

AMENDED IN ASSEMBLY AUGUST 2, 2016

AMENDED IN ASSEMBLY JUNE 16, 2016

AMENDED IN SENATE APRIL 5, 2016

SENATE BILL

No. 1374

Introduced by Senator Lara

February 19, 2016

An act to add ~~Chapter 4.5~~ *Article 13* (commencing with Section 5795) to *Chapter 4* of Division 5 of the Public Resources Code, relating to the Lower Los Angeles River Recreation and Park District.

LEGISLATIVE COUNSEL'S DIGEST

SB 1374, as amended, Lara. The Lower Los Angeles River Recreation and Park ~~District Act~~. *District*.

Existing law provides a process for the establishment of recreation and park ~~districts~~ *districts*, which includes certain provisions of the *Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000*, and provides that a recreation and park district may organize, promote, conduct, and advertise programs of community recreation, establish systems of recreation and recreation facilities, and acquire, construct, improve, maintain, and operate recreation facilities. *Existing law enumerates the powers and duties of recreation and park districts.*

Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River. Existing law requires the Secretary of the Natural Resources Agency, in consultation with the Los Angeles County Board of Supervisors to the extent the board wishes to consult,

to appoint the Lower Los Angeles River Working Group to develop, on or before March 1, 2017, a revitalization plan for the Lower Los Angeles River watershed that addresses the unique and diverse needs of the Lower Los Angeles River and the communities through which it passes, as prescribed.

This bill would ~~create~~ *the specifically authorize the establishment of the Lower Los Angeles River Recreation and Park District* ~~and would~~ subject ~~the district~~ to specified existing laws governing recreation and park districts, *including their formation*, except as provided. The bill would authorize 9 specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district. ~~The bill would require the initial board of directors to adopt a description of the territory to be included in the district and other specified information that existing law requires from the proponents for the formation of a new recreation and park district.~~ *The bill would specify that the enumerated powers and duties of the Lower Los Angeles River Recreation Park District provided by existing law are subject to the review and approval of the Los Angeles County Local Agency Formation Commission, upon formation, change of organization, or reorganization under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.* The bill would further prescribe ~~the additional functions and duties of the district, including, but not limited to, promoting the development of the acquisition, construction, improvement, maintenance, and operation of open space and parks along the Lower Los Angeles River.~~ *Because a violation of an order or rule of the district would be a crime, this bill would impose a state-mandated local program.* The bill would require the district to conduct those functions and duties in coordination with the Lower Los Angeles River Working Group and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Lower Los Angeles River Recreation and Park District.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. ~~Chapter 4.5 (commencing with Section 5795) is~~
2 ~~added to Division 5 of the Public Resources Code, to read:~~

3
4 ~~CHAPTER 4.5. LOWER LOS ANGELES RIVER RECREATION AND~~
5 ~~PARK DISTRICT ACT~~

6
7 ~~Article 1. General Provisions~~

8
9 ~~5795. The Lower Los Angeles River Recreation and Park~~
10 ~~District is hereby created.~~

11 ~~5795.2. Except as otherwise provided in this chapter, the Lower~~
12 ~~Los Angeles River Recreation and Park District shall be subject~~
13 ~~to Chapter 4 (commencing with Section 5780).~~

14 ~~5795.5. For purposes of this chapter, “district” means the Lower~~
15 ~~Los Angeles River Recreation and Park District.~~

16
17 ~~Article 2. Administration~~

18
19 ~~5795.10. Notwithstanding Article 4 (commencing with Section~~
20 ~~5783) of Chapter 4, the initial board of directors of the district~~
21 ~~shall consist of no more than 11 members, as follows:~~

22 ~~(a) The city council of each of the following cities may appoint~~
23 ~~one representative:~~

- 24 ~~(1) The City of Vernon.~~
- 25 ~~(2) The City of Maywood.~~
- 26 ~~(3) The City of Bell.~~
- 27 ~~(4) The City of Bell Gardens.~~
- 28 ~~(5) The City of Cudahy.~~
- 29 ~~(6) The City of Lynwood.~~
- 30 ~~(7) The City of Compton.~~
- 31 ~~(8) The City of Paramount.~~
- 32 ~~(9) The City of Long Beach.~~

33 ~~(b) The Los Angeles County Board of Supervisors may appoint~~
34 ~~two public members.~~

35 ~~(c) A person appointed to the board of directors shall serve at~~
36 ~~the pleasure of the city council or county board of supervisors that~~
37 ~~made the appointment.~~

1 5795.12.— The board of directors may be reorganized pursuant
2 to Article 6 (commencing with Section 5785) of Chapter 4.

3

4

Article 3. Power and Duties

5

6 5795.20.— In addition to the powers enumerated in Article 7
7 (commencing with Section 5786) of Chapter 4, the district shall
8 do all of the following:

9

(a) Promote the development of open space and parks along the
10 Lower Los Angeles River.

11

(b) Identify funding and resources to promote the revitalization
12 of the Lower Los Angeles River and open spaces along the river,
13 for the benefit and enjoyment of local communities.

14

(c) Acquire, construct, improve, maintain, and operate parks
15 and open space along the Lower Los Angeles River.

16

5795.21.— The district shall conduct the activities specified in
17 Section 5795.20 in coordination with the Lower Los Angeles River
18 Working Group established pursuant to Section 32622 and the San
19 Gabriel and Lower Los Angeles Rivers and Mountains
20 Conservancy established pursuant to Division 22.8 (commencing
21 with Section 32600), which have certain responsibilities regarding
22 the Lower Los Angeles River.

23

5795.23.— Within a reasonable time, the initial board of directors
24 shall, by ordinance or resolution, adopt a description of the territory
25 to be included in the district and any other information that would
26 be required from the proponents for the formation of a new
27 recreation and park district, as provided in Section 5782.1.

28

SECTION 1. Article 13 (commencing with Section 5795) is
29 added to Chapter 4 of Division 5 of the Public Resources Code,
30 to read:

31

Article 13. Lower Los Angeles River Recreation and Park
32 District

33

34

5795. The Lower Los Angeles River Recreation and Park
35 District may be established subject to this chapter and the
36 Cortese-Knox-Hertzberg Local Government Reorganization Act
37 of 2000 (Division 3 (commencing with Section 56000) of Title 5
38 of the Government Code).
39

1 5795.5. For purposes of this article, “district” means the Lower
2 Los Angeles River Recreation and Park District.

3 5795.10. Notwithstanding Article 4 (commencing with Section
4 5783), the initial board of directors of the district shall consist of
5 no more than 11 members, as follows:

6 (a) The city council of each of the following cities may appoint
7 one representative:

8 (1) The City of Vernon.

9 (2) The City of Maywood.

10 (3) The City of Bell.

11 (4) The City of Bell Gardens.

12 (5) The City of Cudahy.

13 (6) The City of Lynwood.

14 (7) The City of Compton.

15 (8) The City of Paramount.

16 (9) The City of Long Beach.

17 (b) The Los Angeles County Board of Supervisors may appoint
18 two public members.

19 (c) A person appointed to the board of directors shall serve at
20 the pleasure of the city council or county board of supervisors that
21 made the appointment.

22 5795.15. The board of directors may be reorganized pursuant
23 to Article 6 (commencing with Section 5785).

24 5795.20. (a) In addition to the powers enumerated in Article
25 7 (commencing with Section 5786), which shall be subject to review
26 and approval by the Los Angeles County Local Agency Formation
27 Commission, upon formation, change of organization, or
28 reorganization under the Cortese-Knox-Hertzberg Local
29 Government Reorganization Act of 2000 (Division 3 (commencing
30 with Section 56000) of Title 5 of the Government Code), the
31 district, if it is established, shall do all of the following:

32 (1) Promote the development of open space and parks along
33 the Lower Los Angeles River.

34 (2) Identify funding and resources to promote the revitalization
35 of the Lower Los Angeles River and open spaces along the river
36 for the benefit and enjoyment of local communities.

37 (3) Acquire, construct, improve, maintain, and operate parks
38 and open space along the Lower Los Angeles River.

39 (b) The district shall conduct the activities specified in
40 paragraphs (1) to (3), inclusive, of subdivision (a) in coordination

1 *with the Lower Los Angeles River Working Group established*
2 *pursuant to Section 32622 and the San Gabriel and Lower Los*
3 *Angeles Rivers and Mountains Conservancy established pursuant*
4 *to Division 22.8 (commencing with Section 32600), which have*
5 *certain responsibilities regarding the Lower Los Angeles River.*

6 SEC. 2. The Legislature finds and declares that a special law
7 is necessary and that a general law cannot be made applicable
8 within the meaning of Section 16 of Article IV of the California
9 Constitution because of the urgent need for local park space along
10 the Lower Los Angeles River and the communities through which
11 it passes.

12 ~~SEC. 3. No reimbursement is required by this act pursuant to~~
13 ~~Section 6 of Article XIII B of the California Constitution because~~
14 ~~a local agency or school district has the authority to levy service~~
15 ~~charges, fees, or assessments sufficient to pay for the program or~~
16 ~~level of service mandated by this act, within the meaning of Section~~
17 ~~17556 of the Government Code.~~

18 SEC. 3. *No reimbursement is required by this act pursuant to*
19 *Section 6 of Article XIII B of the California Constitution because*
20 *the only costs that may be incurred by a local agency or school*
21 *district will be incurred because this act creates a new crime or*
22 *infraction, eliminates a crime or infraction, or changes the penalty*
23 *for a crime or infraction, within the meaning of Section 17556 of*
24 *the Government Code, or changes the definition of a crime within*
25 *the meaning of Section 6 of Article XIII B of the California*
26 *Constitution.*