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DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
SUITE 400  
SACRAMENTO, CA  
95814-2977

ROBERT P. THOMAS  
DIRECTOR

September 21, 1987

916-449-5200

G. ERLING LINGGI  
ASSISTANT DIRECTOR

DIVISIONS:

CROCKER ART MUSEUM  
GOLF  
METROPOLITAN ARTS  
MUSEUM & HISTORY  
PARKS  
RECREATION  
ZOO

Law and Legislative Committee  
Sacramento, California

Honorable Members in Session:

SUBJECT: Support of AB 1794 (Costa) - 1988 Park Bond

SUMMARY

The California Park, Recreation, and Historical Resources Bond Act of 1988 is a measure providing for a \$475 million general obligation park bond for the acquisition and development of park and recreation facilities. This report recommends support of this legislation.

BACKGROUND INFORMATION

Assemblyman Jim Costa authored Assembly Bill No. 1794 which, if successful in the Legislature and signed by the Governor, would provide for the 1988 Park Bond.

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; the California Park and Recreation Facilities Act of 1984; and the Community Parklands Act of 1986 totalled over \$3.5 million. Funds received under these programs enabled the City of Sacramento to finance 31 park and recreation land acquisition and development projects (Exhibit A).

AB 1794 (Exhibit B) allocates \$475 million for acquisition, development, rehabilitation, or restoration of parks, recreational facilities and historical resources. The measure provides \$200 million for local government funding and will be allocated state-wide as follows:

AB 1794 (Costa)  
1988 Park Bond Local Governmental Allocations

<u>Category</u>	<u>Total</u>
1. Block	\$100,000,000
2. Lakes	\$ 10,000,000
3. Roberti-Z'berg-Harris	\$ 50,000,000
4. History	\$ 20,000,000
5. Non-profit	\$ 10,000,000
6. Trails	\$ 5,000,000
7. Zoos	\$ 5,000,000

Total local government funding: \$200,000,000

The \$100 million in block grants will be allocated to local governments on a per capita basis and of the \$50,000,000 under the Roberti-Z'berg-Harris program, 83% will be allocated on a block grant basis and 17% will be competitive. The City of Sacramento will receive \$1.2 million in direct non-competitive block grants.

Staff recommends that a letter of support be sent to Assemblyman Costa (Exhibit C).

FINANCIAL DATA

Support of this legislation will have no immediate financial impact; however, should AB 1794 be passed by the Legislature, signed by the Governor and passed by the voters, the City of Sacramento will receive a direct allocation of \$1.2 million.

RECOMMENDATION

It is recommended that the Law and Legislative Committee endorse staff's support of AB 1794 (Costa), the California Park, Recreation, and Historical Resources Bond Act of 1988.

Respectfully submitted,



ROBERT P. THOMAS, Director  
Parks and Community Services

RPT:ja

October 1, 1987  
All Districts

## OVERVIEW OF BOND PROJECTS

I. 1986 Bond Act Projects

FY 1987-88:

Sacramento Zoo - Rare Feline Breeding Center and Exhibit; Phase I

Grant Amount: \$100,000

Performance Period: To 1990

Project: Provides new modern leopard exhibits and off-exhibit cages to be used for breeding management of the Zoo's rare and endangered cat species, including the Asiatic lions, Siberian tigers and North Chinese leopards. Phase I to include a leopard exhibit, puma exhibit and small cat exhibit as well as expanded holding facilities for lions and tigers.

Sacramento Science Center and Junior Museum Rehabilitation

Grant Amount: \$ 50,000

Performance Period: To 1990

Project: Interior painting and replacement of worn carpet and tile. Exterior renovation will include correction of electrical deficiencies, re-roofing, parking lot security lighting, installation of foul weather canopies, and replacement of the terrestrial projector in the planetarium.

Sacramento Northern Bikeway Landscaping

Grant Amount: \$ 75,000

Performance Period: To 1990

Project: Located in Del Paso Heights, this project includes grading, irrigation, landscaping, and tree planting for the existing off-street bikeway.

Curtis Park Running Track

Grant Amount: \$112,000

Performance Period: To 1990

Project: Located on Sutterville Road just west of Highway 99, this project consists of construction of an outdoor running track.

Glenbrook Park Improvements

Grant Amount: \$ 64,000

Performance Period: To 1990

Project: Development of final three acres of this park is to include installation of irrigation and turf.

McKinley Park Restrooms and Security Lighting

Grant Amount: \$ 82,000

Performance Period: To 1990

Project: Provides park security lighting and restroom improvements to this 50 year-old park.

FY 1988-89:

Crocker Art Museum Grounds Renovation

Grant Amount: \$100,000

Performance Period: To 1991

Project: Installation of two acres of automatic irrigation and landscaping, walkways, terrace and fencing.

McKinley Park Running Track

Grant Amount: \$ 85,000

Performance Period: To 1991

Project: Construction of a 1.1 mile jogging/walking track.

FY 1989-90:

Cosumnes River College Bowl

Grant Amount: \$100,000

Performance Period: To 1992

Project: Phase II development of the Cosumnes River College Bowl to include the following elements: automatic irrigation; backstops; overthrow fences; dugouts; bleacher seating for 1,200; and primary access.

Park Acquisition at West El Camino and Orchard, Phase I

Grant Amount: \$100,000

Performance Period: To 1992

Project: Initiates acquisition of a 20-acre community park site.

II. 1984 Bond Act Projects

Earl Warren Neighborhood Park

Grant Amount: \$ 44,000

Performance Period: To 6/30/92

Project: Replacement of antiquated playground equipment with a modern tot lot and adventure area.

Natomas Oaks Park, Phase I

Grant Amount: \$ 80,000

Performance Period: To 6/30/92

Project: Phase I development of this park includes picnic areas, landscaping and irrigation, as well as parking and lighting.

ACTIVE: Del Paso Regional Park - Phase III

Grant Amount: \$207,000

Performance Period: To 6/30/88

Project: Construction of facility operations' and umpires' headquarters, tot lot and adventure area, landscaping, and an interpretive trail through a natural habitat area.

William Land Park - Neighborhood Portion

Grant Amount: \$71,000

Performance Period: To 6/30/88

Project: Replacement of antiquated playground equipment and improvements to the picnic area, wading pool, and games area as well as landscaping and irrigation modifications.

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.

COMPLETE: 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.

III. 1980 Bond Act Projects

ACTIVE: None

COMPLETE: 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.

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.

IV. 1976 Bond Act Projects

ACTIVE: Multi-Parks Development

Grant Amount: \$142,000

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.

COMPLETE: 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 12,000 square foot community center.

Seymour Park

Grant Amount: \$10,000

Date of Completion: 9/17/79

Project: Automatic irrigation.

V. 1974 Bond Act Projects

ACTIVE: None

COMPLETE: 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: Acquisition of 4.8+ acres.

Washington Mini Park

Grant Amount: \$50,000

Date of Completion: 6/30/80

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

AMENDED IN ASSEMBLY AUGUST 20, 1987

E X H I B I T

~~AMENDED IN ASSEMBLY~~ JULY 16, 1987

AMENDED IN ASSEMBLY JUNE 15, 1987

AMENDED IN ASSEMBLY MAY 26, 1987

CALIFORNIA LEGISLATURE—1987-88 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1794**

Introduced by Assembly Member Costa  
(Principal coauthor: Assembly Member Jones)  
(Coauthor: Assembly Member Filante)

March 5, 1987

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An act to add Chapter 3.8 (commencing with Section 5740) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring, developing, or restoring real property for state and local park, beach, recreational, or historical ~~facilities~~ resources by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1794, as amended, Costa. California Park, Recreational, and Historical ~~Facilities~~ Resources Bond Act of 1988.

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

This bill would enact the California Park, Recreational, and Historical ~~Facilities~~ Resources Bond Act of 1988 which, if

adopted, would finance a specified program for the acquisition, development, rehabilitation, or restoration of real property for state and local park, beach, recreational, or historical ~~facilities~~ resource preservation project purposes, and for the acquisition, development, restoration, enhancement, or management of real property within the Lake Tahoe region, through the issuance, pursuant to the State General Obligation Bond Law, of bonds in an amount of \$475,000,000.

The bill would provide for submission of the bond act to the voters at the June 1988 primary election in accordance with specified law.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Chapter 3.8 (commencing with Section  
2 5740) is added to Division 5 of the Public Resources Code,  
3 to read:

4  
5 CHAPTER 3.8. CALIFORNIA PARK, RECREATIONAL,  
6 AND HISTORICAL ~~FACILITIES~~ RESOURCES BOND ACT  
7 OF 1988

8  
9 Article 1. General Provisions

10  
11 5740. This chapter shall be known and may be cited  
12 as the California Park, Recreational, and Historical  
13 ~~Facilities~~ Resources Bond Act of 1988.

14 5741. The Legislature hereby finds and declares that:

15 (a) It is the responsibility of this state to provide and  
16 to assist in the provision of better park and recreational  
17 opportunities and facilities for all citizens of California.

18 (b) It is the policy of the state to preserve, protect,  
19 and, where possible, restore coastal resources which are  
20 of significant recreational or environmental importance  
21 and, through proper planning and development, to make

1 them available for the enjoyment of present and futur  
2 generations of persons of all income levels, all ages, and  
3 all social groups.

4 (c) When there is proper planning and development  
5 parks, beaches, recreation areas and recreations  
6 facilities, and preservation of historic sites and structure  
7 contribute not only to a healthy physical and mora  
8 environment, but also contribute to the economi  
9 betterment of the state, and, therefore, it is in the publi  
10 interest for the state to acquire, develop, or restore area  
11 for recreation, conservation, or preservation and to aid  
12 local governments of the state in acquiring, developing  
13 or restoring those areas as will contribute to the  
14 realization of the policy declared in this chapter.

15 5742. The Legislature further finds and declares that

16 (a) The demand for parks, beaches, recreation area  
17 and recreational facilities, and historical ~~preservatio~~  
18 ~~facilities~~ resource preservation projects in California is far  
19 greater than what is presently available, with the number  
20 of people who cannot be accommodated at the area of  
21 their choice or any comparable area increasing rapidly  
22 Further, the development of parks, beaches, recreation  
23 areas and recreational facilities, and historical  
24 ~~preservation~~ ~~facilities~~ resource preservation projects has  
25 not proceeded rapidly enough to provide for their full  
26 utilization by the public.

27 (b) The demand for parks, beaches, recreation areas  
28 and recreational facilities, and historical ~~preservation~~  
29 ~~facilities~~ resource preservation projects in the urban  
30 areas of our state is even greater since over 90 percent of  
31 the present population of California reside in urban areas;  
32 there continues to be a serious deficiency in open space  
33 and recreation areas in the metropolitan areas of the  
34 state; and less urban land is available, costs are escalating,  
35 and competition for land is increasing.

36 (c) There is a high concentration of urban social  
37 problems in California's major metropolitan areas which  
38 can be partially alleviated by increased recreational  
39 opportunities.

40 (d) There is a particularly high demand for

1 recreational use at reservoirs and lakes within the state  
2 park system and recreational facilities at nonstate water  
3 facilities are particularly in need of expansion,  
4 rehabilitation, or restoration.

5 (e) California's coast provides a great variety of  
6 recreational opportunities not found at inland sites; it is  
7 heavily used because the state's major urban areas lie, and  
8 85 percent of the state's population lives, within 30 miles  
9 of the Pacific Ocean; a shortage of facilities for almost  
10 every popular coastal recreational activity exists; and  
11 there will be a continuing high demand for popular  
12 coastal activities such as fishing, swimming, sightseeing,  
13 general beach use, camping, and day use.

14 (f) Cities, counties, and districts have to exercise  
15 constant vigilance to see that the parks, beaches,  
16 recreation areas and recreational facilities, and historical  
17 facilities resources they now have are not lost to other  
18 uses; they should acquire additional lands as those lands  
19 become available; they should take steps to improve the  
20 facilities they now have; and they should adequately  
21 operate and maintain their existing and proposed systems  
22 for the enjoyment of present and future generations of  
23 persons of all income levels, all ages, and all social groups.

24 (g) Past and current funding programs have not and  
25 cannot meet present deficiencies. This condition has  
26 become more acute as a result of restrictions on local  
27 governmental revenues. There is a need to give priority  
28 to further recreational development that can serve  
29 expanding recreational needs, produce operating  
30 revenues, and in some cases, stimulate private sector jobs.  
31 In view of the present revenue shortages, and the  
32 increasing recreational demands, that priority is most  
33 important at this time.

34 (h) In view of the foregoing, the Legislature declares  
35 that an aggressive, coordinated, funded program for  
36 meeting existing and projected recreational demands has  
37 to be implemented without delay.

38 5743. *The Legislature further finds and declares all of*  
39 *the following:*

40 (a) *The Lake Tahoe region contains unique and*

1 *irreplaceable environmental, recreational, and ecological*  
2 *resources which are of statewide and national*  
3 *significance.*

4 (b) *Maintenance of the social and economic health of*  
5 *the region depends on maintaining the significant scenic,*  
6 *recreational, educational, scientific, and natural values*  
7 *provided by the Lake Tahoe Basin.*

8 (c) *The state and federal interests and investments in*  
9 *the region are substantial.*

10 (d) *The region is experiencing problems of resource*  
11 *protection and use resulting from the special conditions*  
12 *and circumstances of the region's natural ecology,*  
13 *developmental pattern, population distribution, and*  
14 *human needs.*

15 (e) *The serious threat of rapid deterioration or*  
16 *degeneration of the waters of Lake Tahoe and of other*  
17 *regional resources endangers the natural beauty and*  
18 *economic productivity of the region.*

19 (f) *Increasing urbanization threatens the ecological*  
20 *values of the region and threatens the continued use by*  
21 *the public of the public lands.*

22 (g) *Past and current funding programs are insufficient*  
23 *to address the resource protection and public use needs*  
24 *in the basin.*

25 (h) *Consequently, the Legislature declares that a*  
26 *coordinated and funded program be implemented to*  
27 *address these problems at Lake Tahoe without delay.*

28 5744. *As used in this chapter, the following terms shall*  
29 *have the following meanings:*

30 (a) "Coastal resources" means those land and water  
31 areas within the coastal zone, as defined in subdivisions  
32 (a) and (b) of Section 31006, and within the Santa Monica  
33 Mountains Zone, as described in Section 33105, which are  
34 suitable for public park, beach, or recreational purposes,  
35 including, but not limited to, areas of historical  
36 significance and areas of open space that complement  
37 park, beach, or recreational areas, or which are suitable  
38 for the preservation of coastal resource values.

39 (b) "Committee" means the Parklands Program  
40 Finance Committee created pursuant to Section 5772.

1 (c) "District" means any district authorized to  
2 provide park, recreational, or open-space services, or a  
3 combination of those services, except a school district.

4 (d) "Fund" means the Parklands Fund of 1988 created  
5 pursuant to Section ~~5745~~ 5746.

6 (e) "Historical ~~facility~~ resource" includes, but is not  
7 limited to, any building, structure, site; area, or place  
8 which is historically or archaeologically significant, or is  
9 significant in the architectural, engineering, scientific,  
10 economic, agricultural, educational, social, political,  
11 military, or cultural annals of California.

12 (f) "Historical ~~preservation facility~~ resource  
13 preservation project" is a facility or project designed to  
14 preserve an historical resource which is either listed in  
15 the National Register of Historic Places or is registered as  
16 either a state historical landmark or point of historical  
17 interest pursuant to Section 5021 and which meets  
18 National Register Criteria.

19 (g) "Inland resources" means those land and water  
20 areas not included in the definition of coastal resources.

21 (h) "Lake Tahoe region" means the area described in  
22 Section 66905.5 of the Government Code.

23 (i) "Program" means the Parklands Acquisition and  
24 Development Program of 1988, established by this  
25 chapter.

26 (+)  
27 (j) "Stewardship" means the development and  
28 implementation of major programs for the protection,  
29 rehabilitation, restoration, and enhancement of the basic  
30 natural systems and outstanding scenic features of the  
31 state park system. It does not mean the maintenance or  
32 alteration of facilities, developments, or of any physical  
33 installations whose original purpose was not the  
34 protection of natural and scenic resources.

35 (+)  
36 (k) "Sacramento-San Joaquin Delta" means those  
37 land and water areas defined in Section 12200 of the  
38 Water Code.

39 ~~5744.~~  
40 5745. As used in this chapter, and for the purposes of

1 the State General Obligation Bond Law (Chapter  
2 (commencing with Section 16720) of Part 3 of Division  
3 of Title 2 of the Government Code), "state grant" c  
4 "state grant moneys" means moneys received by th  
5 state from the sale of bonds authorized by this chapte  
6 which are available for grants to counties, cities, an  
7 districts.

8  
9 Article 2. Parklands Acquisition and Development  
10 Program

11  
12 ~~5745.~~  
13 5746. The proceeds of the bonds issued and sold  
14 pursuant to this chapter shall be deposited in the  
15 Parklands Fund of 1988, which is hereby created. All  
16 money deposited in the Parklands Fund of 1988 is  
17 available for appropriation in the manner set forth in  
18 Section ~~5746 or 5747~~ 5747 or 5748, as the case may be, for  
19 the purposes set forth below in amounts not to exceed the  
20 following:

- 21  
22 (a) For grants to counties, cities, and districts for the  
23 acquisition, development, rehabilitation, or resto-  
24 ration of real property for park, beach, recreation-  
25 al, or historical ~~preservation resource preservation~~  
26 project purposes, including an amount not to ex-  
27 ceed ~~\$1,500,000~~ \$3,000,000 for state administrative  
28 costs directly incurred in connection therewith,  
29 and further including the amount of \$10,000,000 for  
30 grants to nonprofit organizations as provided in  
31 category (5), in accordance with the following  
32 schedule: ..... \$210,000,000

- 33 Schedule:  
34 (1) One hundred million dollars  
35 (\$100,000,000) for the acquisition,  
36 development, rehabilitation, or  
37 restoration of real property for  
38 park, beach, recreational, and his-  
39 torical ~~preservation resource pres-~~  
40 ervation project purposes,

1 including the development of mu-  
 2 seums, except that each county is  
 3 entitled to receive not less than  
 4 ~~two hundred thousand dollars~~  
 5 ~~(\$200,000)~~ *one hundred thousand*  
 6 *dollars (\$100,000)*; provided that  
 7 fifty million dollars (\$50,000,000)  
 8 shall be allocated for appropria-  
 9 tion in the Budget Act for the 1989  
 10 -90 fiscal year and fifty million dol-  
 11 lars (\$50,000,000) shall be allocat-  
 12 ed for appropriation in the  
 13 1990-91 fiscal year.  
 14 (2) Ten million dollars (\$10,000,000)  
 15 for the development, rehabilita-  
 16 tion, or restoration of real proper-  
 17 ty consisting of locally and  
 18 regionally operated lakes, reser-  
 19 voirs and waterways; provided  
 20 that five million dollars (\$5,-  
 21 000,000) shall be allocated for ap-  
 22 propriation in the Budget Act for  
 23 the 1990-91 fiscal year and five  
 24 million dollars (\$5,000,000) shall  
 25 be allocated for appropriation in  
 26 the 1991-92 fiscal year.  
 27 (3) Fifty million dollars (\$50,000,000)  
 28 for expenditure by the Depart-  
 29 ment of Parks and Recreation for  
 30 the purposes of the Roberti-  
 31 Z'berg-Harris Urban ~~Open Spaces~~  
 32 *Open-Space* and Recreation Pro-  
 33 gram Act (*Chapter 3.2* (com-  
 34 mencing with Section ~~5620~~ *5620*)  
 35 of *Division 5* of the Public Re-  
 36 sources Code); provided, howev-  
 37 er, that notwithstanding Section  
 38 5627, funds made available pursu-  
 39 ant to this category may be ex-  
 40 pended only for capital outlay

1 purposes; and provided further  
 2 that twenty-five million dollars  
 3 (\$25,000,000) shall be allocated for  
 4 appropriation in the Budget Act  
 5 for the 1988-89 fiscal year and  
 6 twenty-five million dollars  
 7 (\$25,000,000) shall be allocated for  
 8 appropriation in the 1989-90 fiscal  
 9 year.  
 10 (4) Twenty million dollars (\$20,-  
 11 000,000) for acquisition, develop-  
 12 ment, rehabilitation, or  
 13 restoration of historical resources  
 14 and for historical ~~preservation~~  
 15 ~~facilities~~ *resource preservation*  
 16 *projects* and costs of planning and  
 17 interpretation; provided that ten  
 18 million dollars (\$10,000,000) shall  
 19 be allocated for appropriation in  
 20 the Budget Act for the 1990-91 fi-  
 21 scal year and ten million dollars  
 22 (\$10,000,000) shall be allocated for  
 23 appropriation in the 1991-92 fiscal  
 24 year.  
 25 (5) Ten million dollars (\$10,000,000)  
 26 for the acquisition, development,  
 27 rehabilitation, or restoration of  
 28 real property for park, recreation-  
 29 al, and historical ~~preservation~~ *re-*  
 30 *source preservation project*  
 31 purposes, including the develop-  
 32 ment of museums, by nonprofit  
 33 organizations; provided that five  
 34 million dollars (\$5,000,000) shall  
 35 be allocated for appropriation in  
 36 the Budget Act for the 1990-91 fi-  
 37 scal year and five million dollars  
 38 (\$5,000,000) shall be allocated for  
 39 appropriation in the 1991-92 fiscal  
 40 year.  
 41

- 1 (6) Five million dollars (\$5,000,000)
- 2 for recreational trail development
- 3 for trails recognized in local gen-
- 4 eral plans; provided that two mil-
- 5 lion five hundred thousand dollars
- 6 (\$2,500,000) shall be allocated for
- 7 appropriation in the Budget Act
- 8 for the 1990-91 fiscal year and two
- 9 million five hundred thousand
- 10 dollars (\$2,500,000) shall be al-
- 11 located for appropriation in the
- 12 1991-92 fiscal year.
- 13 (7) Five million dollars (\$5,000,000)
- 14 for development, rehabilitation,
- 15 or restoration of facilities accredi-
- 16 ted by the American Association of
- 17 Zoological Parks and Aquariums
- 18 and operated by cities, counties,
- 19 and nonprofit organizations; pro-
- 20 vided that two million five hun-
- 21 dred thousand dollars (\$2,500,000)
- 22 shall be allocated for appropri-
- 23 ation in the Budget Act for the
- 24 1990-91 fiscal year and two million
- 25 five hundred thousand dollars
- 26 (\$2,500,000) shall be allocated for
- 27 appropriation in the 1991-92 fiscal
- 28 year.
- 29 (8) Ten million dollars (\$10,000,000)
- 30 for development, rehabilitation,
- 31 or restoration of facilities at the
- 32 California Academy of Sciences in
- 33 San Francisco.
- 34 (b) For acquisition, development, rehabilitation, or
- 35 restoration of real property for the state park sys-
- 36 tem in accordance with the following schedule: \$190,000,000
- 37 Schedule:
- 38 (1) Fifty million dollars (\$50,000,000)
- 39 for acquisition of real property in-
- 40 side the boundaries of existing

- 1 projects or units or as additions to
- 2 existing projects or units, *and for*
- 3 *new projects if the new acquisi-*
- 4 *tions are not more than 10 percent*
- 5 *of the amount available for this*
- 6 *purpose, except that not more*
- 7 *than ten million dollars (\$10,000,-*
- 8 *000) shall be expended on any one*
- 9 *project or unit of the state park*
- 10 *system.*
- 11 (2) Eighty-eight million dollars
- 12 (\$88,000,000) for development,
- 13 rehabilitation, or restoration of
- 14 real property and historical ~~facili-~~
- 15 ~~ties~~ resources for the state park
- 16 system, including costs of plan-
- 17 ning and interpretation, in ac-
- 18 cordance with the following
- 19 schedule:
- 20 (A) Ten million dollars (\$10,-
- 21 000,000) for development,
- 22 rehabilitation, or restoration
- 23 of resources in or on San
- 24 Francisco Bay.
- 25 (B) Twenty-five million dollars
- 26 (\$25,000,000) for develop-
- 27 ment, rehabilitation, or resto-
- 28 ration of inland resources.
- 29 (C) Ten million dollars (\$10,000,-
- 30 000) for development,
- 31 rehabilitation, or restoration
- 32 at lakes, reservoirs, and wa-
- 33 terways including state water
- 34 facilities, as defined in para-
- 35 graphs (1) to (4), inclusive,
- 36 of subdivision (d) of Section
- 37 12934 of the Water Code.
- 38 (D) Five million dollars (\$5,-
- 39 000,000) for the repair of
- 40 storm damage and construc-

- 1 tion to prevent future storm
- 2 damage.
- 3 (E) Three million dollars
- 4 (\$3,000,000) for planning,
- 5 development, rehabilitation,
- 6 restoration, or interpretive
- 7 facilities in support of volun-
- 8 teer community action
- 9 projects for the state park sys-
- 10 tem.
- 11 (F) Fifteen million dollars
- 12 (\$15,000,000) for the in-
- 13 creased stewardship of the
- 14 public investment in the pro-
- 15 tection of the most critical
- 16 natural and scenic features of
- 17 the existing state park sys-
- 18 tem.
- 19 (G) Fifteen million dollars
- 20 (\$15,000,000) for rehabilita-
- 21 tion and restoration of his-
- 22 torical resources of the state
- 23 park system.
- 24 (H) Five million dollars (\$5,-
- 25 000,000) for development
- 26 and rehabilitation of trails
- 27 within the state park system
- 28 or connecting units of the
- 29 state park system.
- 30 (3) ~~Fifty-two million dollars~~
- 31 ~~(\$52,000,000)~~ Fifty-one million
- 32 dollars (\$51,000,000) for acquisi-
- 33 tion, development, rehabilitation,
- 34 or restoration of coastal resources
- 35 other than coastal resources in or
- 36 on San Francisco Bay, in accord-
- 37 ance with the following schedule:
- 38 (A) ~~Ten million dollars (\$10,000,~~
- 39 ~~000)~~ Nine million dollars (\$9,
- 40 000,000) for coastal

- 1 acquisition.
- 2 (B) Twenty-five million dollars
- 3 (\$25,000,000) for develop-
- 4 ment, rehabilitation or resto-
- 5 ration of coastal resources
- 6 within San Diego County
- 7 through Santa Barbara Coun-
- 8 ty.
- 9 (C) Twelve million dollars
- 10 (\$12,000,000) for develop-
- 11 ment, rehabilitation, or resto-
- 12 ration of coastal resources
- 13 within San Luis Obispo
- 14 County through the City and
- 15 County of San Francisco.
- 16 (D) Five million dollars (\$5,-
- 17 000,000) for development,
- 18 rehabilitation, or restoration
- 19 of coastal resources within
- 20 Marin County through Del
- 21 Norte County.
- 22 (4) *One million dollars (\$1,000,000)*
- 23 *for acquisition and development*
- 24 *of the SNO-PARK Permit Pro-*
- 25 *gram (Chapter 1.27 (commencing*
- 26 *with Section 5091.01) of Division 5*
- 27 *of the Public Resources Code).*
- 28 (c) For the acquisition, development, or restoration of
- 29 real property for ~~wildlife~~ *fish and wildlife preser-*
- 30 *vation and associated public recreation manage-*
- 31 *ment in accordance with the provisions of the*
- 32 *Wildlife Conservation Law of 1947 (Chapter 4*
- 33 *(commencing with Section 1300) of Division 2 of*
- 34 *the Fish and Game Code), including costs for plan-*
- 35 *ning and interpretation..... \$25,000,000*
- 36 (d) For the acquisition, development, restoration, en-
- 37 hancement, or management of real property by
- 38 the California Tahoe Conservancy within the Lake
- 39 Tahoe region under Title 7.42 (commencing with
- 40 Section 66905) of the Government Code, and for

1 administrative costs incurred in connection there-  
 2 with, for the purposes of protection of the natural  
 3 environment through soil erosion control, restora-  
 4 tion, or enhancement of environmentally sensitive  
 5 lands, and restoration of streams and other natural  
 6 areas; provision of public access and public recrea-  
 7 tion projects; enhancement of wildlife; and consoli-  
 8 dation of lands for their more effective  
 9 management as a unit..... \$50,000,000

10  
 11 ~~5746.~~  
 12 5747. (a) Proposed appropriations for the program  
 13 shall be included in a section in the Budget Bill for the  
 14 1988-89 fiscal year and each succeeding fiscal year for  
 15 consideration by the Legislature and shall bear the  
 16 caption "Parklands Acquisition and Development  
 17 Program of 1988." The section shall contain separate  
 18 items for each project, each class of projects, or each  
 19 element of the program for which an appropriation is  
 20 made.

21 (b) All appropriations shall be subject to all limitations  
 22 enacted in the Budget Act and to all fiscal procedures  
 23 prescribed by law with respect to the expenditure of state  
 24 funds unless expressly exempted from those laws by a  
 25 statute enacted by the Legislature. Those sections shall  
 26 contain proposed appropriations only for the program  
 27 elements and classes of projects contemplated by this  
 28 chapter, and no funds derived from the bonds authorized  
 29 by this chapter may be expended pursuant to an  
 30 appropriation not contained in those sections of the  
 31 Budget Act.

32 ~~5747.~~  
 33 5748. Commencing with the Budget Bill for the  
 34 1997-98 fiscal year, the balances remaining in the fund  
 35 may be appropriated by the Legislature for expenditure,  
 36 without regard to the maximum amounts allocated to  
 37 each element of the program, for any or all elements of  
 38 the program specified in Section ~~5745~~ 5746, or any class  
 39 or classes of projects within those elements, that the  
 40 Legislature deems to be of the highest priority.

Article 3. Local Assistance Grants

1  
 2  
 3 5750. (a) The state grant moneys authorized  
 4 category (1) of subdivision (a) of Section ~~5745~~ 5746 sh  
 5 be allocated to counties, cities, and districts on the ba  
 6 of their populations, as determined by the Department  
 7 Parks and Recreation in cooperation with t  
 8 Department of Finance on the basis of the most rece  
 9 verifiable census data and other population data as t  
 10 Department of Parks and Recreation may require to l  
 11 furnished by any county, city, or district.

12 (b) Forty percent of the total funds available f  
 13 grants shall be allocated to counties and regional par  
 14 open-space, or park and open-space districts forme  
 15 pursuant to Chapter 3 (commencing with Section 5500  
 16 Each county's allocation shall be in the same ratio as th  
 17 county's population is to the state's total population  
 18 except that each county is entitled to a minimum  
 19 ~~allocation of two hundred thousand dollars (\$200,000).~~  
 20 *allocation of one hundred thousand dollars (\$100,000).*  
 21 any county that embraces all or part of the territory of  
 22 regional park, open-space, or park and open-spac  
 23 district whose board of directors is not the county boar  
 24 of supervisors, the amount allocated to the county shall b  
 25 apportioned between the county and the regional distric  
 26 in proportion to the population of the county that i  
 27 included within the territory of the regional district and  
 28 the population of the county that is outside the territor  
 29 of the regional district.

30 (c) (1) Sixty percent of the total funds available fo  
 31 grants shall be allocated to cities and districts, other than  
 32 regional park, open-space, or park and open-spac  
 33 districts. Each city's and each district's allocation shall be  
 34 in the same ratio as the city's or district's population is to  
 35 the combined total of the state's population that i  
 36 included in incorporated areas and in unincorporated  
 37 areas within districts, except that each city or district i  
 38 entitled to a minimum allocation of twenty thousand  
 39 dollars (\$20,000). In any instance in which the boundary  
 40 of a city overlaps the boundary of a district, the

1 population in the area of overlapping jurisdictions shall  
 2 be attributed to each jurisdiction in proportion to the  
 3 extent to which each operates and manages parks and  
 4 recreational areas and facilities for that population. In any  
 5 instance in which the boundary of a city overlaps the  
 6 boundary of a district, and in the area of overlap the city  
 7 does not operate and manage parks and recreational  
 8 areas and facilities, all grant funds shall be allocated to the  
 9 district.

10 (2) Each city and other district whose boundaries  
 11 overlap, shall develop a specific plan for allocating the  
 12 grant funds in accordance with the formula specified in  
 13 paragraph (1). If, by October 1, ~~1990~~ 1988, the plan has  
 14 not been agreed to by the affected jurisdictions and  
 15 submitted to the Department of Parks and Recreation,  
 16 the Director of Parks and Recreation shall determine the  
 17 allocation of the grant funds among the affected  
 18 jurisdictions.

19 5751. The state grant moneys authorized in category  
 20 (1) of subdivision (a) of Section ~~5745~~ 5746 may be  
 21 expended by the recipient for any of the following  
 22 purposes, or any combination thereof:

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

26 ~~(b) Neighborhood, community, and regional parks.~~

27 ~~(c) Beaches and public accessways to beaches.~~

28 ~~(d) Historical sites and structures.~~

29 ~~(e) Recreational areas and facilities.~~

30 ~~(f) Hiking, bicycling, and equestrian trails.~~

31 ~~(g) Development rights and scenic easements in~~  
 32 ~~connection with any acquisition made for any purpose~~  
 33 ~~specified in subdivisions (b) to (f), inclusive, so long as~~  
 34 ~~the right or easement directly enhances the enjoyment or~~  
 35 ~~usefulness of the acquisition.~~

36 (a) The development, rehabilitation, improvement,  
 37 or restoration of all of the following:

38 (1) Deteriorated roads, utilities, and other structures  
 39 and facilities within existing parks and recreational areas.

40 (2) Neighborhood, community, and regional parks.

1 (3) Beaches and public accessways to beaches.

2 (4) Historical sites and structures.

3 (5) Recreational areas and facilities.

4 (6) Hiking, bicycling, and equestrian trails.

5 (7) Museums.

6 (b) The procurement of development rights and  
 7 scenic easements in connection with any acquisition  
 8 made for any purpose specified in paragraphs (2) to (7),  
 9 inclusive, of subdivision (a) as long as the right or  
 10 easement directly enhances the enjoyment or usefulness  
 11 of the acquisition.

12 (c) The acquisition of land for park, beach,  
 13 recreational, or historical preservation purposes.

14 5752. (a) Funds appropriated for local assistance  
 15 grants pursuant to subdivision (a) of Section ~~5745~~ 5746  
 16 shall be encumbered by the recipient within three years  
 17 of the date when the appropriation became effective,  
 18 regardless of the date when each project was approved  
 19 pursuant to subdivision (d) of Section ~~5755~~ 5754.

20 (b) State grant moneys granted pursuant to  
 21 subdivision (a) of Section ~~5745~~ 5746 may be expended for  
 22 development, rehabilitation, or restoration only on lands  
 23 owned by, or subject to a lease or other interest held by,  
 24 the applicant. If those lands are not owned by the  
 25 applicant, the applicant shall first demonstrate to the  
 26 satisfaction of the Director of Parks and Recreation that  
 27 the development, rehabilitation, or restoration will  
 28 provide benefits commensurate with the type and  
 29 duration of interest in land held by the applicant.

30 5753. (a) The funds authorized in category (2) of  
 31 subdivision (a) of Section ~~5745~~ 5746 shall be available as  
 32 grants on a competitive basis to cities, counties, and  
 33 districts for the development, rehabilitation, or  
 34 restoration of real property consisting of locally and  
 35 regionally operated lakes, reservoirs, and waterways.

36 (b) Funds available for appropriation for local  
 37 assistance grants pursuant to category (3) of subdivision  
 38 (a) of Section ~~5745~~ 5746 may be expended for the  
 39 acquisition, development, rehabilitation, or restoration of  
 40 parks, beaches, open-space lands, recreational trails, or

1 recreational facilities and areas, and for development  
2 rights or scenic easements in connection with those  
3 acquisitions.

4 (c) The funds authorized in category (4) of  
5 subdivision (a) of Section ~~5745~~ 5746 shall be available as  
6 grants on a competitive basis to cities, counties, and  
7 districts. *The maximum amount of each grant shall not*  
8 *exceed one million dollars (\$1,000,000).* An individual  
9 jurisdiction may enter into an agreement with a  
10 nonprofit organization for the purpose of carrying out a  
11 grant, subject to the requirements of subdivision (b) of  
12 Section 5752.

13 (d) The funds authorized in category (5) of  
14 subdivision (a) of Section ~~5745~~ 5746 shall be available as  
15 grants on a competitive basis to nonprofit organizations  
16 that provide park, recreation, historical, or open-space  
17 services or facilities to the general public or that operate  
18 *museums which are open to the public.*

19 (e) The funds authorized in category (6) of  
20 subdivision (a) of Section ~~5745~~ 5746 shall be available as  
21 grants on a competitive basis to cities, counties, and  
22 districts for recreational trail development for trails  
23 recognized in ~~local general plans~~: a local general plan or  
24 master plan.

25 (f) The funds authorized in category (7) of subdivision  
26 (a) of Section ~~5745~~ 5746 shall be available as grants on a  
27 competitive basis for development, rehabilitation, or  
28 restoration of facilities accredited by the American  
29 Association of Zoological Parks and Aquariums and  
30 operated by cities, counties, and nonprofit organizations.

31 (g) The Director of Parks and Recreation shall  
32 prepare and the Secretary of the Resources Agency shall  
33 adopt, not sooner than 30 days following submittal to the  
34 Joint Legislative Budget Committee, criteria and  
35 procedures for evaluating competitive grants authorized  
36 in categories (2), (4), (5), (6), and (7) of subdivision (a)  
37 of Section ~~5745~~ 5746.

38 5754. (a) Individual applications for local assistance  
39 grants pursuant to this article shall be submitted to the  
40 Director of Parks and Recreation for approval as to

1 conformity with the requirements of this chapter. Exc  
2 for an application for a grant under category (4) or  
3 of subdivision (a) of Section ~~5745~~ 5746, the applica  
4 shall be accompanied by certification from the plan  
5 agency of the applicant that the project for which  
6 grant is applied is consistent with the park and recreat  
7 element of the applicable city or county's general plan  
8 the district's park and recreation plan and will satisf  
9 high priority need. In order to utilize available gr  
10 funds as effectively as possible, overlapping jurisdic  
11 are encouraged to combine projects and submit a jo  
12 application.

13 (b) The minimum amount that may be applied for a  
14 individual project is twenty thousand dollars (\$20,000).

15 (c) Every application for a grant shall comply with  
16 California Environmental Quality Act (Division  
17 (commencing with Section 21000)).

18 (d) Upon completion of the review of applicatio  
19 submitted pursuant to subdivision (a), proje  
20 recommended for approval shall be forwarded to  
21 Director of Finance for inclusion in the Budget Bill.

22 (e) Grants that are wholly or partially for t  
23 acquisition of real property shall be made on the basis  
24 75 percent state funds and 25 percent local matchi  
25 funds or property donated to be part of the project. T  
26 grant recipient shall certify to the department that the  
27 is available, or will become available prior to t  
28 commencement of any work on the project, matchi  
29 funds or property in the required amount from a nonsta  
30 source. Certification of the source and amount or val  
31 shall be set forth in the application.

32 5755. (a) No state grant moneys authorized und  
33 subdivision (a) of Section ~~5745~~ 5746 may be disburs  
34 until the applicant agrees that any property acquire  
35 developed, rehabilitated, or restored with the funds w  
36 be used by the applicant only for the purpose for whic  
37 the funds were requested, and that no other use, sale,  
38 other disposition of the property is permitted except t  
39 specific act of the Legislature. If the use of the proper  
40 is changed to one other than permitted under t

category in subdivision (a) of Section ~~5745~~ 5746 from which the funds were appropriated, or the property is sold or otherwise disposed of, an amount equal to the amount of the grant or equal to the fair market value of the real property, or portion thereof, acquired, developed, rehabilitated, or restored with the grant, whichever is greater, shall be used by the city, county, or district for a purpose authorized in that category or shall be reimbursed to the fund for a use authorized in that category.

(b) No state grant moneys authorized under ~~Section 5745~~ subdivision (a) of Section 5746 may be disbursed unless the applicant agrees to maintain and operate the property acquired, developed, rehabilitated, or restored pursuant to this article for a period commensurate with the type of project and the proportion of state grant moneys and local funds allocated to the capital costs of the project.

#### Article 4. State Park System

5760. The Legislature recognizes that public financial resources are inadequate to meet all capital outlay needs of the state park system and that the development of recently acquired units of the state park system has proceeded at a rate that has prevented their full potential for public use from being realized. Accordingly, it is declared to be the policy of the state that funds allocated pursuant to subdivision (b) of Section ~~5745~~ 5746 shall be appropriated primarily for projects that accomplish the following:

(a) Serve metropolitan population centers and accommodate day-use and weekend-overnight visits.

(b) Provide for the development of existing units with the minimum facilities necessary for accessibility, use, and interpretation.

(c) Rehabilitate facilities at existing units that will provide for more efficient management and reduced operational costs.

(d) Minimize dependence on motor vehicles and

1 reduce other forms of energy and water consumption  
2 through appropriately designed facilities.

3 (e) Acquire those lands which will lead to the  
4 completion of ongoing projects.

5 (f) Preserve examples of historical resources, natural  
6 resources, and natural landscapes that are  
7 underrepresented in the state park system.

8 5761. (a) Any Member of the Legislature, the State  
9 Park and Recreation Commission, the California Coastal  
10 Commission, or the Secretary of the Resources Agency  
11 may nominate any project to be funded under this article  
12 for study by the Department of Parks and Recreation.  
13 The State Park and Recreation Commission shall  
14 nominate projects after holding at least one public  
15 hearing to seek project proposals from individuals,  
16 citizen groups, the Department of Parks and Recreation,  
17 and other public agencies. Any of the commissions shall  
18 make nominations by vote of its membership.

19 (b) The Department of Parks and Recreation shall  
20 study any nominated project. In addition to the  
21 procedures required by Section 5006, the Department of  
22 Parks and Recreation shall submit annually to the  
23 Legislature and to the Secretary of the Resources Agency  
24 a report consisting of a prioritized listing and  
25 comparative evaluation of all projects nominated for  
26 study, in accordance with the following schedule:

27 (1) March 1, 1989, for projects nominated prior to  
28 January 1, 1989.

29 (2) November 1, 1989, for projects nominated prior to  
30 June 30, 1989, and after January 1, 1989.

31 (3) November 1, 1990, and each November 1  
32 thereafter for projects nominated during the 12 months  
33 ending June 30, 1990, and each June 30 thereafter.

34 (c) Nominated projects shall be approved by the  
35 Secretary of the Resources Agency and forwarded by the  
36 secretary to the Director of Finance for inclusion in the  
37 Budget Bill.

38 5762. (a) Acquisition for the state park system by  
39 purchase or by eminent domain shall be under the  
40 Property Acquisition Law (Part 11 (commencing with

1 Section 15850) of Division 3 of Title 2 of the Government  
2 Code).

3 (b) Work efforts for stewardship purposes may  
4 include, but are not limited to, objectives such as the  
5 control of major erosion and geologic hazards, the  
6 restoration and improvement of critical plant and animal  
7 habitat, the control and elimination of exotic species  
8 encroachment, the stabilization of coastal dunes and  
9 bluffs, and the planning necessary to implement those  
10 activities. Those efforts may not include activities which  
11 merely supplement normal park system operations or  
12 which are usually funded from other sources.

#### 14 Article 5. Miscellaneous Provisions

15  
16 5765. Projects authorized for the purposes set forth in  
17 subdivisions (b), (c), and (d) of Section ~~5745~~ 5746 are  
18 subject to augmentation, as provided in Section 16352 of  
19 the Government Code, as limited by any provision of the  
20 Budget Act. The unexpended balance in any  
21 appropriation made payable from the fund which the  
22 Director of Finance, with the approval of the State Public  
23 Works Board, determines not to be required for  
24 expenditure pursuant to the appropriation, may be  
25 transferred on order of the Director of Finance to, and in  
26 augmentation of, the appropriation made in Section  
27 16352 of the Government Code.

28 5765.5. The Department of General Services, if the  
29 Director of Parks and Recreation finds that the use would  
30 be compatible with the ultimate use of the real property  
31 as a unit, or part of a unit, of the state park system and  
32 with the sound management and conservation of  
33 resources within the unit, may make agreements with  
34 respect to any real property acquired pursuant to  
35 subdivision (b) or (c) of Section ~~5745~~ 5746, for the  
36 continued tenancy of the seller of the property for a  
37 period of time and under conditions that may be  
38 mutually agreed upon by the state and the seller so long  
39 as the seller promises to pay the taxes on his or her  
40 interest in the property that become due, owing, or

1 unpaid on the interest created by the agreement, and so  
2 long as the seller conducts any operations on the land  
3 according to specifications issued by the appropriate  
4 director or officer to protect the property for the public  
5 use for which it was acquired. A copy of the agreement  
6 shall be filed with the county clerk in the county in which  
7 the property lies. The arrangement shall be compatible  
8 with the operation of the area by the state, as determined  
9 by the appropriate director or officer.

10 5766. All real property acquired pursuant to this  
11 chapter shall be acquired in compliance with the  
12 provisions of Chapter 16 (commencing with Section  
13 7260) of Division 7 of Title 1 of the Government Code.  
14 The Department of Parks and Recreation shall prescribe  
15 procedures sufficient to assure compliance by local public  
16 agencies which receive funds under Section ~~5745~~ 5746.

17 5767. For the purposes of this chapter, acquisition  
18 may include gifts, purchases, leases, easements, the  
19 exercise of eminent domain if expressly authorized, the  
20 transfer or exchange of property for other property of  
21 like value, and purchases of development rights and  
22 other interests.

23 5768. All grants, gifts, devises, or bequests to the state,  
24 conditional or unconditional, for park, conservation,  
25 recreation, or other purposes for which real property  
26 may be acquired or developed pursuant to this chapter,  
27 may be accepted and received on behalf of the state by  
28 the appropriate departmental director with the approval  
29 of the Director of Finance. The grants, gifts, devises, or  
30 bequests shall be available, when appropriated by the  
31 Legislature, for expenditure for the purposes specified in  
32 Section ~~5745~~ 5746.

33 5769. Real property acquired ~~by the state~~ for the state  
34 park system shall consist predominantly of open or  
35 natural lands, including lands under water capable of  
36 being utilized for multiple recreational purposes, and  
37 lands necessary for the preservation of coastal or  
38 historical ~~facilities~~ resources. No funds derived from the  
39 bonds authorized by this division shall be expended for  
40 the construction of any reservoir designated as a part of

1 the "State Water Facilities," as defined in subdivision (d)  
2 of Section 12934 of the Water Code.

3 5769.5. (a) Prior to recommending the acquisition of  
4 lands that are located on or near tidelands, submerged  
5 lands, swamp or overflowed lands, or other wetlands,  
6 whether or not those lands have been granted in trust to  
7 a local public agency, the Director of Parks and  
8 Recreation shall submit to the State Lands Commission  
9 any proposal by a state or local public agency for the  
10 acquisition of those lands pursuant to this chapter. The  
11 State Lands Commission shall, within three months of  
12 submittal, review the proposed acquisition, make a  
13 determination as to the state's existing or potential  
14 interest in the lands, and report its findings to the person  
15 making the submittal and to the Department of General  
16 Services.

17 (b) No provision of this chapter shall be construed as  
18 authorizing the condemnation of state lands.

#### 20 Article 6. Fiscal Provision

21  
22 5770. Bonds in the total amount of four hundred  
23 seventy-five million dollars (\$475,000,000), or so much  
24 thereof as is necessary, may be issued and sold to provide  
25 a fund to be used for carrying out the purposes expressed  
26 in this chapter and to be used to reimburse the General  
27 Obligation Bond Expense Revolving Fund pursuant to  
28 Section 16724.5 of the Government Code. The bonds  
29 shall, when sold, be and constitute a valid and binding  
30 obligation of the State of California, and the full faith and  
31 credit of the State of California is hereby pledged for the  
32 punctual payment of both principal of, and interest on,  
33 the bonds as the principal and interest become due and  
34 payable.

35 5771. The bonds authorized by this chapter shall be  
36 prepared, executed, issued, sold, paid, and redeemed as  
37 provided in the State General Obligation Bond Law  
38 (Chapter 4 (commencing with Section 16720) of Part 3 of  
39 Division 4 of Title 2 of the Government Code), and all of  
40 the provisions of that law apply to the bonds and to this

1 chapter and are hereby incorporated in this chapter as  
2 though set forth in full in this chapter.

3 5772. (a) Solely for the purpose of authorizing the  
4 issuance and sale, pursuant to the State General  
5 Obligation Bond Law, of the bonds authorized by this  
6 chapter, the Parklands Program Finance Committee is  
7 hereby created. For purposes of this chapter, the  
8 Parklands Program Finance Committee is "the  
9 committee" as that term is used in the State General  
10 Obligation Bond Law. The committee consists of the  
11 Governor, the Controller, the Director of Finance, the  
12 Treasurer, and the Secretary of the Resources Agency, or  
13 their designated representatives. The Treasurer shall  
14 serve as chairperson of the committee. A majority of the  
15 committee may act for the committee.

16 (b) For purposes of the State General Obligation Bond  
17 Law, the Secretary of the Resources Agency is designated  
18 the "board."

19 5773. The committee shall determine whether or not  
20 it is necessary or desirable to issue bonds authorized  
21 pursuant to this chapter in order to carry out the actions  
22 specified in Section ~~5745~~ 5746, and, if so, the amount of  
23 bonds to be issued and sold. Successive issues of bonds  
24 may be authorized and sold to carry out those actions  
25 progressively, and it is not necessary that all of the bonds  
26 authorized to be issued be sold at any one time.

27 5774. There shall be collected each year and in the  
28 same manner and at the same time as other state revenue  
29 is collected, in addition to the ordinary revenues of the  
30 state, a sum in an amount required to pay the principal  
31 of, and interest on, the bonds maturing each year, and it  
32 is the duty of all officers charged by law with any duty in  
33 regard to the collection of the revenue to do and perform  
34 each and every act which is necessary to collect that  
35 additional sum.

36 5775. Notwithstanding Section 13340 of the  
37 Government Code, there is hereby appropriated from  
38 the General Fund in the State Treasury, for the purposes  
39 of this chapter, an amount that will equal the total of the  
40 following:

1 (a) The sum annually necessary to pay the principal of,  
2 and interest on, bonds issued and sold pursuant to this  
3 chapter, as the principal and interest become due and  
4 payable.

5 (b) The sum which is necessary to carry out the  
6 provisions of Section 5776, appropriated without regard  
7 to fiscal years.

8 5776. For the purposes of carrying out this chapter,  
9 the Director of Finance may authorize the withdrawal  
10 from the General Fund of an amount or amounts not to  
11 exceed the amount of the unsold bonds which have been  
12 authorized to be sold for the purpose of carrying out this  
13 chapter. Any amounts withdrawn shall be deposited in  
14 the fund. Any money made available under this section  
15 shall be returned to the General Fund from money  
16 received from the sale of bonds for the purpose of  
17 carrying out this chapter.

18 5777. All money deposited in the fund which is  
19 derived from premium and accrued interest on bonds  
20 sold shall be reserved in the fund and shall be available  
21 for transfer to the General Fund as a credit to  
22 expenditures for bond interest.

23 5778. The Legislature hereby finds and declares that,  
24 inasmuch as the proceeds from the sale of bonds  
25 authorized by this chapter are not "proceeds of taxes" as  
26 that term is used in Article XIII B of the California  
27 Constitution, the disbursement of these proceeds is not  
28 subject to the limitations imposed by that article.

29 SEC. 2. Section 1 of this act shall take effect upon the  
30 adoption by the voters of the California Park,  
31 Recreational, and Historical ~~Facilities~~ *Resources* Bond  
32 Act of 1988, as set forth in Section 1 of this act.

33 SEC. 3. Except as otherwise provided in this act, all of  
34 the provisions of the Government Code and the Elections  
35 Code governing submission of statewide measures to the  
36 voters apply to this measure.

37 SEC. 4. Notwithstanding Section 3525 of the Elections  
38 Code, Section 1 of this act shall be submitted to the voters  
39 at the statewide direct primary to be held in June 1988,  
40 pursuant to provisions of the Government Code and the

1 Elections Code governing submission of statewide  
2 measures to the voters at a statewide election.

3 SEC. 5. Notwithstanding any other provision of law  
4 all ballots of the election shall have printed thereon an  
5 in a square thereof, the words: "California Park  
6 Recreational, and Historical ~~Facilities~~ *Resources* Bond  
7 Act of 1988," and in the same square under those words  
8 the following in 8-point type: "This act provides for  
9 bond issue of four hundred seventy-five million dollars  
10 (\$475,000,000) to provide funds for a program of  
11 acquiring, developing, or restoring real property for state  
12 and local park, beach, recreational, or historical ~~facilities~~  
13 *resources* purposes." Opposite the square, there shall be  
14 left spaces in which the voters may place a cross in the  
15 manner required by law to indicate whether they voted  
16 for or against the act.

17 Where the voting in the election is done by means of  
18 voting machines used pursuant to law in the manner that  
19 carries out the intent of this section, the use of the voting  
20 machines and the expression of the voters' choice by  
21 means thereof are in compliance with this section.

22 SEC. 6. This act is an urgency statute necessary for  
23 the immediate preservation of the public peace, health,  
24 or safety within the meaning of Article IV of the  
25 Constitution and shall go into immediate effect. The facts  
26 constituting the necessity are:

27 In order to provide financing for urgently needed  
28 parks, beaches, recreational areas and facilities, and  
29 historical ~~facilities~~ *resource preservation projects* as soon  
30 as possible, it is necessary that this act take effect  
31 immediately.

The Honorable Jim Costa  
State Capitol  
Sacramento, CA 95814

Subject: Support AB 1794

Dear Assemblyman Costa:

Funding for park and recreation facility development projects represents a significant impact to the City of Sacramento. It is important to note that previous legislation which authorized state park bonds has contributed over \$3.5 million to the capabilities of the City in acquiring and developing parks and recreation resources which contribute to the quality of the city's urban environment. Major projects have been completed in Sacramento through previous bond acts, including the Sacramento Softball Complex, Sacramento Zoo, orangutan exhibit, Sacramento History Center, and Coloma Community Center.

Our agency strongly supports your efforts, as the author of AB 1794, to continue this traditional method of assisting state and local government in meeting the growing public needs for quality park and recreation facilities. Our agency stands in support of your efforts.

Sincerely,

Terry Kastanis, Chair  
Law and Legislative Committee

cc: Legislative Committee  
C.P.R.S.  
3031 F Street, P. O. Box 161118  
Sacramento, CA 95816