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SB-1374 The Lower Los Angeles River Recreation and Park District. (2015-2016)

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Senate Bill No. 1374

CHAPTER 486

An act to add 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.

[Approved by Governor September 22, 2016. Filed with Secretary of State September 22, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1374, Lara. The Lower Los Angeles River Recreation and Park District.

Existing law provides a process for the establishment of recreation and park 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 specifically authorize the establishment of the Lower Los Angeles River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2019, subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district. The bill would specify that certain of 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 specify that the district has financing authority under existing law and would further prescribe additional functions and duties of the district, including, but not limited to, 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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

Article 13. Lower Los Angeles River Recreation and Park District

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

(b) A petition or resolution to establish the district pursuant to this article and Article 3 (commencing with Section 5782) may not be submitted to the Los Angeles County Local Agency Formation Commission on or after January 1, 2019.

5795.5. For purposes of this article, "district" means the Lower Los Angeles River Recreation and Park District.

5795.10. Notwithstanding Article 4 (commencing with Section 5783), the initial board of directors of the district shall consist of no more than 13 members, as follows:

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

- (1) The City of Vernon.
- (2) The City of Maywood.
- (3) The City of Bell.
- (4) The City of Bell Gardens.
- (5) The City of Cudahy.
- (6) The City of South Gate.
- (7) The City of Lynwood.
- (8) The City of Compton.
- (9) The City of Paramount.
- (10) The City of Long Beach.

(b) The Los Angeles County Board of Supervisors may appoint two public members. One of those members shall be a representative of a nonprofit organization serving the Lower Los Angeles River region.

(c) Except as provided in subdivision (d), a person appointed to the board of directors shall serve at the pleasure of the city council or county board of supervisors that made the appointment.

(d) (1) One representative may be jointly appointed by the city councils of the following cities:

- (A) The City of Commerce.
- (B) The City of Downey.
- (C) The City of Montebello.
- (D) The City of Pico Rivera.

(2) The representative appointed pursuant to this subdivision shall serve for a two-year term.

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

5795.20. (a) In addition to the powers enumerated in Article 7 (commencing with Section 5786), which shall be subject to review and approval by 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 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code), and to the financing authority provided by Article 9 (commencing with Section 5788), Article 10 (commencing with Section 5789), and Article 11 (commencing with Section 5790), the district, shall do all of the following:

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

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

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

(b) The district shall conduct the activities specified in paragraphs (1) to (3), inclusive, of subdivision (a) in coordination with the Lower Los Angeles River Working Group established pursuant to Section 32622 and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy established pursuant to Division 22.8 (commencing with Section 32600), which have certain responsibilities regarding the Lower Los Angeles River.

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

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