

Date of Hearing: April 30, 2025

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 385 (Ramos) – As Amended April 22, 2025

SUBJECT: Regional park property: County of San Bernardino: Glen Helen Regional Park

SUMMARY: Authorizes the County of San Bernardino to dispose of up to 4.2 acres of property at Glen Helen Regional Park (Glen Helen), including property acquired or improved with state grant moneys, subject to the acquisition of replacement park property. Specifically, **this bill:**

- 1) Defines, for purposes of this bill, the following:
 - a) “County” as the County of San Bernardino; and
 - b) “Department” as the Department of Parks and Recreation.
- 2) Provides that the county, acting through its Regional Parks Department, may dispose up to 4.2 acres of property at Glen Helen, subject to acquisition of replacement park property of equal or greater recreational value, as approved by the Department of Parks and Recreation, and at no cost to the state or the county, as follows:
 - a) The property to be disposed may include property used or unused for park purposes, including land acquired or improved with state grant moneys, including, but not limited to, grant moneys from the Roberti-Z’berg-Harris Urban Open-Space and Recreation Program (RZH) Program Act.
 - b) Replacement park property shall be acquired either before or concurrently with the disposition of Glen Helen property.
- 3) Provides that property acquired pursuant to (2) must be used for park purposes and is subject to all applicable state law requirements, including, if applicable, the requirements of the RZH Program Act.
- 4) Provides that any land exchanged for property at Glen Helen shall satisfy all of the following:
 - a) Be replacement park property of comparable characteristics and of substantially equal size.
 - b) Be located in an area accessible for use by the same general population that used the disposed property.
 - c) Include replacement facilities of the same type and number, as applicable, with development costs for the replacement property and facilities being substantially equivalent to the value of the disposed property.
- 5) Provides that it is the intent of the Legislature that the disposition of property at Glen Helen and the acquisition of replacement park property of equal or greater recreational value

authorized pursuant to this bill is for the purpose of increasing recreational opportunities in the county.

EXISTING LAW:

- 1) Allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public, including land use authority. (California Constitution, Article XI, § 7)
- 2) Allows the legislative body of any county or city to adopt ordinances that regulate the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes. (Government Code § 65850)
- 3) 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. (Public Resources Code §§ 5620-5631)
- 4) 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. (Public Resources Code §§ 5620-5631)

FISCAL EFFECT: This bill is keyed fiscal.

COMMENTS:

- 1) **Bill Summary.** AB 385 authorizes the County of San Bernardino to dispose of up to 4.2 acres of property at Glen Helen, including property acquired or improved with grant moneys from the RZH Program Act, subject to the acquisition of replacement park property of equal or greater recreational value approved by the Department of Parks and Recreation, and at no cost to the state or the county, as provided. The replacement park property must be used for park purposes, be acquired before or concurrently with the disposition of the Glen Helen property, be of comparable characteristics and of equal or greater size, be located in an area accessible for use by the same general population that used the disposed property, and include replacement facilities of the same type and number of the disposed property.

This bill is sponsored by San Bernardino County.

- 2) **Author’s Statement.** According to the author, “San Bernardino County has approved plans for a new mixed-use development project near the Glen Helen Regional Park. This project will bring new economic activity to the region, featuring a hotel, a shopping center, a fitness center, restaurants, and many other amenities for both residents and visitors. Most importantly, creating an array of job opportunities for residents in the area. However, a portion of the proposed development site is currently owned by the County and was acquired using state funds. This effectively imposed tight restrictions on the land in accordance to the RZH Program Act, only permitting its use for recreational and open space purposes. AB 385 would authorize the County to transfer the land in question and to move forward with the project, ensuring the County remains compliant with its obligations under RZH Act. This bill

is not only an investment in the future of San Bernardino County, but more importantly, it is an investment for the people of the region.”

- 3) **Glen Helen Regional Park Parcels.** Glen Helen is located at the base of the chaparral covered hills of the Cajon Pass with views of the San Gabriel and San Bernardino Mountains. Glen Helen offer’s 1,340 acres of recreational activities, including two lakes for fishing, a swim complex, large group shelter picnic areas, a 65,000 seat amphitheater, and a raceway.

According to the sponsor, the 4.2 acres of property to be disposed consists of parcel 0239-132-05 (approximately 2.6 acres) and a portion of parcel 0239-031-04 (approximately 1.6 acres). Parcel 0239-132-05 includes a structure that is not currently used by the public. The property to be disposed is located across the road (Glen Helen Parkway) from the majority of the park, including the recreational amenities listed above.

- 4) **Roberti-Z’berg-Harris Urban Open-Space and Recreation Program Act.** The RZH Program Act [SB 174 (Roberti), Chapter 160, Statutes of 1976] was created in 1976 to address the state’s need for local recreation areas. The program is administered by the Department of Parks and Recreation and is funded annually through the General Fund at an amount equal to \$1.50 per capita of the state. Through the RZH Program, annual grants are made to cities, counties, and districts for recreational and/or open-space purposes on the basis of population and need. The grant moneys are required to be expended for high priority projects that satisfy the most urgent park and recreation needs, with emphasis on unmet needs in the most heavily populated and most economically disadvantaged areas within each jurisdiction. The property acquired or developed is required to be used only for the purpose for which the grant moneys were requested except by a specific act of the Legislature.
- 5) **Previous Legislation.** AB 1476 (Gray), Chapter 718, Statutes of 2021, allowed the City of Modesto to dispose of specified park property that was developed with state grant funding if the city concurrently acquired a replacement property and complied with certain conditions.

AB 3172 (Gray) of 2020 was substantially similar to AB 1476. AB 3172 was held in the Senate Governance and Finance Committee.

AB 1269 (Blanca Rubio) of 2019 would have allowed the City of El Monte to dispose of a portion of Pioneer Park, subject to certain conditions. AB 1269 was held in the Senate Governance and Finance Committee.

AB 1330 (Reyes), Chapter 476, Statutes of 2018, allowed the Bloomington Recreation and Park District to dispose of property used for park purposes at Ayala Park, subject to certain conditions.

SB 178 (Weickowski), Chapter 458, Statutes of 2017, authorized the City of Fremont to transfer 4.6 acres of park property to the Fremont Unified School District, provided the City adhered to specific program guidelines, as defined.

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.

AB 63 (Emmerson), Chapter 310, Statutes of 2007, authorized the County of San Bernardino to convert a portion of Glen Helen Regional Park for a road easement and a fee title exchange in exchange for another property of equal or greater recreational value, as determined by the Department of Parks and Recreation.

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.

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.

SB 441 (Soto) of 2005 would have authorized San Bernardino County to grant a fee title interest in Glen Helen properties, or portion thereof, purchased with funds from Roberti-Z'berg Urban Open-Space and Recreation Program Act, for which an easement has been granted for road purposes. This bill was never heard in committee.

AB 1050 (Bader), Chapter 833, Statutes of 1988, allowed the County of San Bernardino to grant an easement for a road across lands within Glen Helen Regional Park acquired with grant moneys received pursuant to the Roberti-Z'berg Urban Open-Space and Recreation Program Act. This road, the Clearwater Parkway, was to provide access to the park and a master planned community by Lytle Development Company adjacent to the park.

- 6) **Arguments in Support.** According to San Bernardino County, sponsor of this bill, “AB 385 offers a balanced approach, allowing the County to exchange or sell the restricted land while ensuring that it is replaced with new parkland of equal or greater size and recreational value. This will expand access to recreational opportunities in underserved, unincorporated areas, maintaining a strong commitment to open space and community enrichment.”

- 7) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

San Bernardino County

Opposition

None on file

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