

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 31

Introduced by Assembly Member De Leon

December 4, 2006

An act to amend Sections 5640, 5642, and 5647 of, and to amend the heading of Chapter 3.3 (commencing with Section 5640) of Division 5 of, the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

AB 31, as amended, De Leon. ~~Murray-Frommer Urban Parks and Renewal Act~~. *Neighborhood Park and Recreation Revitalization Act of 2007*.

Existing law establishes the Urban Park Act of 2006, which requires the Department of Parks and Recreation to establish a local assistance program to offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development, or both, of urban parks and recreational areas and facilities. Existing law authorizes heavily urbanized counties to apply for these grants. For purposes of the act, the term "heavily urbanized county" is defined.

This bill would change the name of the act to the ~~Murray-Frommer Urban Parks and Renewal Act~~ *Neighborhood Park and Recreation Revitalization Act of 2007*. The bill would expand the definition of "heavily urbanized county" to include counties with a population of 350,000 or more people and a density of at least 900 persons per square mile.

The bill would make conforming changes.

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. It is the intent of the Legislature to make available
2 to the Department of Parks and Recreation, upon appropriation,
3 four hundred million dollars (\$400,000,000) that shall be used to
4 award competitive grants pursuant to the ~~Murray-Frommer Urban~~
5 ~~Parks and Renewal Act~~ *Neighborhood Park and Recreation*
6 *Revitalization Act of 2007* (Chapter 3.3 (commencing with Section
7 5640) of Division 5 of the Public Resources Code).

8 SEC. 2. The heading of Chapter 3.3 (commencing with Section
9 5640) of Division 5 of the Public Resources Code is amended to
10 read:

11
12 CHAPTER 3.3. THE ~~MURRAY-FROMMER URBAN PARKS AND~~
13 ~~RENEWAL ACT~~ *NEIGHBORHOOD PARK AND RECREATION*
14 *REVITALIZATION ACT OF 2007*
15

16 SEC. 3. Section 5640 of the Public Resources Code is amended
17 to read:

18 5640. This chapter shall be known, and may be cited, as the
19 ~~Murray-Frommer Urban Parks and Renewal Act~~ *Neighborhood*
20 *Park and Recreation Revitalization Act of 2007*.

21 SEC. 4. Section 5642 of the Public Resources Code is amended
22 to read:

23 5642. As used in this article, the following terms shall have
24 the following meanings:

- 25 (a) "City" means a city or a city and county.
- 26 (b) "District" means a regional park district, regional park and
27 open-space district, or regional open-space district formed pursuant
28 to Article 3 (commencing with Section 5500) of Chapter 3, or a
29 recreation and park district formed pursuant to Chapter 4
30 (commencing with Section 5780).
- 31 (c) "Facilities" includes, but is not limited to, places for
32 organized team sports, outdoor recreation, and informal turf play;
33 nonmotorized recreational trails; permanent play structures;
34 landscaping; community gardens; places for passive recreation,
35 enjoyment of scenic open space, nature appreciation and study,

1 and outdoor education; multipurpose structures designed to meet
2 the special recreational, educational, vocational, and social needs
3 of youth, senior citizens, and other urban population groups; and
4 infrastructure and other improvements that support these facilities.

5 (d) “Heavily urbanized county” means a county with a
6 population of 350,000 or more, and a density of at least 900 persons
7 per square mile, based on the most recent verifiable census data.

8 (e) “Nonprofit organization” means any nonprofit public benefit
9 corporation formed pursuant to the Nonprofit Corporation Law
10 (Division 2 (commencing with Section 5000) of the Corporations
11 Code), qualified to do business in California, qualified under
12 Section 501(c)(3) of Title 26 of the United States Code, and that
13 has among its primary purposes the preservation, protection, or
14 enhancement of land or water resources in their natural, scenic,
15 historical, agricultural, forested, or open-space condition or use,
16 or the provision of conservation and environmental education and
17 other recreational, vocational, and educational services to urban
18 youth.

19 (f) “Park access” means the distance of approximately one-half
20 mile or less from a residence to a park.

21 SEC. 5. Section 5647 of the Public Resources Code is amended
22 to read:

23 5647. (a) The department may adopt guidelines to amplify or
24 clarify the criteria specified in Section 5646, and may adopt
25 additional criteria, to supplement those criteria, but the scope of
26 the additional criteria shall be limited to providing additional
27 guidance in selecting projects in areas that have the greatest
28 deficiencies in parks and facilities.

29 (b) The department may develop a procedural guide for the
30 administration of this chapter and the guidance of applicants.

31 (c) The department shall solicit written comments and hold
32 public hearings at convenient locations throughout the state on
33 any guideline or procedural guide that is proposed to be adopted
34 or developed pursuant to this section.

35 (d) Any regulation or procedural guide adopted or developed
36 pursuant to this section shall not be subject to the review or
37 approval of the Office of Administrative Law or to any other
38 requirement of Chapter 3.5 (commencing with Section 11340) of
39 Division 3 of Title 2 of the Government Code.

1 (e) The department may not expend more than 5 percent of the
2 amount annually appropriated for the purposes of this chapter for
3 administrative costs.

4 (f) If funding is available, the department shall administer
5 application requests for proposals and grant awards in no less than
6 two cycles in two years. The department shall maintain this
7 application schedule as long as funding is available.

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