REPORT TO CITY COUNCIL

DATE: **AUGUST 13, 2008**

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **GREG RAMIREZ, CITY MANAGER**

BY: **MIKE KAMINO, DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT**

SUBJECT: **APPROVE RESOLUTION NO. 08-1490; ACCEPTING FROM MOUNTAINS RESTORATION TRUST THE TRANSFER OF TITLE OF TWENTY (20) CONTIGUOUS PARCELS OF OPEN SPACE LAND TOTALING APPROXIMATELY FOUR (4) ACRES LOCATED ON RENEE DRIVE, EAST OF CANYON WAY (A.P.N. 2061-019-(019-026), 2061-019-030, 2061-019-032, AND 2061-020-(011-020)); AND AUTHORIZING THE CITY CLERK TO EXECUTE AND RECORD THE GRANT DEED AS NECESSARY**

The request before the City Council is to consider accepting Mountains Restoration Trust's (MRT) transfer of approximately four (4) acres of open space land to the City. Staff also requests the City Council allocate $39,448.84 of required funds into the FY 2008-2009 budget for executing the acceptance of the transfer of title.

In 1999, the Rubins Family generously donated approximately four (4) acres of designated open space land on Renee Drive, east of Canyon Way, to the Mountains Restoration Trust. The property consisted of 18 contiguous lots in the Indian Hills neighborhood, below the Las Virgenes Municipal Water District water tank. The property is also located in the Las Virgenes Significant Ecological Area and is recognized as having important habitat value as a "Coastal Sage Scrub" vegetation community. Save Open Space (SOS) was instrumental in assisting the Rubins Family with the transfer of the property, which was intended to be preserved as permanent public open space.

It was recently brought to staff's attention that delinquent taxes on the property are owed to the County of Los Angeles. This was confirmed by the MRT, who noted that they are no longer in a position to pay the delinquent and current taxes on the property and are requesting to transfer the property to the City before it is sold at auction by the County. It was also noted that the property now includes two additional lots that consist of adjacent vacated streets. The transfer of title, if accepted, would require the City to pay all current and unpaid property taxes to the County, which total $28,433.73. The MRT is also requesting that the City reimburse MRT $11,015.11 of previous taxes that were paid for the property. As offered, the total cost to the City for accepting the transfer of title would be $39,448.84.

The benefit for the City to accept the transfer of title would be to ensure that this open space property is not sold at auction for potential development of one or more single-family residences. Also, the City would be in a position to place a conservation easement on the property to preclude against future development, and transfer the property to the Santa Monica Mountains Conservancy to own and maintain.

The total $39,448.84 cost of the transfer of land would be drawn down from the General Fund and the City Council's approval of the fund allocation is requested. The allocated funds can be drawn from the City's $70,320 Oak Tree Mitigation Fund, which is an Oak tree replacement in-lieu fund collected from developers that can be used to pay the taxes on the property to preserve its oak habitat.

Staff requests the City Council accept the transfer of title as being consistent with the City's Open Space Plan, subject to the conditions listed in the attached Resolution. The attached Grant Deed was reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council adopt attached Resolution No. 08-1490, accepting the transfer of title of open space property from Mountains Restoration Trust, allocating $39,448.84 of required funds into the FY 2008-2009 budget for executing the acceptance of the transfer of title, and authorizing the City Clerk to execute and record the grant deed as necessary.

Attachments: Resolution No. 08-1490
Grant Deed
Parcel Tax Summary
Vicinity Map