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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair

2021 - 2022 Regular Session

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**SB 268 (Archuleta) - Parks and recreation: Lower Los Angeles River Recreation and Park District: Lower San Gabriel River Recreation and Park District: establishment: board of directors**

**Version:** April 5, 2021

**Urgency:** No

**Hearing Date:** April 19, 2021

**Policy Vote:** GOV. & F. 5 - 0

**Mandate:** Yes

**Consultant:** Mark McKenzie

**Bill Summary:** SB 268 would authorize the establishment of the Lower San Gabriel River Recreation and Park District (LSGR District) until January 1, 2024, as specified, and make changes to the initial board of directors for the Lower Los Angeles River Recreation and Park District (LLAR District).

**Fiscal Impact:**

- Unknown increased cost pressures, potentially in the tens of millions, to fund projects along the Lower San Gabriel River, to the extent the new LSGR District is successfully established. (bond funds, special funds, General Fund)

**Background:** Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, controls how local officials change the boundaries of cities and special districts, putting each county's local agency formation commission (LAFCO) in charge of the proceedings. LAFCOs preside over boundary changes that include the formation of new cities and special districts, modifications of existing boundaries, and dissolutions of unsustainable special districts. LAFCO law describes the procedures that local governments and LAFCOs must follow when approving a boundary change, such as specifying the contents of petitions for the formation of new special districts.

Existing law, the Recreation and Park District Law, is the principal act that governs the 95 recreation and park districts in California. As a special district, recreation and park districts are subject to LAFCO jurisdiction and are subject to the proceedings contained in the LAFCO law. Current law provides two means for initiating the formation of a recreation and parks district: (1) by petition signed by 25 percent of the registered voters in the proposed district's territory, or (2) by resolution of application by a city or county that contains the territory proposed to be included in the district. The petition or resolution must be submitted to LAFCO. Upon receipt of the petition or resolution, the LAFCO must conduct proceedings to consider the formation of the district. The LAFCO may not approve a proposal unless the commission determines that the proposed district will have sufficient revenues to carry out its purpose.

The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) was created by the Legislature in 1999. The RMC's mission is, among other things, to preserve open space and habitat in order to provide for low-impact recreation and educational uses, wildlife habitat restoration and protection, and watershed

improvements within its jurisdiction. It is one of ten conservancies located in the Natural Resources Agency. The RMC's territory includes the Lower Los Angeles River and the Lower San Gabriel River.

The Los Angeles River is entirely within the County of Los Angeles, with the 32-mile portion of the river upstream of the City of Vernon considered the Upper River, while the 19-mile Lower River flowing through the Cities of Vernon, Commerce, Maywood, Bell, Bell Gardens, Cudahy, South Gate, Lynwood, Compton, Paramount, Carson and Long Beach.

To address the lack of access and funding for parks and recreation opportunities in this area, the Legislature enacted SB 1374 (Lara), Chap. 486/2016 which authorized the formation of the LLAR District until January 1, 2019, subject to the requirements of LAFCO law and the Recreation and Park District Law, establishes the initial board of directors, and specifies the powers and duties of the District. The authority to establish the LLAR District was extended to January 1, 2021 by SB 875 (Committee on Budget & Fiscal Review), Chap.453/2018.

SB 1374 required the initial board of directors of the LLAR District to consist of up to 13 members, as specified:

- Two public members appointed by the Los Angeles County Board of Supervisors, which must include at least one representative of a nonprofit organization serving the Lower Los Angeles River region.
- The city councils of the Cities of Vernon, Maywood, Bell, Bell Gardens, Cudahy, South Gate, Lynwood, Compton, Paramount, and Long Beach may each appoint one representative.
- The city councils of the Cities of Commerce, Downey, Montebello, and Pico Rivera may jointly appoint one representative, who serves for a two-year fixed term.

According to Los Angeles County LAFCO, the City of South Gate submitted an application in December of 2019 to form the LLAR District. The LAFCO is currently reviewing the application.

The Lower San Gabriel River flows 43 miles through Los Angeles and Orange Counties, including many cities that are categorized as disadvantaged communities, where residents are disproportionately impacted by poor air quality and a lack of access to recreational and outdoor park space. Most of the Lower SGR is channelized, with the section below Whittier Narrows Dam lined by concrete and compacted by debris and flood control dams.

SB 693, Chap. 466/2017, authorized the establishment of the LSGR District until January 1, 2020, subject to LAFCO law and the existing laws governing the formation of recreation and park districts. Specifically, SB 693:

- Authorized the formation of the LSGR District subject to LAFCO law until 2020.
- Required the initial board of directors of the LSGR District to consist of up to 15 members, authorizing the following appointments, each of whom would serve at the pleasure of the appointing entity:
  - One public member appointed by the Los Angeles County Board of Supervisors who is a resident of the Lower San Gabriel River region.

- An appointment by the city council of each of the following cities: Downey, Whittier, Pico Rivera, Norwalk, Santa Fe Springs, Artesia, Bellflower, Cerritos, Lakewood, Montebello, Hawaiian Gardens, and Long Beach.
- The executive officer of the RMC may serve as a member.
- A representative of a nonprofit organization, as specified, who is a resident of the Lower San Gabriel River region who would be appointed by the other members of the original board of directors.
- Authorized the LSGR District's board of directors to be reorganized by an election, pursuant to the Recreation and Park District Law.
- Specified that recreation and park district powers in existing law would be subject to review and approval by the Los Angeles County LAFCO.
- Required the LSGR District to do all of the following, in addition to specified authority granted to the District under the Recreation and Park Law:
  - Promote the development of open space and parks along the Lower San Gabriel River.
  - Identify funding and resources to promote the revitalization of the Lower San Gabriel River and the open spaces along the river for the benefit and enjoyment of local communities.
  - Acquire, construct, improve, maintain, and operate parks and open space along the Lower San Gabriel River.
- Required the LSGR District to conduct these activities in coordination with the RMC, which has certain responsibilities regarding the Lower San Gabriel River.

No application was filed prior to the expiration of the authority to establish the LSGR District by January 1, 2020.

In 2018, California voters approved the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68), which authorized the sale of \$4.1 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure projects, and flood protection projects.

**Proposed Law:** SB 268 would increase the initial board of directors for the LLAR District from 13 to 17 members. Instead of sharing one director who rotates every two years, the cities of Commerce, Downey, Montebello, and Pico Rivera would each appoint their own city council member with the same term as the other directors. The bill would also allow the Los Angeles County Board of Supervisors to appoint a third public member to the board.

SB 268 would maintain a 15-member board for the LSGR District, but delete the member from the city of Montebello, and authorize the Los Angeles County Board of Supervisors to appoint a second public member from the region. The bill would also delete the previous January 1, 2020 deadline to submit an application with the Los Angeles County LAFCO and establish a new deadline of January 1, 2024 to submit an application for the establishment of the LSGR District.

**Related Legislation:** SB 693 (Mendoza), Chap. 466/2017, authorized the creation of the Lower San Gabriel River Recreation and Park District until January 1, 2020.

SB 1374 (Lara), Chap. 486/2016, authorized the creation of the Lower Los Angeles River Recreation and Park District until January 1, 2019.

**Staff Comments:** This bill authorizes the creation of a new recreation and park district that would serve as a single governmental to represent the interests of the communities in the region and to provide access to funding for expanding recreational opportunities for residents of the area. The LSGR District would be provided with tools to fund parks on the local level (through special assessments, taxes, fees, and local bond issuances) or as an applicant for other sources of funding, such as state bond funds. To the extent the LSGR District is successfully formed, the bill creates significant cost pressures on various state funds that support local and regional parks and recreation.

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