CONSERVANCY

on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Robert L. Jones  
Chair

ATTEST: \_\_\_\_\_  
Rosana Miramontes  
Deputy Attorney General