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CITY OF SACRAMENTO

DEPARTMENT OF PARKS AND COMMUNITY SERVICES

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December 11, 1985

Law and Legislative Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: Support of Senate Bill No. 806 - Community Parklands Act of 1986

SUMMARY

Senator Robert Presley has introduced legislation that would propose to the voters on the June 1986 primary election a \$100 million general obligation bond issue for park, recreational, and historical facilities, and related purposes. This report recommends support of this legislation.

BACKGROUND INFORMATION

Previous bond acts have provided a major source of revenue to the Department of Parks and Community Services. The sum total received from the State Beach, Park, Recreational, and Historical Facilities Bond of 1974; the Nejedly-Hart State, Urban, and Coastal Park Bond Act of 1976; the California Parklands Act of 1980; and the California Park and Recreation Facilities Act of 1984 exceeded \$2.4 million. Funds received under these programs enabled the City of Sacramento to finance 21 park and recreation land acquisition and development projects (Exhibit A).

The proposed Presley legislation, Community Parklands Act of 1986 (Exhibit B), allocates \$100 million for acquisition, development, rehabilitation, or restoration of parks, recreational facilities and historical resources. Sixty percent, or \$60 million, will be allocated to cities and districts other than regional-size park districts based on population of city. The remaining \$40 million is to be allocated to regional-size districts and counties based on population.

Law and Legislative Committee
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RECOMMENDATION

It is recommended that the Law and Legislative Committee support Senate Bill No. 806, Community Parklands Act of 1986.

Respectfully submitted,



ROBERT P. THOMAS, Director
Parks and Community Services

RPT:ja

All Districts

OVERVIEW OF BOND PROJECTS

I. 1984 Bond Act Projects

Active: Del Paso Regional Park

Grant Amount: \$599,000 Performance Period: To 6/30/87

Project: A joint City/County project to develop a four-field softball complex, including bleachers, restrooms, bridge, parking lot, access road, and picnic area.

Geological Imperative Gallery of the Sacramento History Center

Grant Amount: \$275,000 Performance Period: To 6/30/87

Project: Completion of the Geological Imperative Gallery to include redevelopment and restoration of the existing Sacramento History Center building.

Completed: None to date.

II. 1980 Bond Act Projects

Active: Coloma Community Center Park - Phase II

Grant Amount: \$250,000 Performance Period: To 6/30/86

Project: Demolition of paved areas and walls; construction of picnic, sports and playfield areas; rehabilitation of structures.

Florin Reservoir Site Development

Grant Amount: \$100,000 Performance Period: To 6/30/87

Project: Landscaping and irrigation of approximately six acres; softball diamond improvements.

Land Park Irrigation - Phase III

Grant Amount: \$99,597 Performance Period: To 6/30/87

Project: Replace sprinkler system.

Completed: Southside Lake Rehabilitation

Grant Amount: \$48,261 Performance Period: To 6/30/87

Project: Repair and control of bank erosion;
repair/construction of perimeter walkways and fences.

Zoo Orangutan Exhibit

Grant Amount: \$140,958 Performance Period: To 6/30/86

Project: Construction of a natural habitat orangutan enclosure.

III. 1986 Bond Act Projects

Active: Multi-Parks Development

Grant Amount: \$142,200 Performance Period: 6/30/88

Project: Henschel Park - installation of automatic irrigation;
Hall Park - installation of automatic irrigation; Land Park -
installation of automatic irrigation; Sim Park - installation
of night lighting, softball diamond improvements.

Completed: Fairytale Town Castle Improvements

Grant Amount: \$15,000 Date of Completion: 11/5/80

Project: Improvements to King Arthur's Castle in Fairytale Town.

Hagginwood Park

Grant Amount: \$101,565 Date of Completion: 10/23/79

Project: Parking lot modifications.

Henschel Park

Grant Amount: \$25,000 Date of Completion: 11/25/79

Project: Landscaping, irrigation, construction of play area.

Lewis Park

Grant Amount: \$7,100 Date of Completion: 7/10/79

Project: Picnic shelter construction.

Ninos Park

Grant Amount: \$7,100 Date of Completion: 6/30/82

Project: Construction of picnic area, softball improvements.

Oak Park Center

Grant Amount: \$220,000 Date of Completion: 6/30/82

Project: Construction of 12,000 square foot community center.

Seymour Park

Grant Amount: \$10,000 Date of Completion: 9/17/79

Project: Automatic irrigation.

IV. 1974 Bond Act Projects

Active: None

Completed: Argonaut School Park

Grant Amount: \$51,500 Date of Completion: 6/30/79

Project: Irrigation, landscaping, construction of play areas.

East Broadway Neighborhood Park (Coloma School Site)

Grant Amount: \$80,000 Date of Completion: 4/14/80

Project: Purchase of 3.5 acres of surplus school district property for neighborhood park.

Oak Park Center

Grant Amount: \$65,381 Date of Completion: 6/30/83

Project: Irrigation, landscaping, walkways.

Sacramento Northern RR Bikeway

Grant Amount: \$146,124

Date of Completion: 2/2/82

Project: Construction of bikeway including support facilities and bridges.

Southgate Community Neighborhood Park

Grant Amount: \$30,000

Date of Completion: 6/30/80

Project: Irrigation, landscaping, site improvements, construction of play areas.

AMENDED IN SENATE APRIL 16, 1985

AMENDED IN SENATE APRIL 8, 1985

SENATE BILL**No. 806**

**Introduced by Senator Presley
(Coauthor: Assembly Member Costa)**

March 5, 1985

An act to add Chapter 3.7 (commencing with Section 5700) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring, developing, improving, rehabilitating, or restoring real property for park, beach, recreational, and historical resources preservation purposes through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

LEGISLATIVE COUNSEL'S DIGEST

SB 806, as amended, Presley. Community Parklands Program: bond issue.

Under existing law, there are local assistance grant programs established for park, beach, recreational, and historical resources preservation purposes.

This bill would enact the Community Parklands Act of 1986, which, if adopted, would authorize for those purposes, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$100,000,000. The bill would provide for submission of the bond act to the voters at the June 3, 1986, Direct Primary Election and, upon approval of the voters, would become operative on July 1, 1986.

Vote: $\frac{3}{4}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. Chapter 3.7 (commencing with Section 5700) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 3.7. COMMUNITY PARKLANDS ACT OF 1986

Article 1. General Provisions

5700. This chapter shall be known and may be cited as the Community Parklands Act of 1986.

5701. The Legislature hereby finds and declares as follows:

(a) It is the responsibility of the state to encourage, and assist in the provision of, ~~more adequate~~ better parks and enhanced recreational opportunities for all citizens of California.

(b) Community, neighborhood, and regional parks, beaches, recreational areas, recreational trails, and other recreational facilities, and the preservation of historic sites and structures contribute significantly to a healthy physical and moral environment and also contribute to the economic betterment of the state.

(c) Many older parks and recreational facilities have deteriorated to the point where the original investment in them may become lost, and prompt action is necessary to restore them to usefulness.

(d) Accordingly, it is in the public interest for the state to assist counties, cities, and districts in providing these facilities for the use and enjoyment of citizens they serve.

5702. As used in this chapter, the following terms have the following meanings:

(a) "District" means any district authorized by statute, and whose primary purpose is, to operate and manage parks or recreational areas or facilities, or any combination thereof, except a school district.

(b) "Fund" means the Community Parklands Fund.

(c) "Program" means the Community Parklands Program established by this chapter.

Article 2. Community Parklands Program

5710. ~~All~~ (a) The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Community Parklands Fund, which is hereby created.

(b) All money deposited in the fund shall be available for appropriation in the manner set forth in Section 5735 in an amount not to exceed one hundred million dollars (\$100,000,000) for grants to counties, cities, and districts for the acquisition, development, rehabilitation, or restoration of real property for park, beach, recreational, or historical resources preservation purposes.

5711. ~~The~~ (a) All proposed appropriations for the program shall be included in a section in the Budget Bill for the 1987-88 fiscal year and each succeeding fiscal year for consideration by the Legislature and shall bear the caption "Community Parklands Program."

(b) Commencing with the Budget Bill for the 1990-91 fiscal year, any grant funds which were not accepted by a recipient or were not encumbered by the recipient within the three-year period specified in Section 5721 shall be available for appropriation for one or more projects of the type specified in Section 5712 that the Legislature deems to be of the highest priority statewide.

(c) All appropriations are subject to all limitations enacted in the Budget Act and to all fiscal procedures prescribed by law with respect to the expenditure of state funds unless expressly exempted from those laws by a statute enacted by the Legislature. The section in the Budget Act shall contain proposed appropriations only for the program contemplated by this chapter, and no funds derived from the bonds authorized by this chapter may be expended pursuant to an appropriation not contained in that section of the Budget Act.

5712. The grant funds authorized for the program may be expended by the recipient for any of the following purposes or any combination thereof:

(a) The rehabilitation, improvement, or restoration of deteriorated roads, utilities, and other structures and facilities within existing parks and recreational areas.

- 1 (b) Neighborhood, community, and regional parks.
 2 (c) Beaches and public accessways to beaches.
 3 (d) Historical sites and structures.
 4 (e) Recreational areas and facilities.
 5 (f) Hiking, bicycling, and equestrian trails.
 6 (g) Development rights and scenic easements in
 7 connection with any acquisition made for any purpose
 8 specified in subdivisions (b) to (f), inclusive, so long as
 9 the right or easement directly enhances the enjoyment or
 10 usefulness of the acquisition.

11 Article 3. Administration

12
 13
 14 5720. (a) The grant funds authorized for the
 15 program shall be allocated to counties, cities, and districts
 16 on the basis of their populations, as determined by the
 17 Department of Parks and Recreation in cooperation with
 18 the Department of Finance on the basis of the most
 19 recent verifiable census data and such other population
 20 data as the Department of Parks and Recreation may
 21 require to be furnished by any county, city, or district.

22 (b) Forty percent of the total funds available for
 23 grants shall be allocated to counties and regional park,
 24 open-space, or park and open-space districts formed
 25 pursuant to Chapter 3 (commencing with Section 5500).
 26 Each county's allocation shall be in the same ratio as the
 27 county's population is to the state's total population,
 28 except that each county shall be entitled to a minimum
 29 allocation of one hundred thousand dollars (\$100,000). In
 30 any county that embraces all or part of the territory of a
 31 regional park, open-space, or park and open-space
 32 district whose board of directors is not the county board
 33 of supervisors, the amount allocated to the county shall be
 34 apportioned between the county and the regional district
 35 in proportion to the population of the county that is
 36 included within the territory of the regional district and
 37 the population of the county that is outside the territory
 38 of the regional district.

39 (c) (1) Sixty percent of the total funds available for
 40 grants shall be allocated to cities and districts, other than

1 regional park, open-space, or park and open-space
 2 districts. Each city's and each such district's allocation
 3 shall be in the same ratio as the city's or district's
 4 population is to the combined total of the state's
 5 population that is included in incorporated areas and in
 6 unincorporated areas within districts, except that each
 7 city or district shall be entitled to a minimum allocation
 8 of twenty thousand dollars (\$20,000). In any instance in
 9 which the boundary of a city overlaps the boundary of a
 10 district, the population in the area of overlapping
 11 jurisdictions shall be attributed to each jurisdiction in
 12 proportion to the extent to which each operates and
 13 manages parks and recreational areas and facilities for
 14 that population. In any instance in which the boundary of
 15 a city overlaps the boundary of a district, and in the area
 16 of overlap the city does not operate and manage parks
 17 and recreational areas and facilities, all grant funds shall
 18 be allocated to the district.

19 ~~(d) Each county and regional park, open-space, or~~
 20 ~~park and open-space district whose board of directors is~~
 21 ~~not a board of supervisors, and each city and other district~~

22 (2) Each city and other district whose boundaries
 23 overlap, shall develop a specific plan for allocating the
 24 grant funds in accordance with the formula specified in,
 25 respectively, subdivision (b) or (c) paragraph (1). If, by
 26 October 1, 1986, the plan has not been agreed to by the
 27 affected jurisdictions and submitted to the Department
 28 of Parks and Recreation, the Director of Parks and
 29 Recreation shall determine the allocation of the grant
 30 funds among the affected jurisdictions.

31 5721. (a) Individual applications for grants shall be
 32 submitted to the department for approval as to
 33 conformity with the requirements of this chapter. The
 34 application shall be accompanied by certification from
 35 the planning agency of the applicant that the project for
 36 which the grant is applied is consistent with the park and
 37 recreation element of the applicable city or county's
 38 general plan or the district's park and recreation plan and
 39 will satisfy a high priority need. In order to utilize
 40 available grant funds as effectively as possible,

1 overlapping or adjoining jurisdictions are encouraged to
2 combine projects and submit a joint application.

3 (b) The minimum amount that the applicant may
4 request for any individual project is twenty thousand
5 dollars (\$20,000).

6 (c) Every application shall comply with the California
7 Environmental Quality Act (Division 13 (commencing
8 with Section 21000)).

9 (d) Grants that are wholly or partially for the
10 acquisition of real property shall be made on the basis of
11 75 percent state funds and 25 percent local matching
12 funds or property donated to be part of the project. The
13 grant recipient shall certify to the department that there
14 is available, or will become available prior to the
15 commencement of any work on the project, matching
16 funds or property in the required amount from a nonstate
17 source. Certification of the source and amount or value
18 shall be set forth in the application.

19 (e) The director shall annually forward a statement of
20 the total amount to be appropriated in each fiscal year for
21 projects approved for grants to the Director of Finance
22 for inclusion in the Budget Bill. The amount of grant
23 funds to be allocated to each eligible jurisdiction shall be
24 published in the Governor's Budget for the fiscal year in
25 which the appropriation for those grants is to be made
26 and, as soon as possible thereafter, a list of projects for
27 which grants have been approved shall be made available
28 by the department.

29 (f) Grant funds shall be encumbered by the recipient
30 within three years of the date the appropriation became
31 effective, regardless of the date when the project was
32 approved by the department pursuant to this section.

33 5722. Grant funds may be expended for development,
34 rehabilitation, or restoration only on lands owned by, or
35 subject to a lease or other long-term interest held by, the
36 applicant. If the lands are not owned by the applicant, the
37 applicant shall first demonstrate to the satisfaction of the
38 director that the development, rehabilitation, or
39 restoration will provide benefits commensurate with the
40 type and duration of interest in land held by the

1 applicant. No grant funds may be expended for any
2 purpose that is not directly related to the operation and
3 management of parks and recreational areas and
4 facilities.

5 5723. (a) No grant funds authorized by this chapter
6 shall be disbursed until the applicant agrees that any
7 property acquired or developed with those funds shall be
8 used by the applicant only for the purpose for which the
9 funds were requested and that no other use of the
10 property shall be permitted except by specific act of the
11 Legislature.

12 (b) No funds shall be disbursed unless the applicant
13 agrees to maintain and operate the property to be
14 acquired or developed for a period commensurate with
15 the type of project and the proportion of state funds and
16 local matching funds or property allocated to the capital
17 costs of the project.

18 5724. Any grant made pursuant to this chapter may
19 be audited at any time by the department.

20 5725. Of the total funds available for appropriation
21 pursuant to this chapter, an amount, not to exceed one
22 hundred thousand dollars (\$100,000), may be
23 appropriated for state administrative costs directly
24 incurred in connection with this chapter.

25 Article 4. Fiscal Provisions

26
27
28 5730. Bonds in the total amount of one hundred
29 million dollars (\$100,000,000), or so much thereof as is
30 necessary, may be issued and sold to provide a fund to be
31 used for carrying out the purposes expressed in this
32 chapter and to be used to reimburse the General
33 Obligation Bond Expense Revolving Fund pursuant to
34 Section 16724.5 of the Government Code. The bonds
35 shall, when sold, be and constitute a valid and binding
36 obligation of the State of California, and the full faith and
37 credit of the State of California is hereby pledged for the
38 punctual payment of both principal of, and interest on,
39 the bonds as the principal and interest become due and
40 payable.

1 5731. There shall be collected each year and in the
 2 same manner and at the same time as other state revenue
 3 is collected, in addition to the ordinary revenues of the
 4 state, a sum in an amount required to pay the principal
 5 of, and interest on, the bonds maturing each year, and it
 6 is the duty of all officers charged by law with any duty in
 7 regard to the collection of the revenue to do and perform
 8 each and every act which shall be necessary to collect
 9 that additional sum.

10 5732. There is hereby appropriated from the General
 11 Fund, for the purpose of this chapter, an amount that will
 12 equal the total of the following:

13 (a) The sum annually necessary to pay the principal of,
 14 and interest on, bonds issued and sold pursuant to this
 15 chapter, as principal and interest become due and
 16 payable.

17 (b) The sum which is necessary to carry out the
 18 provisions of Section ~~5734~~ 5733, appropriated without
 19 regard to fiscal years.

20 ~~5733. The proceeds of bonds issued and sold pursuant~~
 21 ~~to this chapter shall be deposited in the Community~~
 22 ~~Parklands Fund, which is hereby created. The money in~~
 23 ~~the fund may be expended only for the purposes~~
 24 ~~specified in this chapter and only pursuant to~~
 25 ~~appropriation by the Legislature in the manner~~
 26 ~~prescribed in this chapter.~~

27 ~~5734.~~

28 5733. For the purposes of carrying out this article, the
 29 Director of Finance may, pursuant to appropriate
 30 authority in each annual Budget Act, authorize the
 31 withdrawal from the General Fund of an amount or
 32 amounts not to exceed the amount of the unsold bonds
 33 which have been authorized to be sold for the purpose of
 34 carrying out this chapter. Any amounts withdrawn shall
 35 be deposited in the fund. Any moneys made available
 36 under this section shall be returned to the General Fund
 37 from moneys received from the sale of bonds for the
 38 purpose of carrying out this chapter.

39 5735. (a) All proposed appropriations for the
 40 program shall be included in a section in the Budget Bill

1 for the 1987/88 fiscal year and each succeeding fiscal year
 2 for consideration by the Legislature and shall bear the
 3 caption "Community Parklands Program."

4 (b) Commencing with the Budget Bill for the 1990/91
 5 fiscal year, any grant funds which were not accepted by
 6 a recipient or were not encumbered by the recipient
 7 within the three-year period specified in Section 5721
 8 shall be available for appropriation for one or more
 9 projects meeting the criteria of Section 5711 that the
 10 Legislature deems to be of the highest priority statewide.

11 (c) All appropriations are subject to all limitations
 12 enacted in the Budget Act and to all fiscal procedures
 13 prescribed by law with respect to the expenditure of state
 14 funds unless expressly exempted from those laws by a
 15 statute enacted by the Legislature. The section in the
 16 Budget Act shall contain proposed appropriations only
 17 for the program contemplated by this chapter, and no
 18 funds derived from the bonds authorized by this chapter
 19 may be expended pursuant to an appropriation not
 20 contained in that section of the Budget Act.

21 ~~5736.~~

22 5734. The bonds authorized by this chapter shall be
 23 prepared, executed, issued, sold, paid, and redeemed as
 24 provided in the State General Obligation Bond Law
 25 (Chapter 4 (commencing with Section 16720) of Part 3 of
 26 Division 4 of Title 2 of the Government Code), and all of
 27 the provisions of that law apply to the bonds and to this
 28 chapter and are hereby incorporated in this chapter as
 29 though set forth in full in this chapter.

30 ~~5737.~~

31 5735. Solely for the purpose of authorizing the
 32 issuance and sale, pursuant to the State General
 33 Obligation Bond Law, of the bonds authorized by this
 34 chapter, the Community Parklands Program Finance
 35 Committee is hereby created. The committee consists of
 36 the Controller, the Director of Finance, and the
 37 Treasurer. For purposes of this chapter, the Community
 38 Parklands Program Finance Committee is "the
 39 committee" as that term is used in the State General
 40 Obligation Bond Law, and the Treasurer shall serve as

1 chairperson of the committee.

2 ~~5738.~~

3 5736. All money deposited in the fund which is
4 derived from premium and accrued interest on bonds
5 sold shall be reserved in the fund and shall be available
6 for transfer to the General Fund as a credit to
7 expenditures for bond interest.

8 ~~5739.~~

9 5737. The Legislature hereby finds and declares that,
10 inasmuch as the proceeds from the sale of bonds
11 authorized by this chapter are not "proceeds of taxes" as
12 that term is used in Article XIII B of the California
13 Constitution, the disbursement of these proceeds is not
14 subject to the limitations imposed by that article.

15 ~~5740.~~

16 5738. If any provision of this chapter or the
17 application thereof to any person or circumstance is held
18 invalid, that invalidity shall not affect other provisions or
19 applications of the chapter which can be given effect
20 without the invalid provision or application, and to this
21 end, the provisions of this chapter are severable.

22 SEC. 2. Section 1 of this act shall become operative on
23 July 1, 1986, if the voters, at the June 3, 1986, Direct
24 Primary Election, adopt the Community Parklands Act of
25 1986, as set forth in Section 1 of this act; except that only
26 the funds available for appropriation for state
27 administrative costs pursuant to Section 5725 of the
28 Public Resources Code may be appropriated prior to the
29 1987-88 fiscal year.

30 SEC. 3. Section 1 of this act shall be submitted to the
31 voters at the June 3, 1986, Direct Primary Election in
32 accordance with provisions of the Government Code and
33 the Elections Code governing submission of statewide
34 measures to the voters at a statewide election.

35 SEC. 4. Notwithstanding any other provision of law,
36 all ballots of the election shall have printed thereon and
37 in a square thereof, the words "Community Parklands
38 Act of 1986," and in the same square under those words,
39 the following in eight-point type: "This act provides for
40 a bond issue of one hundred million dollars (\$100,000,000)

1 to provide funds for acquiring, developing, improving,
2 rehabilitating, or restoring urgently needed local and
3 regional parks, beaches, recreational areas and facilities,
4 and historical resources." Opposite the square, there shall
5 be left spaces in which the voters may place a cross in the
6 manner required by law to indicate whether they vote
7 for or against the act.

8 Where the voting in the election is done by means of
9 voting machines used pursuant to law in the manner that
10 carries out the intent of this section, the use of the voting
11 machines and the expression of the voters' choice by
12 means thereof are in compliance with this section.