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**SB-268 Parks and recreation: Lower Los Angeles River Recreation and Park District: Lower San Gabriel River Recreation and Park District: establishment: board of directors. (2021-2022)**

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Date Published: 10/11/2021 09:00 PM

**Senate Bill No. 268**

**CHAPTER 761**

An act to amend Sections 5795.10, 5796, 5796.10, and 5796.20 of the Public Resources Code, relating to parks and recreation.

[ Approved by Governor October 09, 2021. Filed with Secretary of State October 09, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

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.

(1) Existing law authorizes 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, 2021. Existing law authorizes 10 specified city councils to each appoint one member, and the Los Angeles County Board of Supervisors to appoint 2 members, to serve at the pleasure of the appointing entity on the initial board of directors of the district. Existing law authorizes the city councils of the Cities of Commerce, Downey, Montebello, and Pico Rivera to jointly appoint one member to serve a 2-year term on the initial board of directors of the district.

This bill would authorize the city councils of the Cities of Commerce, Downey, Montebello, and Pico Rivera to each appoint one member to serve at the pleasure of the appointing city council on the initial board of directors of the district, rather than to jointly appoint one member to serve a 2-year term. The bill would authorize the Los Angeles County Board of Supervisors to appoint 3 members, rather than 2 members, to serve on the initial board of directors of the district.

(2) Existing law authorizes the establishment of the Lower San Gabriel River Recreation and Park District by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2020. Existing law authorizes specified city councils, including the city council of the City of Montebello, and the Los Angeles County Board of Supervisors to appoint members to serve on the initial board of directors of the district. Under existing law, a violation of any rule, regulation, or ordinance adopted by the board of directors of a recreation and park district is a crime.

This bill would extend the deadline to submit the petition or resolution establishing the district from January 1, 2020, to January 1, 2024. The bill would remove the authorization for the city council of the City of Montebello to appoint a member to the district's initial board of directors and would authorize the Los Angeles County Board of Supervisors to appoint one additional public member to the initial board of directors. The bill would also make various nonsubstantive changes.

Because a violation of a rule, regulation, or ordinance adopted by the board of directors of the district would be a crime, this bill would impose a state-mandated local program by extending the deadline by which the district may be established.

(3) 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 and the Lower San Gabriel River Recreation and Park District.

(4) 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

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

**SECTION 1.** Section 5795.10 of the Public Resources Code is amended to read:

**5795.10.** Notwithstanding Article 4 (commencing with Section 5783), the initial board of directors of the district shall consist of no more than 17 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.
- (11) The City of Commerce.
- (12) The City of Downey.
- (13) The City of Montebello.
- (14) The City of Pico Rivera.

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

(c) 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.

**SEC. 2.** Section 5796 of the Public Resources Code is amended to read:

**5796.** (a) The Lower San Gabriel 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) shall not be submitted to the Los Angeles County Local Agency Formation Commission on or after January 1, 2024.

**SEC. 3.** Section 5796.10 of the Public Resources Code is amended to read:

**5796.10.** Notwithstanding Article 4 (commencing with Section 5783), the initial board of directors of the district shall consist of no more than 15 members, as follows:

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

- (1) The City of Downey.
- (2) The City of Whittier.
- (3) The City of Pico Rivera.
- (4) The City of Norwalk.
- (5) The City of Santa Fe Springs.
- (6) The City of Artesia.
- (7) The City of Bellflower.
- (8) The City of Cerritos.
- (9) The City of Lakewood.
- (10) The City of Hawaiian Gardens.
- (11) The City of Long Beach.

(b) The Los Angeles County Board of Supervisors may appoint two public members. These members shall reside in the Lower San Gabriel River region.

(c) The executive officer of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy established pursuant to Division 22.8 (commencing with Section 32600) may serve as a member.

(d) The other members of the initial board of directors may appoint one public member. This member both shall be a representative of a nonprofit organization that serves the Lower San Gabriel River region and specializes in open space public education, and outdoor activities, and shall reside in the Lower San Gabriel River region.

(e) A person appointed to the board of directors pursuant to subdivision (a) or (b) shall serve at the pleasure of the city council or county board of supervisors that made the appointment.

**SEC. 4.** Section 5796.20 of the Public Resources Code is amended to read:

**5796.20.** (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 San Gabriel River.
- (2) Identify funding and resources to promote the revitalization of the Lower San Gabriel 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 San Gabriel River.

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

**SEC. 5.** The Legislature finds and declares that a special statute is necessary and that a general statute 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 Lower San Gabriel River, and the communities through which these rivers pass.

**SEC. 6.** 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.

