

Date of Hearing: April 19, 2017

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1330 (Reyes) – As Introduced February 17, 2017

SUBJECT: Park property: Ayala Park.

SUMMARY: Allows the Bloomington Recreation and Park District to dispose of specified property used for park purposes, subject to certain conditions. Specifically, **this bill:**

- 1) Authorizes the Bloomington Recreation and Park District to dispose of property used for park purposes at Ayala Park that was maintained with grant money from the Roberti-Z'berg-Harris Urban Open-Space and Recreation Act (RZH Program Act).
- 2) Requires that the park property may only be disposed of if property of equal or greater recreational value is acquired, subject to the approval of the Department of Parks and Recreation.
- 3) Provides that the acquired property of equal or greater recreational value must be used for Ayala Park purposes and is subject to the requirements of the RZH Program Act.
- 4) Contains an urgency clause.

EXISTING LAW:

- 1) Provides, pursuant to the 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.

FISCAL EFFECT: This bill is keyed fiscal.

COMMENTS:

- 1) **Bill Summary.** This bill allows the Bloomington Recreation and Park District in San Bernardino County to dispose of property used for park purposes at Ayala Park. This bill requires that the Bloomington Recreation and Park District acquire park land of equal or greater recreational value to replace the current park property. This would transfer the current location of Ayala Park to the new land acquired. The new location of Ayala Park would be subject to the same requirements of the RZH Program Act.

This bill is sponsored by San Bernardino County.

- 2) **Author's Statement.** According to the author, "Bloomington is a severely disadvantaged, unincorporated community surrounded by the cities of Rialto, Riverside & Jurupa Hills, Fontana, and Colton. The Valley Corridor Specific Plan and the Environmental Impact Report have both identified the objective of relocating Ayala Park away from the Interstate 10 freeway and closer to the new Bloomington library and Bloomington affordable housing development.

"The Bloomington Health and Wellness Profile notes that Ayala Park, located adjacent to the I-10 freeway and the Union Pacific Railroad tracks, has a Cancer Isopleth level of 250. Numerous studies have shown levels of pollution are much higher in close proximity to freeways, and are especially harmful to young children.

"A survey of neighborhood residents conducted by the Bloomington Recreation and Parks District found [that] 76 percent of youth households noted personal safety as a major concern, and 35 percent indicated the lack of facilities available to them.

"The impetus for the relocation is to improve recreational access to residents and [improve] public health."

- 3) **Background.** Ayala Park is under the jurisdiction of the Bloomington Recreation and Park District, a dependent special district of San Bernardino County. Ayala Park is located close to the I-10 highway in a primarily industrial area.

State bond money from the RZH Program Act was used to maintain the park for minor building renovations. The RZH Program Act requires that park property purchased or maintained with program grants be used only for the purposes for which the grant was requested, unless amended by an act of the Legislature.

In 2016, the Bloomington Recreation and Park District distributed surveys to gather information about recreation needs for Ayala Park. The results of the surveys showed concerns about safety in the park and a lack of facilities. In addition, San Bernardino County writes, "numerous studies have shown that levels of pollution are much higher in close proximity to freeways, and are especially harmful to young children."

In response to these concerns, San Bernardino County is seeking to dispose of the current Ayala Park property and move the park to a different location. San Bernardino County is in the process of selecting and acquiring land to move the park, but must receive approval from the Legislature in order to dispose of the current park property.

4) **Prior Legislation:**

- a) SB 1027 (Nielsen), Chapter 232, Statutes of 2016, authorized the County of Tehama to transfer Evergreen Union School District specified park land, subject to the requirements of the grant program utilized to purchase and maintain the park.
- b) AB 1864 (Matthews), Chapter 558, Statutes of 2006, authorized the City of Merced to transfer Merced City School District up to three acres of specified park land to construct

a new elementary school, subject to the Public Preservation Act of 1971, and provided that the City followed specific requirements.

- c) AB 1457 (Baca), Chapter 852, Statutes of 2006, authorized the City of San Bernardino to transfer up to 12.5 acres of specified park property to the Redevelopment Agency of the City of San Bernardino for sale to private development, provided that the City followed the requirements of the Public Park Preservation Act of 1971.
- 5) **Arguments in Support.** San Bernardino County writes, in support, “In response to the concerns raised by the residents, the County has identified a potential relocation area that would complement the new community library, better serve existing and new neighborhoods, and provide increased opportunities for physical activity through interconnected open space. BRPD utilized State Park Bond funds at Ayala Park to undertake minor building renovations. The Bond Fund contracts covenant the Park and restrict relocation without seeking approval of the State Legislature. The County is seeking the State Legislature to approve AB 1330 to allow relocation of the park to a more accessible and environmentally suitable site. AB 1330 would help enhance access to recreational opportunities, accommodate public health concerns, and improve the overall well-being of the residents in Bloomington by authorizing the County of San Bernardino to relocate Ayala Park to a more appropriate location.”
- 6) **Arguments in Opposition.** None on file.
- 7) **Urgency Clause.** This bill contains an urgency clause and requires a two-thirds vote of each house.

REGISTERED SUPPORT / OPPOSITION:

Support

San Bernardino County [SPONSOR]

Opposition

None on file

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