

Assembly Bill No. 123

CHAPTER 260

An act relating to parklands.

[Approved by Governor October 5, 2007. Filed with
Secretary of State October 5, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 123, Nunez. Parklands: Westside Park.

The Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (urban open-space act), administered by the Department of Parks and Recreation, authorizes grants to be made by the department to cities, counties, and districts for recreational or open-space purposes. The urban open-space act requires property acquired or developed pursuant to the urban open-space act to be used by the grant recipient only for the purposes for which the grant moneys were requested and prohibits any other use of the area, except as authorized by the Legislature.

The California Wildlife, Coastal, and Park Land Conservation Act (conservation act) authorizes grants to be made by the department to cities, counties, districts, and nonprofit organizations for specified purposes, including purposes related to parks. The conservation act requires property acquired, developed, rehabilitated, or restored pursuant to the conservation act to be used only for purposes of the conservation act and prohibits any other use of the property, except as authorized by the Legislature.

This bill would authorize the City of Huntington Park to transfer to the Los Angeles Unified School District up to 3.8 acres of parkland in Westside Park and the facilities on that land if certain conditions are met. Before the transfer could occur, the Department of Parks and Recreation would have to determine that all those conditions have been met. The bill would require, as one of the conditions, that the transferred property be used only for a school facility.

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

SECTION 1. (a) The City of Huntington Park may transfer to the Los Angeles Unified School District up to 3.8 acres of parkland in Westside Park and the facilities on that land, if all of the following conditions are met:

(1) The city complies with the Public Park Preservation Act of 1971 (Chapter 2.5 (commencing with Section 5400) of Division 5 of the Public Resources Code), and submits to the Department of Parks and Recreation evidence of compliance, including, but not limited to, a copy of the recorded

deed and title policy for, and map of, the substitute parkland required pursuant to that act.

(2) The city submits to the Department of Parks and Recreation a revised map of Westside Park, with the revised acreage.

(3) The city prepares a detailed land plan showing the specific parcels of Westside Park that will be transferred to the Los Angeles Unified School District; showing which parcels elsewhere in the City of Huntington Park will be acquired and developed as substitute parkland; showing the facilities that will be constructed on the substitute parkland; and demonstrating that there is no net loss in park acreage as a result of the transfer pursuant to this section.

(4) The transferred property is used only for a school facility.

(5) The city ensures that the substitute parkland is developed and dedicated in perpetuity for park purposes.

(6) At least 45 days prior to transferring the property, the city adopts an ordinance at a public meeting that does all of the following:

(A) Identifies the Westside Park parcels that are to be transferred to the school district, and the parcels that the city will acquire to replace the transferred property.

(B) Makes a finding that the replacement parcels and facilities will be provided or paid for by the school district and will have acreage that is equal to or larger than the acreage of the Westside Park parcels transferred to the school district.

(C) Makes a finding that the transfer does not diminish the environmental integrity or recreational value of Westside Park.

(D) Makes a finding that the replacement parcels, including facilities, will provide an equivalent or higher level of recreational and environmental service to the current users of Westside Park.

(E) Makes a finding that the replacement parcels and facilities are in addition to existing city property.

(F) Makes a finding that the city has obtained all required state and federal approval for the transfer of the Westside Park parcel to the school district.

(b) The transfer pursuant to subdivision (a) shall not occur until the Department of Parks and Recreation determines that all of the conditions set forth in subdivision (a) have been met.