



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: May 1, 2013

SUBJECT: **Agenda Item XII: Consideration of resolution supporting AB 1359 (Hernandez).**

Staff Recommendation: That the Governing Board adopt the attached resolution supporting AB 1359 (Hernandez).

Background: Assembly Member Roger Hernandez has introduced the *AB 1359 Quimby Act Amendment: Use of Fees* to authorize fees paid pursuant to the Act to be used for the purpose of developing new or rehabilitating existing neighborhood or community parks or recreational facilities to serve the subdivision or subdivisions in the city or county with the greatest need, as defined. The bill would require the legislative body to hold a public hearing before using fees as prescribed in the bill and authorizes the use of joint or shared use agreements to facilitate access to park or recreational facilities for residents in specified areas. See attached copy and fact sheet.

The passage of the original 1975 Quimby Act created an ordinance that required developers to set aside land, donate conservation easements, and/or pay fees which would be used for park improvements. One of the Act's requirements is that the dedicated land or fees, or combination thereof, shall be used only for the purposes of developing new, or rehabilitating existing, neighborhood or community park or recreational facilities to serve solely the subdivision. The Act provides that the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide three acres of park per 1,000 persons residing within a subdivision subject to the Act, except as specified.

The MRCA supports the concept of expanding the Quimby Act definition to prioritize serving the most park poor of areas and authorize joint use agreements. By encouraging new park improvements in Disadvantaged Communities and park poor neighborhoods, improvement resources are elevated to synchronize with the existing goals and requirements of many State of California grantors and the mission

of the MRCA. The current definition of the Quimby Act has hindered improvements in areas with little to no development as it has required funds to remain in areas undergoing development.

The MRCA strives to integrate nature into the urban environment throughout all its projects in well provisioned and park poor communities alike. The MRCA is a strong advocate that parks and open space not only serve to revitalize communities, but that they also have the capacity to create multiple benefits, including habitat and ecosystem restoration, connectivity, water quality and supply improvement, and resource conservation. Parks also provide excellent opportunities for environmental education and exposure to the abundant natural resources throughout all of California. The MRCA has a proven history of working with local government agencies to develop scores of innovative, multi-benefit natural parks in Southern California and believes that AB 1359 is an important addition to the Quimby Act that will prioritize funding to those areas most in need.

Additional opportunities for partnerships with cities and counties may result from this bill. The proposal to allow shared or joint use agreements is good for local governments, such as the MRCA, as it should facilitate a climate that will encourage new projects to develop innovative funding mechanisms and land use agreements with public-private partnerships.