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CONSENT

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Bill No: AB 385  
Author: Ramos (D)  
Amended: 7/2/25 in Senate  
Vote: 21

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SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 7/9/25  
AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Seyarto, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 71-0, 5/23/25 (Consent) - See last page for vote

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**SUBJECT:** Regional park property: County of San Bernardino: Glen Helen  
Regional Park

**SOURCE:** County of San Bernardino

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**DIGEST:** This bill allows the County of San Bernardino to dispose of specified park land acquired with state funds, provided that the county acquires a property of equal or greater recreational value.

**ANALYSIS:**

Existing law:

- 1) Provides, pursuant to the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (RZH Program Act), annual grants to cities, counties, and districts for recreational purposes, open-space purposes, or both, on the basis of population and need.
- 2) Requires recipients of grants received under the RZH Program Act to agree to use park property only for the purposes for which the grant money was requested, unless amended by an act of the Legislature.

- 3) Prohibits, pursuant to the Public Park Preservation Act of 1971, public entities from using park property for any nonpark purpose, unless sufficient compensation or land is acquired to replace the park land and its facilities.

This bill:

- 1) Allows the County of San Bernardino to dispose of 4.2 acres of Glen Helen Park property provided that the county acquires a property of equal or greater value, as approved by the Department of Parks and Recreation (DPR), and at no cost to the state, if it fulfills all of the following requirements:
  - a) Obtains an independent appraisal of Glen Helen Park, and submits the appraisal to the Department no later than July 1, 2026 for approval,
  - b) Obtains an independent appraisal of the proposed replacement park property and submits the appraisal to the Department no later than July 1, 2027 for approval,
  - c) The fair market value of the proposed replacement park property is equal to or greater than the highest of: (1) the fair market value of the park property the County plans to transfer, or (2) the actual sales price of the park property the County plans to transfer. If the disposition is an exchange, then only the fair market value applies,
  - d) The recreational utility to the public of the proposed replacement park property is equal to or greater than the disposed park property, as approved by DPR,
  - e) Provides the department with the following on or before January 1, 2028:
    - i) Preliminary title reports that set forth all liens, encumbrances, easements, restrictions, conditions, exceptions, and other matters affecting title of both properties,
    - ii) Written environmental site assessment regarding the presence and nature of all known hazardous substances located in, on, under, or around the proposed replacement property,
    - iii) Written feasibility study that evaluates the suitability of proposed replacement property for public recreation,
    - iv) Complete and detailed list of “permitted exceptions” listed in preliminary reports of both properties,

- v) Complete and detailed list of all rights, liens, mortgages, and bonds of both properties, and
- f) Before disposing of any property and after meeting the other requirements above, the County enters into a written agreement with DPR to transfer the County responsibilities and obligations under the grant contracts to the replacement property in perpetuity,
- g) Requires the County to acquire replacement park property before or simultaneous with the park disposal. It must complete any disposal before January 1, 2029, or this bill becomes inoperative,
- h) Subjects replacement park property to all applicable requirements of the RZH Act, including that the County must continue to use the property for the purposes outlined in the written grant agreement. AB 385 clarifies that the replacement park property does not have to contain a residential building (as contained on the current property).

## Background

*State funding for local recreation.* The RZH Act was created in 1976 to address the state's need for local recreation areas (SB 174, Roberti). The program administered by the DPR and funded annually through the General Fund at an amount equal to \$1.50 per capita of the state. Through the RZH Program, DPR makes annual grants to cities, counties, and special districts for recreational and open-space purposes on the basis of population and need. The grant moneys must be expended for high-priority projects that satisfy the most urgent park and recreation needs, with emphasis on unmet needs in the most heavily populated and most economically disadvantaged areas within each jurisdiction.

The Legislature has adopted, and the voters have approved, a number of measures to assist local agencies in funding parks and recreational services throughout California, including:

- *Park and Recreational Facilities Act* (AB 2099, Farr, 1984) placed Proposition 18 on the statewide ballot, where voters approved the issuance of \$370 million in bonds to provide funds to counties, cities, and districts for the acquisition, development, rehabilitation, or restoration of real property for park, beach, recreational, or historical resource preservation purposes.
- *Community Parklands Act* (SB 806, Presley, 1986) placed Proposition 43 on the statewide ballot where the voters approved the issuance of \$100 million in bonds to finance grants to counties, cities, and districts on the basis of

their populations for neighborhood, community, and regional parks, among other things.

- *Villaraigosa-Keeley Act* (AB 18, Villaraigosa, 1999) placed Proposition 12 on the statewide ballot where the voters approved the issuance of \$2.1 billion in bonds to finance a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources.
- *California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act* AB 1602 (Keeley, Chapter 875, Statutes of 2001) placed Proposition 40 on the statewide ballot where voters approved a \$2.6 billion general obligation bond to provide funds to conserve natural resources, acquire and improve state and local parks, and preserve historical and cultural resources.
- *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act* placed Proposition 84 on the statewide ballot by voter initiative where voters authorized \$5.388 billion in general obligation bonds to fund safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, state and local park improvements, public access to natural resources, and water conservation efforts.
- *California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act* SB 5 (De Leon, Chapter 852, Statutes of 2017) placed Proposition 68 on the statewide ballot where voters approved a \$4 billion general obligation bond to finance drought, water, parks, climate, coastal protection, and outdoor access projects.

Each of these measures and the RZH Act require any property acquired or developed must be used only for the purpose for which the grant moneys were requested, except by a specific act of the Legislature.

*Glen Helen Regional Park.* San Bernardino County's Regional Parks Department was established by the Board of Supervisors in 1964 and operates nine regional parks, one regional trail and one preserve throughout the county, including more than 8,000 acres that span from the Chino basin to the high desert. One of these regional parks is the Glen Helen Regional Park (Glen Helen Park). San Bernardino County acquired Glen Helen Park in the 1980s through the RZH Act. Glen Helen Park is located at the base of the chaparral-covered hills of the Cajon Pass and offers 1,340 acres of recreational activities. Those activities and

amenities include fishing, a swim complex with a pool and water slides, large picnic areas, an amphitheater, and a raceway.

One portion of Glen Helen Park lies on the other side of Glen Helen Parkway away from the majority of the park, including its recreational amenities. This 4.2 acres comprises two parcels not accessible to the public, neither of which have been developed for recreational uses. One parcel includes a residential structure and the other is vacant land. Earlier this year, the County approved plans for a new mixed-use development project on this section of the park, which includes a hotel, shopping center, fitness center, and restaurants.

### **Comments**

*Purpose of this bill.* According to the author, “San Bernardino County has approved plans for a new mixed-use development project near the Glen Helen Regional Park. This project will bring new economic activity to the region, featuring a hotel, a shopping center, a fitness center, restaurants, and many other amenities for both residents and visitors. Most importantly, this will bring an array of job opportunities for our region. Meanwhile, a portion of the proposed development site is currently owned by the County and was acquired using state funds. This effectively imposed tight restrictions on the land, limiting its use for recreational and open space purposes. In order to bring this plan to life, AB 385 would authorize the County to transfer the land in question which would allow this project to move forward. I believe this bill is not only an investment in the future of San Bernardino County, but an investment in people of the region.”

*Not so fast.* As previously noted, San Bernardino County acquired Glen Helen Park under the RZH Act to address unmet park and recreational needs in a densely populated, economically disadvantaged area. However, the County never developed the 4.2 acres the County intends to sell into a publicly accessible area. While AB 385 allows the County to override the RHZ Act’s restrictions to use the land for park purposes, AB 385 could allow the County to acquire replacement property with at least as much, if not more, recreational value as the current portion of land. AB 385 has safeguards to ensure accountability of all parties involved, requiring both the County and DPR to uphold their responsibility to maintain public access to parkland for San Bernardino County residents.

### **Related/Prior Legislation**

SB 475 (Min, Chapter 287, Statutes of 2023) allowed City of Laguna Woods use a portion of City Centre Park property, subject to certain conditions.

AB 1476 (Gray, Chapter 718, Statutes of 2021) allowed the City of Modesto to dispose of Beard Brook Park, subject to certain conditions.

AB 1330 (Reyes, Chapter 476, Statutes of 2018) allowed the Bloomington Recreation and Park District to dispose of property used for park purposes at Ayala Park, subject to certain conditions.

SB 178 (Weickowski, Chapter 458, Statutes of 2017) authorized the City of Fremont to transfer 4.6 acres of park property to the Fremont Unified School District, provided the City adhered to specific program guidelines, as defined.

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

**SUPPORT:** (Verified 8/18/25)

County of San Bernardino (Source)

**OPPOSITION:** (Verified 8/18/25)

None received

**ASSEMBLY FLOOR:** 71-0, 5/23/25

**AYES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

**NO VOTE RECORDED:** Bryan, Chen, Ellis, Nguyen, Sanchez, Schultz, Sharp-Collins, Wicks

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8/21/25 16:45:21

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