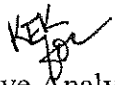


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: January 21, 2015

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Assignment No: 14-12-0873

SUBJECT: Department of Recreation and Parks, Recommendations for the 2015-2016 State Legislative Program.

CLA RECOMMENDATION: Adopt the attached Resolutions to include in the City's 2015-2016 State Legislative Program positions to SPONSOR and/or SUPPORT legislation or administrative action that would:

1. Provide funding for safe neighborhood parks, rivers and coastal protection for the creation, maintenance, restoration and protection of parks and recreation facilities; and
2. Amend the State Quimby Act to address the administration and use of interest income generated from in-lieu fees and allow local jurisdictions to adopt policies regarding interest income expenditures.

SUMMARY

The Department of Recreation and Parks (RAP) has provided two legislative proposals for the 2015-2016 State Legislative Program. Both proposals are Department priorities that would allocate additional funding to City recreation and park facilities and other RAP programs.

BACKGROUND

RAP submitted two State legislative proposals for the new 2015-2016 legislative session, as discussed below.

1. Funding for Safe Neighborhood Parks, Rivers, and Coastal Protection

RAP reports that the sale of State bonds to support safe neighborhood parks, rivers and coastal protection would provide funds to: (1) create and expand neighborhood parks; (2) rehabilitate and restore local and regional parks; (3) protect regional parks; rivers, lakes, streams and watersheds, including the Los Angeles River; and beaches, bays coastal and ocean resources; and (4) support urban forestry and urban greening projects.


Specifically, funds would be provided to acquire and develop new parks in park poor and low-income communities as well as maintaining existing City parks and facilities. Funding would also be available to match federal and local funds for the revitalization and restoration of the Los Angeles River.

In the 2013-2014 State legislative session, the City took a similar position to support SB 1086 (De Leon) which would have established The Safe Neighborhood Parks, River, and Coastal Protection Bond Act of 2014 which was not enacted.

2. Amendment of State Quimby Act

The State Quimby Act, which was adopted in 1965, allows local jurisdictions to require that land be dedicated for park or recreation use or a fee paid in lieu of dedicated land (or a combination of both) as a condition before approval of a tentative map or parcel map. Both the dedicated land and/or fees are only to be used for new development or rehabilitation of existing park and recreation facilities and shall bear a reasonable relationship to the use of the park and recreation facilities by the future residents of the subdivision.

RAP reports that the State Quimby Act does not address the administration of interest income generated from the in-lieu fees which has hindered RAP from allocating and expending Quimby fee interest income on park acquisitions and capital improvement projects. RAP has relied on advice from the City Attorney's Office that restricts the location in which interest income can be spent since there is no specific requirement in the Act itself. Therefore, the Department recommends that the City support the adoption of a State Quimby Fee amendment that would allow a local park agency or a local jurisdiction's legislative body to adopt policies regarding Quimby interest income expenditures.



Andrea M. Galvin
Analyst

Attachments:

1. RAP correspondence concerning State Legislative Proposals for the 2015-2016 Legislative Program.
2. Resolution concerning the funding of safe neighborhood parks, rivers and coastal protection.
3. Resolution concerning an amendment to the State Quimby Act.


JW

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

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DATE: December 2, 2014

TO: Sharon M. Tso, Chief Legislative Analyst
Office of the Chief Legislative Analyst
Mail Stop 136

FROM: Michael Shull, General Manager 
Department of Recreation and Parks
Mail Stop 625-13

SUBJECT: DEPARTMENT OF RECREATION AND PARKS 2015-2016
LEGISLATIVE PROPOSALS FOR SACRAMENTO AND WASHINGTON

The City of Los Angeles Department of Recreation and Parks (RAP) has prepared the following report and recommendations in response to a letter dated October 15, 2014 from the Honorable Herb J. Wesson, Jr., Chair, Rules, Elections and Intergovernmental Relations Committee and President, Los Angeles City Council, requesting all Department Heads to identify and report on proposed legislative actions that would enable their respective Departments to work more efficiently and effectively.

RAP has identified the following two legislative proposals as priorities for RAP.

The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2014 (Senate Bill 1086)

Senate Bill (SB) 1086 was introduced by Senator De León on February 19, 2014.

SB 1086 would establish the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2014, which would authorize the sale of bonds to fund the creation and expansion of safe neighborhood parks; provide grants for local park rehabilitation and improvement to local governments on a per capita basis; fund the restoration, preservation, and protection of regional parks; fund the protection of rivers, lakes, streams and watersheds; match federal and local funds for the protection and restoration of the Los Angeles River; fund the protection of beaches, bays, coastal, and ocean resources; and, fund urban forestry and urban greening projects.

SB 1086 would provide much needed funding to acquire and develop new parks in park poor and low income communities and would provide funding for necessary capital improvements and enhancements at existing City parks and facilities.

SB 1086 would provide State funding needed to match federal and local funds identified or secured to fund the revitalization and restoration of the Los Angeles River.

SB 1086 would have a positive fiscal impact on the City as it would reduce the amount of RAP General Funds or Special Funds needed to fund park acquisition and park capital improvement projects across the City.

SB 1086 would be of interest to both the Department of Public Works Bureau of Sanitation and the Department of Water and Power.

RAP recommends the City support the passage of SB 1086 as it would provide resources that would help the City satisfy the park, recreational, and open space needs of current and future residents of the City.

Amendment of State Quimby Act to Address the Administration and Use of Interest Income Generated from In-Lieu Fees (Proposal)

The State Quimby Act was adopted in 1965 and has been amended several times since (California Government Code §66477). The State Quimby Act permits local jurisdictions to, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative map or parcel map.

The State Quimby Act requires that the land, fees, or combination thereof are to be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreational facilities to serve the subdivision that paid the fees or dedicated that land. It also requires that the location of land to be dedicated or the fees to be paid to the local park agency (i.e. RAP) shall bear a reasonable relationship to the use of the park and recreational facilities by the future residents of the subdivision.

However, the State Quimby Act does not specifically address the administration and use of any interest income generated from the in-lieu fees (Quimby fees) collected by local jurisdictions. The lack of specific legislative guidance on the administration and use of interest income generated from Quimby Fees has negativity impacted RAP's ability to allocate and expend Quimby fee interest income on park acquisitions and park capital improvement projects.

RAP recommends the City support the adoption of an amendment to the State Quimby Act that would specifically allow a local park agency (or a jurisdiction's legislative body) to adopt policies and standards specifying how, when, and where it will use any interest income generated from in-lieu fees collected pursuant to the State Quimby Act.

MAS/RB:ls

cc: Regina Adams, RAP

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, there is a need for more open green space throughout California and especially in park-poor and low-income areas; and

WHEREAS, State funding for the development of new parks and recreation facilities and maintenance, preservation and protection of existing parks and recreation facilities continues to be reduced; and

WHEREAS, a dedicated funding source, such as a bond, to provide consistent financial support for new and existing parks and facilities is necessary and will further the health and enjoyment of Los Angeles residents; and

WHEREAS, funding could be used to restore, preserve and protect regional parks; protection rivers, lakes, streams, and watersheds; protect and restore the Los Angeles River; protect beaches, bays coastal and ocean resources; and fund urban forestry and urban greening projects; and

WHEREAS, the support of the sale of bonds to fund safe neighborhood parks, rivers and coastal protection would benefit the residents of Los Angeles and provide local jurisdictions the necessary resources to raise the quality of life in each city and the State of California as a whole.

NOW THEREFORE BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles, hereby include in its 2015-2016 State Legislative Program SPONSORSHIP and/or SUPPORT for legislation or administrative action that would allow the State to issue bonds to fund safe neighborhood parks, rivers and coastal protection for the creation, maintenance, restoration and protection of parks and recreation facilities.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the State Quimby Act, adopted in 1965, permits local jurisdictions to require that land be dedicated for park or recreation use or a fee paid in lieu of dedicated land (or a combination of both) as a condition before approval of a tentative map or parcel map; and

WHEREAS, the State Quimby Act requires that both the dedicated land and/or fees are only to be used for new development or rehabilitation of existing park and recreation facilities and shall bear a reasonable relationship to the use of the park and recreation facilities by the future residents of the subdivision; and

WHEREAS, the State Quimby Act does not address the administration and use of interest income generated from in-lieu Quimby fees collected by local jurisdictions; and

WHEREAS, the lack of a policy regarding these funds has hindered the Department of Recreation and Parks' ability to allocate and expend Quimby fee interest income on park acquisitions and capital improvement projects; and

WHEREAS, an amendment to the State Quimby Act that would allow a local park agency or a local jurisdiction's legislative body to adopt policies regarding Quimby interest income expenditures would benefit Los Angeles residents by providing additional funding for the creation of new open green space throughout the City.

NOW THEREFORE BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles, hereby include in its 2015-2016 State Legislative Program SPONSORSHIP and/or SUPPORT for legislation or administrative action that would amend the State Quimby Act to allow a local park agency, or jurisdiction's legislative body, to adopt policies regarding the expenditure of interest income generated from in-lieu fees collected pursuant to the 1965 State Quimby Act.