

AMENDED IN ASSEMBLY SEPTEMBER 5, 2001

AMENDED IN ASSEMBLY AUGUST 23, 2001

AMENDED IN ASSEMBLY JULY 17, 2001

AMENDED IN SENATE JUNE 4, 2001

AMENDED IN SENATE MAY 2, 2001

AMENDED IN SENATE MARCH 20, 2001

SENATE BILL

No. 359

Introduced by Senator Murray

(Principal coauthor: Assembly Member Cardenas)

~~(Coauthors: Assembly Members Aroner and Goldberg)~~

(Coauthors: Assembly Members Aroner, Dickerson, Kelley, and Goldberg)

February 21, 2001

An act to add Section 5004.5 and Chapter ~~4.5~~ 1.55 (commencing with Section 5095) to Division 5 of the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as amended, Murray. Parks and recreation: urban parks and healthy communities.

Existing law authorizes the Department of Parks and Recreation to award grants to local governments and certain other entities for the acquisition of parklands and the development and maintenance of parks in the state.

This bill would establish the California Youth Soccer and Recreation Development Program, and would require the department to administer

the program, which is intended to provide assistance and grants to local agencies and community-based organizations, as defined, with regard to funding and fostering the development of new youth soccer, baseball, and basketball recreation opportunities in the state. The bill would require the department to report to specified legislative budget committees regarding the need for specified recreational facilities in the state, and capital improvements of these facilities, to be used for the program.

The bill would create the California Youth Soccer and Recreation Development Fund in the State Treasury, which would be used for the deposit of funds derived from federal, state, and private sources to be used for the program. The bill would require the department to award grants, on a competitive basis, subject to an appropriation by the Legislature therefor, to local agencies and community-based organizations for the purposes of the program, and to develop eligibility guidelines for awarding grants that give preference to certain heavily populated, urban, low-income communities, as provided.

This bill would enact the State Urban Parks and Healthy Communities Act and would create the State Urban Parks and Healthy Communities Fund in the State Treasury. The bill would authorize the department to expend moneys in the fund, upon appropriation by the Legislature, to provide grants to state agencies, local governments, and community organizations to provide environmental education and park opportunities for schoolage children. The bill would require the department to give specified priority to the issuance of these grants and would require the amount of the grants to be not less than ~~\$25,000~~ \$20,000 or more than ~~\$100,000~~ \$200,000. The bill would specify the purposes for which these grants may be expended.

The bill would also require the department to provide grants to local agencies and community organizations to facilitate the use of outdoor recreation or provide needed after school programs.

~~The bill would require the department, in consultation with the State Department of Education, local agencies, and community organizations to develop guidelines for the issuance of these grants. The bill would require the amount of these grants to be not less than \$25,000 or more than \$300,000 and would specify the purposes for which these grants may be expended.~~

~~The bill would authorize the department to expend funds appropriated by Item 3790-102-0383 of Section 2.00 of the Budget Act of 2001 for the purposes of this bill.~~



The bill would require the department to adopt guidelines to implement the bill by June 1, 2002.

The bill would provide that any funding for the bill would be contingent upon a future appropriation in the annual Budget Act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

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

3 (a) Urban recreation and sports programs are a proven,
4 common sense, and cost-effective means of preventing crime and
5 delinquency. Investment in recreation is not a luxury, but rather is
6 an investment in our security and health, and in the stability of our
7 cities.

8 (b) Recreation, team sports, and games build self-esteem,
9 confidence, social harmony, independent thinking, self-discipline,
10 good manners, health, and skills in conflict resolution.

11 (c) Demand for recreation and the need for accessible,
12 well-maintained, and lighted places to recreate far exceed the
13 available supply of recreational facilities.

14 (d) It is cost-effective to invest in recreational rather than in
15 incarceration facilities. The cost of keeping one teenager in
16 detention for one year approaches thirty thousand dollars
17 (\$30,000).

18 (e) Urban recreation programs have a proven track record of
19 reducing juvenile crime by more than 50 percent in some cities and
20 by 90 percent in other major cities.

21 (f) Many of our cities suffer from a severe shortage of
22 accessible recreation areas; a problem that is particularly acute in
23 low-income and underserved communities.

24 SEC. 2. Section 5004.5 is added to the Public Resources
25 Code, to read:

26 5004.5. (a) The California Youth Soccer and Recreation
27 Development Program is hereby created in the department. The
28 department shall administer the program, which is intended to
29 provide assistance to local agencies and community-based
30 organizations with regard to funding, and fostering the



1 development of, new youth soccer, baseball, and basketball
2 recreation opportunities in the state.

3 (b) The department shall report to the Assembly Committee on
4 Budget and the Senate Committee on Budget and Fiscal Review
5 on the need for soccer and baseball fields and basketball courts in
6 the state, and the need for lighting, maintenance, and capital
7 improvements to develop and improve existing recreational areas,
8 with special emphasis on the development of soccer, baseball, and
9 basketball facilities. The department shall coordinate with local
10 agencies and community-based organizations to identify those
11 areas in the state where there is a shortage of appropriate
12 recreational facilities, particularly in heavily populated, urban,
13 low-income, and crime ridden areas.

14 (c) The California Youth Soccer and Recreation Development
15 Fund is hereby created in the State Treasury, to be used as a
16 repository of funds derived from federal, state, and private sources
17 to be used for the program.

18 (d) The department shall award grants, on a competitive basis,
19 to local agencies and community-based organizations for the
20 purposes of the program, subject to an appropriation therefor. The
21 department shall also develop eligibility guidelines for the award
22 of grants that give preference to those communities that provide
23 matching funds for grants, and that are heavily populated,
24 low-income urban areas with a high youth crime and
25 unemployment rate. The guidelines shall also require that
26 preference be given to those inner city properties that may be
27 leased for periods of at least five years or more for recreational
28 purposes. The department shall conduct public hearings
29 throughout the state prior to final adoption of eligibility
30 guidelines.

31 (e) For purposes of this section, the following terms have the
32 following meanings:

33 (1) "Community-based organization" means an organization
34 that enters into a cooperative agreement with the department
35 pursuant to Section 513, a nonprofit group or organization, or a
36 friends of parks group or organization of a city, county, city and
37 county, and regional park.

38 (2) "Local agency" means a city, county, city and county, park
39 and recreation district, open-space district, or school district.

40 ~~SEC. 3.—Chapter 1.5 (commencing with Section 5095) is~~



1 SEC. 3. Chapter 1.55 (commencing with Section 5095) is
2 added to Division 5 of the Public Resources Code, to read:

3

4 CHAPTER 1.55. STATE URBAN PARKS AND HEALTHY COMMUNITIES
5 ACT

6

7 5095. This chapter shall be known, and may be cited, as the
8 State Urban Parks and Healthy Communities Act.

9 5095.1. The Legislature finds and declares all of the
10 following:

11 (a) Parks and recreation provide opportunities for building
12 strong communities and promote ethnic and cultural harmony.

13 (b) The state parks system and the network of community and
14 regional parks, along with park professionals, are in a unique
15 position to promote educational, recreational, and community
16 services that foster partnerships with schools, nonprofit
17 organizations, and other government organizations that serve as
18 a foundation for the healthy development of our communities.

19 (c) California's population is growing increasingly diverse and
20 it is incumbent upon state and local governments, working with
21 local education entities, to develop and integrate programs and
22 educational curriculum that take full advantage of the state's
23 natural environs.

24 (d) Today, many of our communities are in distress and face
25 increasingly complex problems of poverty, race relations,
26 environmental concerns, crime, and inadequate education
27 facilities. These problems are exacerbated by the lack of
28 communication, collaboration, and services in our inner cities.
29 More and more local agencies, along with nonprofit
30 community-based organizations, are called upon to provide
31 recreation, after school programs, and community services to meet
32 these growing problems.

33 (e) Most state, community, and regional parks play a role in
34 educating the public about our cultural diversity, historical roots,
35 biological networks, and ecological systems. To do this effectively,
36 these entities need to identify and integrate themes within our state
37 and local parks systems that are relevant to urban communities
38 and, to the extent possible, work with local education agencies to
39 better define those themes and provide increased opportunities for



1 children to access California’s park network as a “living
2 classroom.”

3 (f) There are numerous examples across the state where
4 collaborative efforts on behalf of state, community, and regional
5 parks working in conjunction with community-based
6 organizations and local education entities have developed
7 programs, providing children with exemplary outdoor educational
8 experiences.

9 (g) Often, inner city and minority youth populations lack
10 access to recreational opportunities.

11 (h) Recreational and athletic activities have served to break
12 down color barriers in various communities and allowed
13 individuals such as Tiger Woods and Venus Williams to blaze new
14 cultural and societal trails, serving as positive role models for
15 urbanized youth throughout the nation.

16 (i) In addition, many urban areas throughout the state lack the
17 financial means or availability of property to acquire and develop
18 parks and recreation areas and facilities, particularly in the
19 neighborhoods that are currently least served in this area.

20 (j) To promote a greater sense of responsibility toward new
21 parks and recreation areas and facilities, it is vital to encourage
22 community participation in the development of new parks and
23 recreation areas and facilities, which will help keep them clean and
24 safe and enhance community pride and sustain neighborhood
25 vitality.

26 (k) Recreation, team sports, and games build self-esteem,
27 confidence, social harmony, independent thinking, self-discipline,
28 sportsmanship, and health and help to develop skills in conflict
29 resolution.

30 5095.2. As used in this chapter, the following terms have the
31 following meanings:

32 (a) “Active recreational purpose” means an activity that
33 requires athletic fields, courts, gymnasiums, or other recreational
34 venues for youth soccer, baseball, football, basketball, tennis, or
35 swimming, or any activity the department identifies as meeting this
36 definition.

37 (b) “Department” means the Department of Parks and
38 Recreation.

39 (c) “Director” means the Director of Parks and Recreation.



1 (d) “Facility” includes a place for organized team sports,
2 outdoor recreation, permanent play structures, and multipurpose
3 structures designed to meet the special recreational, educational,
4 vocational, and social needs of youth. “Facility” also includes the
5 acquisition of properties or development of venues for the
6 furtherance of the purposes of Section 5095.4 where existing state
7 conservancies or state, community or regional parks are not
8 readily accessible.

9 (e) “Fund” means the State Urban Parks and Health
10 Communities Fund.

11 (f) “Nonurbanized local agency” means any city, county, or
12 district that qualifies as a nonurbanized area as defined in
13 subdivision (e) of Section 5621 and that is eligible for grant
14 funding pursuant to Chapter 3.2 (commencing with Section 5620).

15 (g) “Special district” means a regional park district, regional
16 park and open-space district, or regional open-space district
17 formed pursuant to Article 3 (commencing with Section 5500) of
18 Chapter 3, or a recreation and park district formed pursuant to
19 Chapter 4 (commencing with Section 5780).

20 (h) “State agency” includes the Department of Parks and
21 Recreation and the state conservancies in existence on the effective
22 date of the act adding this section during the 2001 portion of the
23 2001–02 Regular Session.

24 (i) “Urbanized or heavily urbanized local agencies” include
25 cities, counties, or a city and county, or special districts as
26 determined by the Department of Finance according to the latest
27 verifiable census data pursuant to subdivisions (c) and (d) of
28 Section 5621.

29 5095.3. There is hereby created, in the State Treasury, the
30 State Urban Parks and Healthy Communities Fund. The
31 department shall expend moneys from this fund, upon
32 appropriation by the Legislature, to provide grants to state
33 agencies, including state conservancies in existence on the
34 effective date of the act adding this section during the 2001 portion
35 of the 2001–02 Regular Session, urbanized or heavily urbanized
36 local agencies, and community-based organizations, in
37 accordance with Sections 5095.4 and 5095.5. The department may
38 not expend more than 2.5 percent of the moneys in the fund to
39 administer this chapter.



1 5095.4. (a) *The director, in consultation with the State*
2 *Department of Education, shall develop guidelines for curriculum*
3 *for outdoor education using state conservancy properties in*
4 *existence on the effective date of the act adding this section during*
5 *the 2001 portion of the 2001–02 Regular Session, and state,*
6 *community, and regional park units, and identify regions of the*
7 *state where schoolage children lack adequate opportunities to*
8 *access educational opportunities. The curriculum components*
9 *may include, but not be limited to including, tapping California’s*
10 *vast resource areas for instruction of earth sciences, life sciences,*
11 *geology, climate, history, social sciences, visual arts, performing*
12 *arts, and culture. To accomplish this goal, the department shall*
13 *create a competitive grant program to assist state parks, state*
14 *conservancies in existence on the effective date of the act adding*
15 *this section during the 2001 portion of the 2001–02 Regular*
16 *Session, and urbanized and heavily urbanized local agencies and*
17 *community-based organizations within those jurisdictions,*
18 *working in collaboration to provide outdoor educational*
19 *opportunities to children.*

20 (1) *Applicant entities shall provide a 25 percent matching*
21 *contribution in community resources. The matching contributions*
22 *may be in the form of money, including funds from other state or*
23 *local assistance programs, gifts of real property, equipment, and*
24 *consumable supplies, volunteer services, free or reduced-cost use*
25 *of land, facilities, or equipment, and bequests and income from*
26 *wills, estates, and trusts. The department shall evaluate the*
27 *amount of the matching contribution in terms of its proportionality*
28 *in relation to the economic resources of the applicant. The*
29 *department may establish findings for hardships to waive the*
30 *matching requirement when an applicant cannot meet the*
31 *requirement.*

32 (2) *The department may give additional consideration to*
33 *applicant entities collaborating with other entities, such as school*
34 *districts, faith-based groups and others providing outreach*
35 *programs to identify and attract urbanized youth most in need of*
36 *organized, constructive recreational activities.*

37 (b) *The department shall make one-third of any funds*
38 *appropriated for the purposes of this chapter available to give*
39 *special priority to providing increased access for elementary*
40 *schoolage children in grades 2 to 8, inclusive, to conservancy or*



1 state, community, and regional park properties and, in addition,
2 shall give priority, in awarding a grant pursuant to this section, to
3 all of the following:

4 (1) Programs that use curriculum tied to the State Department
5 of Education standards for environmental education content.

6 (2) Applicants that serve children with family incomes below
7 the statewide average, based on the most recent figures computed
8 and established by the Department of Finance.

9 (3) Applicants that provide access to children who are
10 underserved or lack access to parks or other outdoor venues
11 suitable to conduct appropriate environmental education
12 instruction.

13 (4) Applicants that have developed working collaboratives to
14 develop environmental education partnerships.

15 (5) Applicants working in collaboration with local educational
16 agencies to identify those children lacking adequate opportunities
17 to access outdoor environmental education curriculum or
18 innovative or alternative recreation programming.

19 (c) The amount of a grant awarded pursuant to this section may
20 not be less than twenty thousand dollars (\$20,000) or more than
21 two hundred thousand dollars (\$200,000). A grant may be
22 expended for any of the following purposes:

23 (1) Staffing that is directly associated with the programming.

24 (2) Staff training or development directly associated with the
25 programming.

26 (3) Costs associated with transporting youth between a
27 community or school and the proposed environmental education
28 venue.

29 (4) Medical insurance for the participants, only if the
30 insurance is a requirement pursuant to the activity.

31 (5) Operational costs, such as the rental equipment, food, and
32 supplies.

33 (6) Applicants that can demonstrate that the administrative
34 costs associated with this activity will not exceed more than 7.5
35 percent of the amount of the grant.

36 (d) The department may gather information from the
37 applicants as to the effectiveness of these programs in meeting
38 program objectives. The department shall summarize this
39 information and report to the appropriate budget and fiscal
40 committees of both houses of the Legislature as to the number of



1 children served, the educational objectives met, and the level of
2 demand.

3 (e) Applicant agencies may enter into contracts with other
4 public agencies or entities to provide unique interpretive skills or
5 to present authentic, curriculum-based programs in units of
6 conservancy properties or state, community, or regional park
7 systems for services not otherwise provided. The purpose of this
8 subdivision is to authorize the applicants to provide programming
9 services, equipment, and materials that assist in the curriculum
10 program or provide educational activities that assist in the
11 presentation of cultural traditions.

12 5095.5. (a) The department shall allocate two-thirds of any
13 funds appropriated for the purposes of this chapter to provide
14 grants to urbanized or heavily urbanized local agencies or
15 community-based organizations within these jurisdictions for the
16 acquisition and development of properties for active recreational
17 purposes, as defined. Eligible projects shall meet all of the
18 following criteria:

19 (1) The amount of the grant applied for, together with any
20 matching contribution, shall meet all of the cost of acquiring and
21 developing the project, and when construction of the project is
22 completed, the new urban park or facility shall have a
23 management plan and demonstrate to the satisfaction of the
24 department that the applicant agencies have sufficient means to
25 ensure that the park or facility shall remain open and accessible
26 to the public.

27 (2) The application includes a commitment for a matching
28 contribution. The matching contributions may be in the form of
29 money, including funds from other state or local assistance
30 programs, gifts of real property, equipment, and consumable
31 supplies, volunteer services, free or reduced-cost use of land,
32 facilities, or equipment, and bequests and income from wills,
33 estates, and trusts. The department shall evaluate the amount of
34 the matching contribution in terms of its proportionality in relation
35 to the economic resources of the applicant. The department may
36 establish findings for hardships to waive the matching requirement
37 when an applicant cannot meet the requirement.

38 (3) The department may give special consideration to projects
39 that wholly or partly replace an area of blight, or contribute



1 significantly to the economic revitalization to the immediate
2 community.

3 (4) To the extent possible, the project is a joint-use project
4 between two or more agencies that share responsibility for
5 ownership, development, and maintenance of the project.

6 (b) The department shall adopt guidelines to amplify or clarify
7 the criteria specified in Section 5095.4 or this section, and may
8 adopt additional criteria, to supplement those criteria.

9 (c) The department may develop a procedural guide for the
10 administration of this chapter and the guidance of applicants.

11 (d) The department shall solicit written comments and hold
12 public hearings at convenient locations throughout the state on
13 any regulations, guidelines, or the procedural guide proposed to
14 be adopted or developed pursuant to this section.

15 (e) The department shall adopt guidelines to implement this
16 chapter on or before June 1, 2002.

17 (f) Any regulation, guideline, or procedural guide adopted or
18 developed pursuant to this section is not subject to the review or
19 approval of the Office of Administrative Law or to any other
20 requirement of Chapter 3.5 (commencing with Section 11340) of
21 Part 1 of Division 3 of Title 2 of the Government Code.

22 (g) A grant received pursuant to this section may be expended
23 to acquire the fee title or other interest in real property. If an
24 application proposes to acquire less than fee title, the applicant
25 shall demonstrate in the application, to the satisfaction of the
26 department, that the proposed project will provide public benefits
27 that are commensurate with the type and duration of the interest
28 in real property to be acquired.

29 (h) With the consent of an urbanized or heavily urbanized local
30 agency, any eligible nonprofit organization may apply for a grant
31 on behalf of an entity for the purposes of either Section 5095.4 or
32 this section. The application shall include a copy of any contract
33 between the local agency and the nonprofit organization and the
34 resolution or other authorization of consent. The contract shall
35 specify arrangements for the long-term management and
36 operation of the urban park or recreation area.

37 (i) Every applicant for a grant pursuant to this section and the
38 entity that will operate and maintain the property, if that entity is
39 different than the applicant, shall agree to comply with all of the
40 following requirements:



1 (1) To operate and maintain the property developed pursuant
2 to this chapter so that it is usable by residents of the affected area.
3 With the approval of the department, the grant recipient, or its
4 successor in interest in the property, may transfer its property
5 interest and the responsibility to operate and maintain the
6 property, in accordance with the terms of the grant and any
7 applicable law, to a public agency or nonprofit organization that
8 is able to operate and maintain the property in perpetuity. Any
9 attempt to make a transfer in violation of this subdivision is void.

10 (2) To use the property only for the purposes for which the grant
11 was made and to make no other use or sale or other disposition of
12 the property, except as authorized by statute. If the use of the
13 property is changed to a use that is not permitted by the terms of
14 the grant, or if the property is sold or otherwise disposed of, the
15 grant recipient shall reimburse the department an amount equal to
16 the amount of the grant, the fair market value of the land and any
17 improvements constructed with the grant, or the proceeds from the
18 sale or other disposition, whichever amount is greater. If the
19 property that is sold or otherwise disposed of is less than the entire
20 interest in the property funded with the grant, the grant recipient
21 shall reimburse the department an amount equal to either the
22 proceeds from the sale or other disposition of the interest or the fair
23 market value of the interest sold or otherwise disposed of,
24 whichever amount is greater.

25 (3) In lieu of seeking reimbursement pursuant to paragraph (2),
26 the department may impose restrictions on the use of public park
27 property identical to the requirements for the preservation of
28 public parks set forth in the Public Park Preservation Act of 1971
29 (Chapter 2.5 (commencing with Section 5400)) with respect to any
30 property used, sold, or otherwise disposed of in a manner not
31 permitted by the terms of the grant.

32 (j) The recipient of a grant pursuant to this chapter may use the
33 grant funds to pay for any portion of the cost of cleaning up,
34 removing, or remediating any toxic materials or hazardous
35 substances, if the amount used for cleanup, removal, or
36 remediation does not exceed 20 percent of the grant allocated to
37 the project.

38 (k) A grant recipient shall encumber grant moneys within two
39 years of the date of the approval of the grant.



1 (l) The amount allocated pursuant to this chapter shall be
2 roughly divided 60 percent to the southern portion of the state
3 (south of the Tehachapi Mountains) and 40 percent to the northern
4 portion.

5 (m) Recognizing that some rural areas of the state have
6 significant deficiencies of park facilities for active recreational
7 purposes, the department shall consider allocating two hundred
8 fifty thousand dollars (\$250,000) pursuant to this section to
9 nonurbanized local agencies. In awarding these grants, the
10 department shall apply the same guidelines as those established
11 for awarding a grant to a nonurbanized area pursuant to
12 subdivision (e) of Section 5621.

13 (n) To qualify as an eligible program or project, a Member of
14 the Legislature must first nominate the program or project,
15 pursuant to Section 5095.4 and this section. If the department
16 determines that the program or project is eligible, the department
17 shall issue an application to the eligible agency. A Member of the
18 Legislature may nominate any and all projects within his or her
19 district.

20 SEC. 4. Any grants awarded pursuant to this act shall be
21 contingent upon a future appropriation in the annual Budget Act.
22 ~~added to Division 5 of the Public Resources Code, to read:~~

23

24 CHAPTER 1.5. ~~STATE URBAN PARKS AND HEALTHY~~
25 ~~COMMUNITIES ACT~~

26

27 ~~5095. (a) The Legislature finds and declares all of the~~
28 ~~following:~~

29 ~~(1) Parks and recreation provide opportunities for building~~
30 ~~strong communities and promote ethnic and cultural harmony.~~

31 ~~(2) The state parks system and the network of community,~~
32 ~~regional, and city parks, along with their managers, are in a unique~~
33 ~~position to promote educational, recreational, and community~~
34 ~~services that foster partnerships with schools, nonprofit~~
35 ~~organizations, and other government organizations that serve as a~~
36 ~~foundation for the healthy development of our communities.~~

37 ~~(3) Today, many of our communities are in distress and face~~
38 ~~increasingly complex problems of poverty, race relations,~~
39 ~~environmental concerns, crime, and inadequate education~~
40 ~~facilities. These problems are exacerbated by the lack of~~



1 communication, collaboration, and services in our inner cities.
2 More and more public agencies, along with nonprofit
3 community-based organizations, are asked to provide recreation,
4 after school programs, and community services to meet these
5 growing problems.

6 (4) The state parks do, and need to, play an increasing role in
7 educating the public about our cultural diversity, historical roots,
8 biological networks, and ecological systems. To do this
9 effectively, they need to identify important themes within our state
10 parks that are relevant to urban communities and work with the
11 State Department of Education, local agencies, community
12 organizations, and businesses to ensure that all children and
13 citizens have fair and equal access to these educational and
14 recreational resources that are provided by state parks.

15 (b) This chapter shall be known, and may be cited, as the State
16 Urban Parks and Healthy Communities Act.

17 5095.1. There is hereby created, in the State Treasury, the
18 State Urban Parks and Healthy Communities Fund. The
19 department may expend the moneys in the fund, upon
20 appropriation by the Legislature, to provide grants to state
21 agencies, local governments, and nonprofit organizations in
22 accordance with Sections 5095.2 and 5095.3. Not more than 5
23 percent of the moneys in the fund shall be expended by the
24 department to administer this chapter.

25 5095.2. (a) The director, in consultation with the State
26 Department of Education, shall ensure that there are equal
27 opportunities for schoolage children to have access to the outdoor
28 and historic classrooms provided by the state park system and its
29 vast resources to teach earth sciences, life sciences, geology,
30 climate, history, social sciences, visual arts, performing arts, and
31 culture. To accomplish this goal, the director shall create a
32 competitive grant program to assist state agencies, local agencies,
33 and community organizations to provide education and park
34 opportunities to schoolage children.

35 (b) In awarding grants pursuant to this section, the director
36 shall give special priority to ensuring equal access for elementary
37 schoolage children in kindergarten and grades 1 to 6, inclusive, to
38 state park facilities and, in addition, shall give priority, in awarding
39 a grant pursuant to this section, to all of the following:



1 ~~(1) Programs that use curriculum tied to the State Department~~
2 ~~of Education standards for educational content.~~

3 ~~(2) Applicants that serve children with family incomes below~~
4 ~~the statewide average, based on the most recent figures computed~~
5 ~~established by the Department of Finance.~~

6 ~~(3) Applicants that provide access to children who are~~
7 ~~underserved or lack access to park experiences.~~

8 ~~(4) Applicants that have developed working partnerships for~~
9 ~~educational programs with local agencies or community~~
10 ~~organizations.~~

11 ~~(e) The amount of a grant awarded pursuant to this section shall~~
12 ~~not be less than twenty five thousand dollars (\$25,000) or more~~
13 ~~than one hundred thousand dollars (\$100,000). A grant may be~~
14 ~~expended for any of the following purposes:~~

15 ~~(1) Staffing that is directly associated with the educational~~
16 ~~program.~~

17 ~~(2) Training of staff directly associated with the educational~~
18 ~~program.~~

19 ~~(3) Transportation costs between the community and the park~~
20 ~~education site.~~

21 ~~(4) Medical insurance for the participants, only if the insurance~~
22 ~~is associated with the recreation activity.~~

23 ~~(5) Operational costs, such as the costs of rental equipment,~~
24 ~~food, and supplies.~~

25 ~~(6) Administrative costs, which shall not exceed more than 5~~
26 ~~percent of the amount of the grant.~~

27 ~~(d) Programs that evaluate the effectiveness in meeting the~~
28 ~~State Department of Education educational content standards~~
29 ~~when using outdoor sites or historic sites.~~

30 ~~(e) The department shall gather information from the~~
31 ~~applicants as to the effectiveness of these educational programs in~~
32 ~~meeting the educational objectives. The department shall~~
33 ~~summarize this information every three years and report to the~~
34 ~~appropriate budget and fiscal committees of both houses of the~~
35 ~~Legislature as to the number of children served, the educational~~
36 ~~objectives met, and any unmet demands of the program.~~

37 ~~(f) The department may enter into contracts with other public~~
38 ~~agencies or entities to provide unique interpretive skills or to~~
39 ~~present authentic, curriculum-based programs in units of the state~~
40 ~~park system for services not provided by the department. The~~



1 purpose of this subdivision is to permit the department to provide
2 programming services, equipment, and materials that assist in the
3 curriculum program or provide educational activities that assist in
4 the presentation of cultural traditions.

5 ~~5095.3. (a) The department shall provide grants to local~~
6 ~~agencies and community organizations to facilitate the use of~~
7 ~~outdoor recreation or provide needed after school programs. The~~
8 ~~grant program shall promote the reduction of barriers to using state~~
9 ~~parks, regional parks, local parks, and other recreational facilities~~
10 ~~for communities that are underserved by park and recreation~~
11 ~~facilities.~~

12 ~~(b) The applicants that are eligible to apply for a grant pursuant~~
13 ~~to this section include local governments and nonprofit~~
14 ~~organizations, including community organizations such as boys~~
15 ~~and girls clubs, police activities leagues, family service~~
16 ~~organizations, and human service organizations.~~

17 ~~(c) The department, in consultation with the State Department~~
18 ~~of Education, local agencies, and community organizations, shall~~
19 ~~develop guidelines for the issuance of grants pursuant to this~~
20 ~~section to ensure that priority is given to serving populations with~~
21 ~~family incomes below the statewide average income level, based~~
22 ~~on the most recent figures computed by the Department of~~
23 ~~Finance, and who have been underserved by outdoor recreation or~~
24 ~~after school programs. Programs that receive the grants shall~~
25 ~~demonstrate one or more of the following:~~

26 ~~(1) The applicant serves multigenerational populations,~~
27 ~~including ages ranging from schoolage to seniors.~~

28 ~~(2) The applicant promotes partnerships with existing local~~
29 ~~agencies or community organizations to use existing public lands,~~
30 ~~thereby avoiding acquisition costs.~~

31 ~~(3) The applicant has a history of, and experience in, providing~~
32 ~~outdoor recreation experiences to underserved populations.~~

33 ~~(4) The applicant integrates the use of outdoor recreation into~~
34 ~~the goals and the services they provide their clients.~~

35 ~~(5) The applicant provides multigenerational or family~~
36 ~~services.~~

37 ~~(6) The applicant addresses specific social problems in the~~
38 ~~target community, such as drug abuse, teen pregnancy, gang~~
39 ~~affiliation, or domestic violence.~~



1 ~~(7) The applicant coordinates with, or acts in partnership with,~~
2 ~~local agencies or community organizations.~~

3 ~~(8) The program shows, through sound evaluative processes,~~
4 ~~that clients will benefit from the services that are proposed.~~

5 ~~(9) The program incorporates a plan that identifies needs,~~
6 ~~goals, and objectives, and provides for an evaluation of whether~~
7 ~~the program objectives are met.~~

8 ~~(10) The program has matching funds from other sources and~~
9 ~~shows broad community support.~~

10 ~~(11) The program addresses multicultural and diversity issues~~
11 ~~in communities.~~

12 ~~(d) The amount of a grant issued pursuant to this section shall~~
13 ~~not be less than twenty-five thousand dollars (\$25,000) or more~~
14 ~~than three hundred thousand dollars (\$300,000). A grant may be~~
15 ~~expended for any of the following purposes:~~

16 ~~(1) Capital improvements, such as maintenance, irrigation,~~
17 ~~fencing, sanitation, lighting, or refurbishing, if the use of the~~
18 ~~facilities is guaranteed over a sufficient time period to ensure a~~
19 ~~reasonable return on the investment.~~

20 ~~(2) Operational costs, such as the rent or lease of recreational~~
21 ~~facilities, equipment, food, or supplies.~~

22 ~~(3) Staffing that is directly associated with the recreation~~
23 ~~program.~~

24 ~~(4) Training of staff directly associated with the recreational~~
25 ~~program.~~

26 ~~(5) Transportation costs between the community and the~~
27 ~~recreation site.~~

28 ~~(e) A grant issued pursuant to this section shall not be used to~~
29 ~~acquire any real property.~~

30 ~~(f) The department shall gather information from the~~
31 ~~applicants as to the effectiveness of these recreational programs in~~
32 ~~meeting the stated objectives. The department shall summarize~~
33 ~~this information every three years and report to the appropriate~~
34 ~~budget and fiscal committees of each house of the Legislature as~~
35 ~~to the number of children served, the objectives met, and any~~
36 ~~unmet demands of the program.~~

37 ~~5095.4.— For purposes of this chapter, the following terms have~~
38 ~~the following meanings:~~

39 ~~(a) “Community organization” means an organization that~~
40 ~~enters into a cooperative agreement with the department pursuant~~



1 to Section 513, a nonprofit group or organization, and a “friends
2 of parks” groups or organization of various city, county, and
3 regional parks.

4 (b) “Local agency” means a city, county, city and county, park
5 and recreation district, or open-space district.

6 SEC. 4.—The Department of Parks and Recreation may expend
7 funds appropriated by Item 3790-102-0383 of Section 2.00 of the
8 Budget Act of 2001 for the purposes of implementing Section
9 5004.5 and Chapter 1.5 (commencing with Section 5095) of the
10 Public Resources Code.

