

**Assembly Bill No. 1145**

CHAPTER 24

An act to amend Section 5514 of, and to add Sections 5506.12 and 5533.7 to, the Public Resources Code, relating to parks and recreation.

[Approved by Governor April 17, 2002. Filed with  
Secretary of State April 17, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1145, Jackson. Regional open-space district: County of Ventura.

Existing law permits proceedings for the formation of a regional park and open-space district in specified counties of the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution.

This bill, in addition, would permit the formation of a regional open-space district in Ventura County to be initiated by resolution of the county board of supervisors after a noticed hearing. The bill would specify the contents of the resolution, including a requirement to call an election, as prescribed. The bill would specify that, with respect to a district formed pursuant to those provisions, where the board of directors of the district is appointed by the board of supervisors of the county in which the district is located, the terms of office of each member of the board of directors is 4 years commencing at noon on the first Monday in January, except as provided.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) There is increasing pressure to develop the pristine natural, open-space, and agricultural areas of Ventura County.

(b) Formation of a regional open-space district in Ventura County is critically needed to help address the unresolved needs and development pressures in the Ventura County area with respect to the preservation of open-space, natural, and agricultural areas, and local and regional parks and recreation facilities.

SEC. 2. Section 5506.12 is added to the Public Resources Code, to read:

5506.12. (a) A proceeding for the formation of a regional district in Ventura County may be initiated by resolution of the Board of



Supervisors of the County of Ventura, adopted after a hearing noticed in accordance with Section 6064 of the Government Code, in lieu of the petition and related proceedings specified in this article.

(b) The resolution shall do all of the following:

(1) Name the proposed regional district and state the reasons for forming it.

(2) Specify that the proposed regional district shall be governed by a board of five directors who shall be: (A) elected in accordance with this article; (B) appointed by the board of supervisors; or (C) the members of the board of supervisors acting ex officio. The method of selecting directors shall be determined by the terms of the regional district measure placed before the voters.

(3) Specify the territory to be included in the proposed regional district. The territory of the proposed regional district may include all or part of the territory within Ventura County, and may include incorporated cities within that territory.

(4) Specify the boundaries of the five wards or subdistricts drawn pursuant to Section 5515 or according to the boundaries of existing supervisorial districts.

(5) Specify that the regional district shall not have, and may not exercise, the power of eminent domain pursuant to Section 5542 or any other provision of law.

(6) Describe the methods by which the proposed regional district will be financed.

(7) Call, and give notice of, an election to be held in the proposed regional district pursuant to subdivision (b) of Section 5514.

(8) Prescribe any other matters necessary to the formation of the proposed regional district.

(c) For purposes of this section, “regional district” means an open-space district formed pursuant to this section that contains all or part of the territory within Ventura County, and may include all incorporated cities within that territory.

SEC. 3. Section 5514 of the Public Resources Code is amended to read:

5514. (a) The board of supervisors of the county having the largest area within the proposed district shall, if the petition, after the hearing, has been approved, in whole or in part, have jurisdiction to proceed further with the calling of an election within the boundaries of the proposed district as described in the resolution passed at the conclusion of the hearing, and shall, either as a part of the same resolution or by a later resolution, call an election within the proposed district for the purpose of determining whether the district shall be created and



established and, if necessary, for the purpose of electing the first board of directors therefor in case the district is created.

(b) In a district proposed to be formed pursuant to Section 5506.5, 5506.11, or 5506.12, the resolution calling the election may provide for a single ballot measure or separate ballot measures on the question of formation, establishment of an appropriations limit authorized by Section 4 of Article XIII B of the California Constitution, the authority to tax pursuant to Section 5566, and the authority to sell bonds pursuant to Section 5568, or any combination of those questions.

SEC. 4. Section 5533.7 is added to the Public Resources Code, to read:

5533.7. (a) Notwithstanding Sections 5533 and 5533.5, with respect to a district formed pursuant to Section 5506.12 where the board of directors of the district is appointed by the board of supervisors of the county in which the district is located, the terms of office of each member of the board of directors is four years, commencing at noon on the first Monday in January, except as provided in subdivision (b).

(b) Within 30 days after the date a district is formed pursuant to this chapter, the board of supervisors of the county in which the district is formed shall appoint five persons to the board of directors of the district. Each person appointed by the board of supervisors to serve on the board of directors of the district shall be a registered voter in the district. The persons appointed to the initial board of directors shall hold their first meeting not later than the first Monday that falls after 45 days after the date of formation of the district. At the first meeting of the board, the directors shall classify themselves by lot into two classes of members. The term of office of the first class with three members shall expire at noon on the first Monday in January that is closest to the fourth year after the appointments made pursuant to this subdivision. The term of office of the class with two members shall expire at noon on the first Monday in January that is closest to the second year after the appointments made pursuant to this subdivision.

(c) Any vacancy in the office of a member of the board of directors of the district appointed pursuant to this section shall be filled by the board of supervisors of the county in which the district is formed. Any person appointed to fill a vacant office shall fill the balance of the unexpired term.

