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THIRD READING

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Bill No: SB 268  
Author: Archuleta (D), et al.  
Amended: 4/5/21  
Vote: 21

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SENATE GOVERNANCE & FIN. COMMITTEE: 5-0, 3/25/21  
AYES: McGuire, Nielsen, Durazo, Hertzberg, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/20/21  
AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, Wieckowski

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**SUBJECT:** Parks and recreation: Lower Los Angeles River Recreation and Park District: Lower San Gabriel River Recreation and Park District: establishment: board of directors

**SOURCE:** Author

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**DIGEST:** This bill changes the initial board of directors for the Lower Los Angeles River Recreation and Park District and the Lower San Gabriel River Recreation and Park District, and makes additional district formation changes.

**ANALYSIS:**

Existing law:

- 1) Delegates the Legislature's power to control the boundaries of cities and special districts to Local Agency Formation Commissions (LAFCOs). Each county has a LAFCO, which is governed by a board of elected officials (CKH Act).
- 2) Tasks LAFCOs with ensuring that services are effectively and efficiently delivered, and local governments can only exercise their powers and provide services where the LAFCO allows. In order to accomplish these goals, LAFCOs preside over boundary changes that include the formation of new cities and special districts.

- 3) Enacts the Recreation and Park District Law as the principal act that governs all the recreation and park districts in California. As a special district, recreation and park districts are subject to LAFCO jurisdiction, and subject to the proceedings contained in LAFCO law.
- 4) 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.
- 5) Provides that the petition or resolution must meet all requirements under LAFCO law and specify the methods by which the district will be financed, its proposed name, the method of selecting the initial board of directors, and whether the district will have eminent domain authority. 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 it determines that the proposed district will have sufficient revenues to carry out its purpose.
- 6) Authorizes a recreation and park district to exercise numerous powers, including to organize, promote, conduct, and advertise community recreation programs, and to acquire, construct, improve, maintain, and operate recreation facilities. These districts have several means of funding their operations, including levying fees, special taxes, and benefit assessments, as well as forming Mello-Roos community facilities districts. Park districts can also issue general obligation bonds. A district may also adopt rules, regulations, and ordinances governing the district's operations, including rules and regulations for the administration and use of recreation facilities.
- 7) Provides that a five-member board of directors governs each recreation and park district. A district's board may be elected or appointed by the legislative bodies of the cities and counties that make up the district's territory. If appointed, the seats must be allocated proportionally based on the population that falls within the proposed boundaries of the district in each city and in the unincorporated territory of the relevant county or counties. Following the initial board's formation, board members may be reorganized according to a process laid out in the Recreation and Park District Law.
- 8) Authorized the formation of the Lower Los Angeles River Recreation and Park District (LLAR District) until January 1, 2021.

- 9) Requires the LLAR District's initial board of directors to consist of no more than 13 members, appointed by cities that border the Los Angeles River, its tributaries, and Los Angeles County. Specifically:
  - a) 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.
  - b) The Los Angeles County Board of Supervisors may appoint two public members, which must include at least one representative of a nonprofit organization serving the Lower Los Angeles River region.
  - c) 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.
- 10) Requires the LLAR District, in coordination with the Lower Los Angeles River Working Group and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC), to promote the development of open spaces and parks, identify funding, and acquire, construct, improve, maintain, and operate parks and open space along the Lower Los Angeles River.
- 11) Authorized, until January 1, 2020, the formation of the Lower San Gabriel River Recreation and Park District (LSGR District), who must also coordinate its activities with RMC to promote the development of open spaces and parks, identify funding, and acquire, construct, improve, maintain, and operate parks and open space along the Lower San Gabriel River.
- 12) Specifies that the initial board of directors for the LSGR District must not consist of more than 15 members appointed as follows:
  - a) The city councils of the Cities of Downey, Whittier, Pico Rivera, Norwalk, Santa Fe Springs, Artesia, Bellflower, Cerritos, Lakewood, Montebello, Hawaiian Gardens, and Long Beach may each appoint one board member.
  - b) The Los Angeles County Board of Supervisors may appoint one public member, who must reside within the Lower San Gabriel River Region.
  - c) The executive officer of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) may serve as a member.
  - d) The other members of the initial board of directors can appoint one board member. This member must be a representative of a nonprofit

organization, as specified, and must reside within the Lower San Gabriel River Region.

This bill:

- 1) Increases 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 also allows the Los Angeles County Board of Supervisors to appoint a third public member to the board.
- 2) Maintains a 15-member board for the LSGR District, but replaces the member from the city of Montebello with an appointee from the Los Angeles County Board of Supervisors. This bill also extends, until January 1, 2024, the deadline to submit an application to establish the LSGR District.

## **Background**

*Lower Los Angeles River Recreation and Park District.* The Los Angeles River is entirely within the County of Los Angeles. The approximately 32 miles of the River upstream of the City of Vernon is considered to be the Upper River and is within the bounds of the City of Los Angeles. The approximately 19 miles of the Lower River include the Cities of Vernon, Commerce, Maywood, Bell, Bell Gardens, Cudahy, South Gate, Lynwood, Compton, Paramount, Carson and Long Beach. According to Los Angeles County LAFCO, the City of South Gate submitted an application on December 2019 to form the LLAR District. The LAFCO is currently reviewing the application.

*Lower San Gabriel River Recreation and Park District.* The Lower San Gabriel River flows 43 miles through Los Angeles and Orange Counties, including the cities of Pico Rivera, Whittier, Santa Fe Springs, Downey, Norwalk, Bellflower, Artesia, Cerritos, Hawaiian Gardens, and Lakewood. To address similar access and funding issues to the Lower Los Angeles River, the Legislature enacted SB 693 (Mendoza, 2017) which set a January 1, 2020, deadline for an application to form the district. According to Los Angeles County LAFCO, neither a petition nor a resolution to establish the recreation and park district was submitted by January 1, 2020.

## Comments

- 1) *Purpose of the bill.* According to the author, “SB 268 authorizes the establishment of the Lower San Gabriel River Recreation and Park District (LSGRPD) subject to LAFCO law and the Recreation and Park District Law until January 1, 2024. It also makes changes to the board of directors for the Lower Los Angeles Park District to increase representation from cities in the District. Together the changes establish the Lower Los Angeles and Lower San Gabriel River Park Districts and allow these governmental bodies to represent the cities and stakeholders, as well as outlines the body’s authorities and duties, including the responsibility to identify funding sources to promote open spaces. SB 268 will ensure residents in surrounding areas of the Lower Los Angeles and Lower San Gabriel River will have access to the benefits of recreational areas that many other Californians enjoy.”
- 2) *Musical chairs.* SB 268 makes a series of changes to each district’s board to ensure that every city has a seat at the table, while reserving other seats for appointed members that have experience serving the community. Expanding the LLAR board to include one member from each city would have yielded an even number of board members, so the bill gives the Los Angeles County Board of Supervisors the authority to appoint one additional public member to the LLAR board. Initially, the City of Montebello’s city council had the authority to appoint a member to the board of directors for the LSGR District as part of SB 693 (Mendoza, 2017). RMC suggested the removal because the City of Montebello is not contiguous with the San Gabriel River. The City of Montebello did not object to its removal, and the bill gives the City their own spot on the LLAR District board, rather than share with three other cities. The bill replaces Montebello’s seat on LSGR District with an appointee from the Los Angeles County Board of Supervisors, but does not identify any specific qualifications for this appointee.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, “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)”

**SUPPORT:** (Verified 5/21/21)

California Association of Recreation & Park Districts  
City of Artesia

City of Bellflower  
City of Commerce  
City of Downey  
City of Lakewood  
City of Pico Rivera  
City of Santa Fe Springs

**OPPOSITION:** (Verified 5/21/21)

None received

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\*\*\*\* **END** \*\*\*\*