

**DATE:** January 28, 2019  
**TO:** RMC Governing Board  
**FROM:** Mark Stanley, Executive Officer  
**SUBJECT:** Item 17: Consideration of a resolution approving funding for the Lower Los Angeles River Recreation and Park District (LLARRPD) (Senate Bill No. 1374) and Management Level Recruitment

---

**PROGRAM AREA:** Lower Los Angeles River and Tributaries

**PROJECT TYPE:** Planning

**JURISDICTION:** Lower Los Angeles River Corridor

**PROJECT MANAGER:** Salian Garcia

**RECOMMENDATION:** That the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy approve funding for the Lower Los Angeles River Recreation and Park District (LLARRPD) and recruitment of a full-time management-level staff person for the LLARRPD for the implementation of Senate Bill 1374, Lower Los River Recreation and Park District, Lara (SD33). Chapter 486, Statutes of 2016.

**PROJECT DESCRIPTION:**

Exhibit A: Senate Bill 1374  
Exhibit B: SB-1374 Legislative Fact Sheet

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 (RMC) 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 (Working Group) to develop 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.

Senate Bill SB 1374 (PRC § 5795 et seq.) authorizes the establishment of the Los Angeles River Recreation and Park District (LLARRPD) by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission (LAFCO) before January 1, 2021, subject to specified existing laws governing recreation and park districts, including their formation, except as provided. Through the formation of the LLARRPD, working in collaboration with the Working Group and the RMC, SB 1374 will help facilitate the construction, improvement, and maintenance of parks and recreational facilities, and promote the development of open space and parks for the benefit of communities along the Lower Los Angeles River. The bill also establishes the Board of Directors of the district, made up of two public members, appointed by the Los Angeles County Board of Supervisors and one representative appointed by each of the following cities: Vernon, Maywood, Bell, Bell Gardens, Cudahy, South Gate, Lynwood, Compton, Paramount, and Long Beach. Additionally, one representative may be jointly appointed by the city councils of the cities of Commerce, Downey, Montebello, and Pico Rivera. For additional details, attached as Exhibit A is Senate Bill 1374 The Lower Los Angeles River Recreation Park District, and attached as Exhibit B is SB-1374 Legislative Fact Sheet.

RMC staff is working closely with then-Senator Ricardo Lara and his staff, specifically by providing background information and context of the unique needs of the Lower Los Angeles River and consultative support to filing a proposal with LAFCO, including meeting LAFCO's criteria for a funding plan [PRC § 5780 et seq., GC § 56653(b)(5)]. Therefore, Staff recommends the Board to approve RMC to establish and fund a full time management position prior to the establishment of the formal recreation and park district and continue to manage the District post establishment.

The duties of the incumbent will include, but not limited to, the following:

- To facilitate the establishment of the LLARRPD in conjunction with LAFCO, applicant cities and the RMC
- To promote the development of open space and parks along the Lower LA River in accordance to SB1374
- To identify funding and resources to promote the revitalization of the Lower LA River and open spaces along the river for the benefit of local communities
- To acquire, construct, improve, maintain, and operate parks and open space along the Lower LA River
- To work in collaboration with the Lower LA River Working Group and the County of Los Angeles to carry out these responsibilities
- To coordinate and facilitate active engagement of the newly formed board for LLARRPD consisting of the cities named in SB 1374 in the revitalization of the Lower LA River

For administration and oversight of the Park District, it is recommended that the RMC enter into a MOU with the Park District for services upon formation. Should the Park District fail to form, RMC staff will return to the Governing Board with a recommendation and seek direction.

**FISCAL INFORMATION:** RMC staff recommends committing not less than \$120,000 per year for three consecutive years for an amount not to exceed \$360,000. Funds will support operational and administrative expenditures, the new position fully burden rate. It is anticipated that the formal formation of the LLARRPD and its initial Board of Directors will be complete by January 1, 2021. The continuation of the position and RMC's funding after the initial three years will be contingent on the establishment of the district as well as the economic viability of the district to self-sustain operations. Should the LLARRPD and funding plan be operational and feasible, the RMC will return to the Board to approve continuing staff and possible nominal funding support.

Funding for the full-time manager-level position will be allocated from local assistance for Los Angeles River Community Restoration and Revitalization Projects. Administrative and operational expenditures are recommended to be budgeted out of In-Kind and general support funds.

**LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:** The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency

that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
  - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
  - (2) The conservancy approves the terms under which the interest in land is acquired.
  - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
  - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
  - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
  - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

AMENDED IN ASSEMBLY AUGUST 19, 2016

AMENDED IN ASSEMBLY AUGUST 15, 2016

AMENDED IN ASSEMBLY AUGUST 2, 2016

AMENDED IN ASSEMBLY JUNE 16, 2016

AMENDED IN SENATE APRIL 5, 2016

**SENATE BILL**

**No. 1374**

**Introduced by Senator Lara**

(Coauthor: Assembly Member Cristina Garcia)

February 19, 2016

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.

LEGISLATIVE COUNSEL'S DIGEST

SB 1374, as amended, 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

SB 1374

— 2 —

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~~ *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~~, *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.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

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

4

5 Article 13. Lower Los Angeles River Recreation and Park  
6 District

7

8 5795. (a) The Lower Los Angeles River Recreation and Park  
9 District may be established subject to this chapter and the  
10 Cortese-Knox-Hertzberg Local Government Reorganization Act  
11 of 2000 (Division 3 (commencing with Section 56000) of Title 5  
12 of the Government Code).

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

17 5795.5. For purposes of this article, “district” means the Lower  
18 Los Angeles River Recreation and Park District.

19 5795.10. Notwithstanding Article 4 (commencing with Section  
20 5783), the initial board of directors of the district shall consist of  
21 no more than 13 members, as follows:

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

- 24 (1) The City of Vernon.  
25 (2) The City of Maywood.  
26 (3) The City of Bell.  
27 (4) The City of Bell Gardens.  
28 (5) The City of Cudahy.  
29 (6) The City of South Gate.  
30 (7) The City of Lynwood.  
31 (8) The City of Compton.  
32 (9) The City of Paramount.  
33 (10) The City of Long Beach.

SB 1374

— 4 —

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

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

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

10 (A) The City of Commerce.

11 (B) The City of Downey.

12 (C) The City of Montebello.

13 (D) The City of Pico Rivera.

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

16 5795.15. The board of directors may be reorganized pursuant  
17 to Article 6 (commencing with Section 5785).

18 5795.20. (a) In addition to the powers enumerated in Article  
19 7 (commencing with Section 5786), which shall be subject to  
20 review and approval by the Los Angeles County Local Agency  
21 Formation-~~Commission~~, *Commission* upon formation, change of  
22 organization, or reorganization under the Cortese-Knox-Hertzberg  
23 Local Government Reorganization Act of 2000 (Division 3  
24 (commencing with Section 56000) of Title 5 of the Government  
25 Code), *and to the financing authority provided by Article 9*  
26 *(commencing with Section 5788), Article 10 (commencing with*  
27 *Section 5789), and Article 11 (commencing with Section 5790),*  
28 *the district, if it is established, shall do all of the following:*

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

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

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

36 (b) The district shall conduct the activities specified in  
37 paragraphs (1) to (3), inclusive, of subdivision (a) in coordination  
38 with the Lower Los Angeles River Working Group established  
39 pursuant to Section 32622 and the San Gabriel and Lower Los  
40 Angeles Rivers and Mountains Conservancy established pursuant

1 to Division 22.8 (commencing with Section 32600), which have  
2 certain responsibilities regarding the Lower Los Angeles River.

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

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

O

# SENATOR RICARDO LARA

## LEGISLATIVE FACT SHEET

### SB 1374 - Lower Los Angeles River Recreation and Park District

#### **Summary:**

SB 1374 creates in statute the Lower Los Angeles River Recreation and Park District, to help facilitate the construction, improvement, and maintenance of parks and recreational facilities along the Lower Los Angeles River.

#### **Background:**

A recently released study by the Los Angeles County Department of Parks and Recreation identified the region around the Lower Los Angeles River as one of the most park-poor areas in LA County. [LINK TO REPORT](#)

According to the report, the City of Maywood has 0.3 park acres per 1000 residents, whereas the county-wide average is 3.3 acres per 1000 residents. The City of Bell has just 0.4 acres per 1000 residents. The City of Cudahy has just 19.8 acres of park space in a city of 24,164 people. Of the 32 parks in the city, 1 was rated as “good”. The other 31 were rated as “fair” or “poor”.

The single biggest barrier to development of new parks is a lack of funding. The recently approved state water bond (Proposition 1) does provide funding opportunities for the revitalization of the Lower Los Angeles River watershed, including a \$30m direct allocation to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, and a share of \$100m for urban creek restoration. But those funds are strictly limited to acquisition and development of facilities, and cannot be used for operation or maintenance of park facilities.

A lack of local resources often means that parks cannot be developed, or if they are they cannot be properly maintained.

#### **Issue:**

The Lower LA River flows through many disadvantaged communities, where residents are disproportionately impacted by poor air quality from local heavy industry and congested transportation corridors, and suffer from a severe lack of access to recreational opportunities and outdoor park space.

While the Lower LA River serves an important purpose as a flood protection and control channel, it also presents a unique opportunity for open space, urban greening, and as a recreational resource for the region. With numerous recent developments, including the creation of a Lower Los Angeles River Working Group to develop a revitalization plan, the City’s Los Angeles River Revitalization Master Plan, and multiple conversations about a new vision for the river, there is a growing local interest in transformation of the river.

Parks have many beneficial impacts on communities; encouraging physical activity, improving health and fitness, reducing urban heating effects and air pollution, reducing greenhouse gas emissions through trees and greenery, and providing important economic benefits.

Through the formation of the Lower Los Angeles River Recreation and Park District, working in collaboration with the Working Group and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC), SB 1374 will help to promote the development of open space and parks for the benefit of communities along the Lower LA River.

#### **Solution:**

SB 1374 does the following:

- Creates the Lower Los Angeles River Recreation and Park District to promote the development of open space and parks along the Lower Los Angeles River.
- Establishes the Board of Directors of the district, made up of two public members, appointed by the Los Angeles County board of Supervisors, one representative appointed by each of the following cities: City of Vernon, City of Maywood, City of Bell, City of Bell Gardens, City of Cudahy, City of South Gate, City of Lynwood, City of Compton, City of Paramount, City of Long Beach, and one representative jointly appointed by the cities of Commerce, Downey, Montebello, and Pico Rivera.

**Staff Contact:** Lawrence Cooper, 651- 4033

January 28, 2019 – Item 17

RESOLUTION 2019-08

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING FUNDING FOR THE LOWER LOS ANGELES RIVER RECREATION AND PARK DISTRICT (LLARRPD) (SENATE BILL No. 1374) AND MANAGEMENT LEVEL RECRUITMENT

WHEREAS, the legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, the State of California has authorized an expenditure of local assistance funds enacted in the Budget Act of 2018 (Senate Bill No. 840) to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for local assistance for the Los Angeles River Community Restoration and Revitalization Projects; and

WHEREAS, the RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, Senator Ricardo Lara has introduced Senate Bill 1374 to create the Lower Los Angeles River Recreation and Park District; and

WHEREAS, Senate Bill 1374 approved by the Governor September 22, 2016 and filed with Secretary of State September 22, 2016, Chapter 486, Statutes of 2016; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

*Therefore be it resolved that* the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
- 2 FINDS that this action is consistent with the creation of the Lower Los Angeles River Recreation and Park District and is necessary to carry out the purposes and objectives of Division 5 of the Public Resources Code.
- 3 FINDS that the actions contemplated by this resolution are exempt from the

environmental impact report requirements of the California Environmental Quality Act.

- 4 ADOPTS the staff report dated January 28, 2019.
- 5 AUTHORIZES the RMC to approve funding for the Lower Los Angeles River Recreation and Park District (LLARRPD) and recruitment of a full-time management-level staff person for the LLARRPD.

*~ End of Resolution ~*

Passed and Adopted by the Board of the  
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS  
CONSERVANCY on January 28, 2019.

Motion \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

\_\_\_\_\_  
Frank Colonna, Chair

ATTEST:

\_\_\_\_\_  
David Edsall, Jr.  
Deputy Attorney General