



May 3, 2016

TO: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: John Wicker
Director

A handwritten signature in blue ink, appearing to read "John Wicker".

SUBJECT: REPORT BACK: POTENTIAL LOCAL PARKS FUNDING MEASURE

With the imminent loss of ongoing voter-approved funding for land acquisition and capital projects and their maintenance, the Board of Supervisors (Board) placed a measure, Proposition P, on the November 2014 ballot for continuation of funding programs. Proposition P garnered 62.89 percent approval, falling short of the two thirds super-majority requirement.

Following Proposition P, the Board directed the development of the Countywide Parks and Recreation Needs Assessment, an effort that has now:

- divided the County into 186 local study areas;
- inventoried all parks and recreation assets in each study area, including the condition of individual amenities;
- analyzed the availability and accessibility of parks to local residents; and
- engaged the public in the creation of prioritized local project lists for each participating study area
- completed the Executive Summary of the Report for the Parks Needs Assessment

In August 2015 the Board directed the Regional Park and Open Space District (RPOSD) to:

- I. Research the feasibility of the most appropriate taxing mechanism between a flat parcel tax and a parcel tax based on square footage of development that could fund park and recreation projects into the future, like Prop A has done.

- A Feasibility Report has been completed with the recommendation that a parcel tax based on square footage of development is the most feasible (see attachment number 1).
 - Public Opinion Polling is being utilized to confirm the viability of the taxing mechanism and the Park Funding Measure's components; to understand which elements will have more success if measure is placed on the ballot (see attachment number 2).
- II. Draft a funding measure to meet the needs identified in the 2016 Countywide Parks Needs Assessment Final Report (see attachment number 3).
- Framework for the measure has been drafted and vetted with Supervisors' Offices.
 - The Needs Assessment Team has completed the analysis, the Executive Summary and is completing the detailed report.
 - Costs to address the needs identified are being calculated and will help determine the amount of the tax.
 - The draft measure will need to be reconciled with the findings in the Needs Assessment Report.
- III. Develop an information and education program for the RPOSD to ensure that the various communities within the County understand where their tax dollars have been expended.
- In the beginning of the year, the District launched a comprehensive outreach program to engage cities, communities, businesses, labor and civic organizations about the efforts and successes of the Regional Park & Open Space District and provide education on both the Needs Assessment and a potential funding measure.
 - To date, we have reached out to all 88 cities throughout Los Angeles County, as well as 139 chambers of commerce, 11 labor groups, and 10 government organizations. As of Friday, April 22, 2016, we have had briefings with or given presentations to 43 cities, 17 chambers, 6 labor groups, and 7 government organizations.

- Through these personal interactions, the District has gained valuable feedback from every corner of the County and provided important information about the role of parks and open space projects in our communities, as well as the future needs of the County. The District is continuing to follow up with all individuals and organizations, to schedule informational briefings, and provide additional details on the results of the Needs Assessment as well as a potential funding measure.
- The District has designed a social media and web platform information and education program to be launched in the next several weeks. The materials are under review with County Counsel.
- The District is currently using its webpage and social media to provide updates on the Parks Funding Measure on our website www.rposd.lacounty.gov, as well as on Twitter.com/RPOSD, Facebook.com/RPOSD, and Instagram.com/RPOSD.
- The District has a media outreach program that it has begun with events such as a briefing of the Ethnic Media. Bringing together County Staff and its partners to speak to what the District has accomplished in the last 24 years in our communities.
- "Next Steps" meetings, to follow up on the Needs Assessment public outreach, will occur in May and inform the communities about how to access the Executive Summary of the report and status of a Local Parks Funding Measure. These meetings will be held across the County, with two in each Supervisorial District (see attachment number 4).

JIB:lb

Attachments

- c: Chief Executive Office (S. Hamai)
Executive Office Board of Supervisors (L. Glasgow)
County Counsel (M. Wickham, C. Salseda)
Park Deputies (T. Villegas, K. Katona, M. Chong-Castillo, E. Stibal, S. Nemer)
Regional Park and Open Space District (J. Beesley, W. Ontiveros)
Parks and Recreation (R. Robinson, N. Garcia)

CONSERVATION FINANCE FEASIBILITY STUDY, JANUARY 2016

LOS ANGELES COUNTY, CALIFORNIA



THE TRUST *for* PUBLIC LAND

LAND FOR PEOPLE

TABLE OF CONTENTS

Executive Summary	2
Introduction	3
Parcel Tax Options	4
Recommendation and Next Steps	6
Appendices	8
District Overview	8
Elections	9
Parcel tax summary	11
Local Public Finance in California	12
Uniformity and exemptions – legal challenge	16

EXECUTIVE SUMMARY

- The Trust for Public Land (TPL) is a national nonprofit with expertise on public finance measures for parks and open space. TPL has been involved in close to 500 successful ballot measures throughout the country, raising over \$57 billion in much needed funds for park priorities and land conservation.
- The Los Angeles County Board of Supervisors directed the Regional Parks and Open Space District to research potential funding mechanisms to fund the park priorities that will result from the Countywide Comprehensive Park and Recreation Needs Assessment Report. The two types of funding under consideration are a “uniform amount flat rate” parcel tax and a “uniform amount square footage” parcel tax.
- These two options are both legally and politically feasible. Either option can include a provision for the Board of Supervisors to change the rate on a yearly basis based on changes in the Consumer Price Index. While a uniform amount flat rate tax is more common, communities within Los Angeles County have used both of these funding options including various school district flat rate parcel taxes and the countywide square footage based “Trauma Tax”.
- A tax based on square footage is more similar to the District’s existing and expired assessments than the flat per parcel tax, as larger parcels pay a higher percentage of the overall revenue.
- Funding levels have not increased since 1996, while the population and park assets have increased, leading to significant challenges. A parcel tax based on square footage can come closer to accommodating the urgent needs for increasing park access and maintaining safe and clean existing parks.
- In addition a parcel tax based on square footage means that multi-unit properties (with more residents using parks and recreational services) are paying more than single family homes of a similar per unit size. Larger businesses with more employees who benefit from the increased access to parks will pay a higher share than a single family home as well.
- Initial polling shows robust support for a uniform amount square footage parcel tax.
- **The Trust for Public Land recommends moving forward with preparing to place a uniform amount square footage parcel tax on the ballot for voter consideration.**
- We also recommend that, once the Needs Assessment Report is complete, the Board conduct further public opinion research to test assumptions related to the willingness to pay, refine ballot language and understand how voters view the priorities identified by the Needs Assessment Report.

INTRODUCTION

The Trust for Public Land (TPL) is a national nonprofit organization dedicated to conserving land for people to enjoy as parks, gardens, and natural areas. Since 1996, TPL has been involved in nearly 500 successful ballot measures and twenty successful legislative campaigns that have created more than \$57 billion in new funding for land conservation. Voters have approved 81 percent of the ballot measures supported by The Trust for Public Land.

Overall, voter support of local conservation finance measures in California has been mixed. Roughly 61 percent of local conservation finance measures (53 of 87) on the ballot in California between 1990 and 2014 were approved. Success at the ballot is hampered in the state by the high approval threshold (2/3rds of the vote) required for local bond and special tax measures. The Trust for Public Land and its affiliate The Conservation Campaign¹ have supported 19 local conservation finance measures in California, 15 of which were approved (78 percent).

This brief report examines several mechanisms for generating and dedicating local revenue for parks in Los Angeles County.² As these options require voter approval, the report also contains a summary of the pathways to the ballot. This research provides a stand-alone, fact-based reference document that can be used to evaluate available financing mechanisms from an objective vantage point. Combined with public opinion research testing ballot language, tax tolerance, and program priorities, this report provides Los Angeles County with a recommended option for moving forward.

In August 2015, the Los Angeles County Board of Supervisors directed the Department of Parks and Recreation through the Regional Parks and Open Space District (the District) to research potential funding mechanisms to support parks creation and operations the county. The District has primarily been funded by two benefit assessments which generated approximately \$80 million annually. The 1992 assessment expired in FY 2014-15, and the 1996 assessment will end in FY 2018-19, leading to an urgent need for funding to provide safe, well-maintained parks for the growing population of Los Angeles County. The Countywide Comprehensive Park and Recreation Needs Assessment Report (Needs Assessment Report) currently underway will provide essential details regarding funding needs, to help make a final decision on the potential measure's amount. The options are summarized briefly below and in the appendices.

Funding Options under consideration: Los Angeles County is considering two different models for a special per-parcel tax to support parks and open space acquisition and operations. For information on other funding mechanisms and why they are not appropriate for this effort please see Appendix D.

The two types of parcel taxes under consideration are “**uniform amount flat rate**” and “**uniform amount square footage**” parcel taxes. In Los Angeles County, a flat \$34 per parcel tax levied on all property countywide would generate approximately \$80 million in annual revenue – roughly equivalent to the total 2014 annual revenues from the District's two benefit assessments – an

¹ The Conservation Campaign (TCC) is a non-profit 501(c)(4) organization affiliated with TPL.

² The contents of the report are based on information available at the time of research and drafting (Fall 2015).

amount that has not increased in 20 years, while costs have continued to rise. A tax of 3 cents per square foot (0.03) would generate approximately \$191 million and would cost the average single-family homeowner about \$45 per year. A summary of these options can be found in Appendix C.

A tax based on square footage more closely resembles the District's existing and expired assessments than the flat per parcel tax in that it imposes higher taxes on larger parcels. This structure is less commonly used in California. However, Los Angeles County successfully implemented a square footage tax as its "Trauma Tax", passed by voters in 2002. This report provides more detail on the differences and benefits of each of these models and recommends a preferred model based on the information available.

PARCEL TAX – TWO OPTIONS

A parcel tax is a type of excise tax that is based on either a flat per-parcel rate or a rate that is based upon the use, size, and/or number of units on each parcel. The two most common types of parcel taxes are "uniform amount flat rate" and "uniform amount square footage" parcel taxes. Generally, state law requires that special district parcel taxes apply uniformly to all types of property. Some jurisdictions also include exemptions for parcels owned by seniors, low income households, and taxpayers with disabilities.³ However, due to the lack of clarity in the enabling legislation for special districts, we would not recommend proposing exemptions at this time. More information on the legal questions around exemptions can be found in Appendix E.

A parcel tax must be adopted as a special tax, requiring 2/3rds voter approval.⁴ Parcel taxes are used to provide various local government and school services. Since 1990, nine communities have passed a parcel tax for land conservation and open space purposes. Most recently, voters in the Santa Clara County Open Space Authority approved a \$24 per parcel tax for 15 years to improve parks, open spaces and trails and to protect land, water quality and wildlife habitat. In 2012, the Santa Monica Mountains Recreation and Conservation Authority and the Woodland Hills, Encino, and Tarzan Mountains Recreation and Conservation Authority asked voters to approve a parcel tax of \$24/year and \$19/year, respectively.

Most parcel taxes are uniform amount flat rate taxes –that is, the same regardless of the parcel's size or use. From 2002 to 2012, flat rate taxes represented 86 percent of the 389 parcel taxes proposed by school districts, 51 percent of those proposed by cities, and 75 percent of those proposed by special districts. The median rate was \$96 per parcel. Among cities that enacted flat-rate parcel taxes during this period, the median was \$60 per parcel.

³ California Taxpayers Association. March 2013. "The Other Property Tax: an Overview of Parcel Taxes in California." <http://www.caltax.org/ParcelTaxPolicyBrief.pdf>

⁴ Sonstelle, Jon. *Parcel Taxes as a Local Revenue Source in California*. Public Policy Institute of California. April 2015, 4. http://www.ppic.org/content/pubs/report/R_415JSR.pdf.

In 1988, the California Court of Appeals ruled that any general tax on property must be based on the value of property and thus fall under the Proposition 13 limit. A special tax need not be based on value, however. Therefore, all parcel taxes are special taxes, requiring a two-thirds vote, a ruling codified by Proposition 218 in 1996.

From 2003 through 2012, special districts placed 238 parcel tax proposals on the ballot. Among the 193 proposals from special districts for which tax rate information was available, 142 proposed a flat rate for all parcels, 44 proposed to tax different land uses at different rates, and 7 proposed a tax on square footage. The median flat rate was \$68 per parcel.⁵ Local governments are not required to include a sunset date for parcel taxes. About one-third of parcel taxes are imposed in perpetuity.⁶

⁵ Sonstelle, Jon. *Parcel Taxes as a Local Revenue Source in California*. Public Policy Institute of California. April 2015, 4.

⁶ California Tax Foundation, September 2014. "Piecing Together California's Parcel Taxes."

A Los Angeles County Example - the Trauma Tax

The Los Angeles County Trauma Tax is a special tax, also known as Measure B, approved by voters on November 5, 2002 by a 73 percent margin, beginning in fiscal year 2003-2004. Measure B, initially levied at a rate of 3 cents per square foot of structural improvements, provides funding for the countywide system of trauma centers, emergency medical services, and bioterrorism response. The Board of Supervisors may, by majority vote, increase or decrease the tax rate. Increases to the tax rate are limited to the cumulative increases, if any, in the medical component of the Consumer Price index (CPI). For Fiscal Year 2015-2016, it is set at 4.24 cents per square foot of structural improvements on the property. For example, for a property with a 1,500 square foot house on it, 1,500 would be multiplied by \$0.0424 resulting in an assessment of \$63.60. Improvements used for parking are exempted from the assessment.⁷ The tax generated roughly \$271 million in Fiscal Year 2014.⁸ It will continue in perpetuity.

Ballot Language for Los Angeles County's Measure B of the November 5, 2002, Election
 PRESERVATION OF TRAUMA CENTERS AND EMERGENCY MEDICAL SERVICES; BIOTERRORISM RESPONSE.
 To avoid the life-threatening shutdown of Los Angeles County's trauma network, maintain and expand the trauma network countywide, ensure more timely response to critical and urgent medical emergencies and respond effectively to biological or chemical terrorism, shall all property owners pay an annual tax of three cents per square foot of improvements (buildings) on developed property?
 Approved: 73% Yes
 Source: County of Los Angeles *Official Sample Ballot and Voter Information* booklet for the November 5, 2002, general election.

Options for Los Angeles County Parks

Flat per-parcel tax

Based on the number of taxable parcels in Los Angeles County (2,346,578), Los Angeles County would need to levy a flat \$34 per parcel tax to generate roughly \$80 million in annual revenue – roughly equivalent to the total 2014 annual revenues from the District's two benefit assessments.⁹ In 2014, Los Angeles County placed parcel tax measure on the November ballot to support development, acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, and open space lands within the County. Proposition P authorized a \$23 per parcel tax to replace the expiring (1992) assessment. The measure received 62 percent voter support but failed to meet the 2/3rds approval requirement. Based on this result, if the County wishes to place a similar flat tax on the ballot, more extensive public opinion research, including varying the amount of the tax, can provide insight into what voters are willing to support.

Estimated Revenue & Costs of Parcel Tax		
Revenue Generated*	Total # of Parcels	Annual Cost per Parcel
\$60,000,000	2,346,578	\$26
\$80,000,000	2,346,578	\$34
\$100,000,000	2,346,578	\$42
\$120,000,000	2,346,578	\$50

2014 assessments totaled approximately \$19.28 per single family residence (SFR) parcel and generated \$78 M per year. The 1992 (expired) assessment (\$12.50 per SFR) generated roughly \$50 M

⁷ Los Angeles County Health Services website: Trauma Emergency Bioterrorism Response Assessment FAQs.

⁸ County of Los Angeles 2014 Comprehensive Annual Financial Report, p. 145.

⁹ Note, these figures are estimates.

Square-footage tax

Alternatively, a special parcel tax could be levied as a uniform amount per square footage similar to the trauma tax. For example, a tax of 3 cents per square foot (0.03) would generate approximately \$191 million annually and would cost the average single-family homeowner about \$45 per year.

A tax based on square footage is more similar to the District’s existing and expired assessments than the flat per

parcel tax as larger parcels pay a higher percentage of the overall revenue. Additionally, public opinion research conducted by LA County in December 2015 shows robust support for a measure of 3 cents per square foot. While the Needs Assessment Report has not been completed at this time, the population of Los Angeles County and costs related to building and maintaining the park infrastructure needed by the cities and communities have grown substantially as well since the original assessments were adopted, but there has been no corresponding increase in funding. Therefore a higher amount of revenue will need to be generated to reach the goal of the Board of Supervisors to fully fund the urgent needs identified by the Needs Assessment Report.

Estimated Revenue & Costs of Parcel Tax			
Revenue Generated*	Total Square Footage	Rate Cents/Sq.Ft.	Annual Cost Avg. SFR*
\$95,527,500	6,368,500,000	1.5	\$22.50
\$191,055,000	6,368,500,000	3	\$45.00
\$222,897,500	6,368,500,000	3.5	\$52.50
\$254,740,000	6,368,500,000	4	\$60.00
*Based on 1,500 square feet for a single family residence. According to the National Association of Home Builders' analysis of census data, the median size of single family residences in the Western U.S is 1,680 sq. ft.			

Considerations for a Parcel Tax

There are considerations with regard to equity for each of these parcel tax structures. A flat per-parcel tax is the most common type of tax and straightforward for voters. This structure means that every property owner equally contributes to the benefits enjoyed by all of increased access to parks and open space. However that does mean that all property owners pay the same amount regardless of ability to pay. For example, with a flat per parcel tax, two parcels located within the boundaries of the same district would pay the same uniform-rate amount, regardless of whether the parcel includes a single family home or an apartment building with dozens of families.

A tax based on square footage places a higher cost on large parcels, more closely approximating the ability to pay of the owner, within the limits of the law. This would also mean that multi-unit properties are paying more than single family homes of a similar per unit size. Larger businesses with more employees who also benefit from the increased access to parks will pay a higher rate than a single family home as well. However, because parcel taxes are prohibited by law charging variable rates based on value, this method is only a rough approximation of ability to pay.

Proposing a tax with a relatively low annual cost, as described here, will help to minimize any potential hardship while providing essential funding to enhance local parks and recreation opportunities for residents of the communities throughout Los Angeles County.

RECOMMENDATIONS & NEXT STEPS

This feasibility report is meant to inform the Los Angeles County Board of Supervisors and the Los Angeles County Regional Park and Open Space District in their consideration of new funding for parks and recreation opportunities by identifying potential funding mechanisms and determining the fiscal capacity and legal requirements of various approaches.

Both models under consideration, a uniform amount flat rate parcel tax and a uniform amount square footage parcel tax, are feasible, would provide significant funding to the district, and are within the authority of the County to place on the ballot.

Based on the analysis of this report, as well as initial polling results, our recommended option is the square footage parcel tax. This mechanism provides a more equitable method of raising funds within the limits of the law. Initial polling shows it is politically viable and that this mechanism is likely to more effectively meet the urgent funding needs identified by the Needs Assessment Report. Additionally, data gathered in a post-election survey of voters after the unsuccessful ballot measure in 2014 found that the flat-tax structure of Proposition P was a factor in deciding voting against the measure for around 3% of voters – a small number but close to the number needed to reach the 2/3 threshold. Alternatively, the Board could ask voters to approve a flat parcel tax.

We recommend further public opinion research, once the Needs Assessment Report is complete for a more detailed assessment of willingness to pay, as well as to understand voter preferences for the priorities that arise from that assessment and to refine ballot language.

Next steps should include:

- Crafting an appropriate model for using the County’s taxing authority to place a measure on the ballot that will create a pass through funding source to the District. Consider amending the District’s authorizing legislation in the future to allow it to utilize additional finance mechanisms and allow for specific exemptions (e.g. seniors).
- Identifying the total need for funding based on the park Needs Assessment Report being currently carried out by the County.
- Identifying a preferred funding mechanism.
- Conducting further public opinion research to assess the level of the recommended funding mechanism, test assumptions related to the willingness to pay, refine ballot language and test the priorities that come out of the Needs Assessment Report with voters.
- Finalize the project priorities for the measure based on the most urgent needs and the amount voters are willing to support.
- Finalize the ballot resolution including the funding mechanism and amount and the 75-word ballot question.

APPENDICES

Appendix A

District Overview

Los Angeles Regional Park and Open Space District Formation

The Los Angeles County Regional Park and Open Space District (District) was formed pursuant to the California Public Resources Code and the Landscaping and Lighting Act of 1972. The voters of Los Angeles County created the District when they approved Proposition A in the November 3, 1992, General Election. Proposition A authorized an annual assessment on nearly all of the 2.30 million parcels of real property in the county. The measure provided \$540 million for the acquisition, restoration or rehabilitation of real property for parks and park safety, senior recreation facilities, gang prevention, beaches, recreation, community or cultural facilities, trails, wildlife habitats, or natural lands, and maintenance and servicing of those projects.

On November 5, 1996, the county's voters approved another Proposition A to fund an additional \$319 million of parks and recreation projects and additional funds for maintenance and servicing of those projects.

The District is governed by the County of Los Angeles Board of Supervisors with the District's day-to-day operations administered by the County Department of Parks and Recreation.

Revenue

The District's primary revenue source has been the assessments. Annual assessment revenue was approximately \$80.5 million in 2014. The 1992 measure levied an assessment of approximately \$12.50 per single family home¹⁰ and generated roughly 65 percent of the annual assessment income (about \$50 million). The assessments rates are "static" and do not include any provision for cost-of-living or inflation increases. The District does not receive any funding from the Los Angeles County general fund. The 1992 assessment expired in FY 2014-15, and the 1996 assessment will end in FY 2018-19. Total revenue through the end of both assessments is estimated at \$1.72 billion.

Los Angeles County Regional Park and Open Space District				
Proposition	Per HH	% of total	Est. Revenue	Expiration
1992 Assessment	\$12.50	65%	\$52,297,000.00	FY2014-15
1996 Assessment	\$6.78	35%	\$28,737,000.00	FY2018-19
	\$19.28		\$81,034,000.00	
<i>Revenue forecast through end of assessments: \$1.725 billion</i>				

¹⁰ Actual rates are benefit assessments for each property based on a complex formula that includes property type, lot size and proximity to parks among other factors.

Appendix B

Elections

As mentioned earlier in this report, roughly 60 percent of local conservation finance measures (52 of 86) on the ballot in California between 1990 and 2014 were approved.

California Conservation Finance Measures Approved by Voters - 2005 - 2015						
Jurisdiction Name	Date	Description	Finance Mechanism	Total Funds Approved	Conservation Funds Approved	% Yes
Mdpeninsula Regional Open Space District	Jun-14	Bond for open space preservation and habitat restoration	Bond	\$174,000,000	\$174,000,000	68%
Novato	Apr-14	Bond to protect meadow from development	Bond	\$600,000	\$600,000	95%
California	Nov-14	Bond to protect water quality, supply and infrastructure	Bond	\$1,500,000,000	\$1,500,000,000	67%
San Luis Obispo	Nov-14	8-year, .5 percent sales tax extension for essential services including open space acquisition and maintenance	Sales tax	\$2,600,000	\$2,600,000	70%
Santa Clara County Open Space Authority	Nov-14	15-year, \$24 parcel tax for open space, wildlife habitat, farmland and other natural areas	Other	\$43,500,000	\$43,500,000	68%
Marin County	Nov-12	9-year, .25 cent sales tax increase to fund parks, open space and farmland acquisitions	Sales tax	\$30,000,000	\$30,000,000	74%
Mountains Recreation and Conservation Authority	Nov-12	10-year, \$24 parcel tax for the protection of open space, habitat, and water quality in the east Santa Monica Mountains	Other	\$1,702,500	\$1,702,500	76%
Mountains Recreation and Conservation Authority	Nov-12	10-year, \$19 parcel tax for the protection of open space, habitat, and water quality in the west Santa Monica Mountains	Other	\$762,500	\$762,500	69%
San Francisco	Nov-12	Bond for park improvements and additions	Bond	\$7,500,000	\$7,500,000	72%
Portola Valley	Nov-09	4-year, 2 percent utility tax renewal for open space purchases	Other	\$984,000	\$984,000	66%
East Bay Regional Park District	Nov-08	Bond for the purchase of parkland, trails, and other recreational land	Bond	\$500,000,000	\$375,000,000	72%
Pasadena	Oct-08	Creation of Annandale Canyon Open Space Benefit Assessment District	Benefit Assessment	\$1,364,090	\$1,364,090	60%
San Francisco	Feb-08	Bond for city park improvements	Bond	\$185,000,000	\$5,000,000	71%
San Juan Capistrano	Nov-08	Bond for the purchase of open space	Bond	\$30,000,000	\$30,000,000	70%
Santa Clarita	Jul-07	30-year, \$25 assessment on property owners for the creation of the City of Santa Clarita Open Space and Parkland Preservation District	Benefit Assessment	\$46,683,000	\$46,683,000	63%
California	Nov-06	Prop 84, Parks and water bond to improve drinking water, flood control, protection of coastlines, and state parks	Bond	\$5,388,000,000	\$2,253,000,000	54%
California	Nov-06	Prop. 1C, Housing bonds which include funding for public park acquisition	Bond	\$2,850,000,000	\$400,000,000	58%
California	Nov-06	Proposition 1E, Bond for disaster preparedness and flood prevention which includes the acquisition of land	Bond	\$4,090,000,000	\$290,000,000	64%
Claremont	Nov-06	Bond for the purchase of Johnson's Pasture	Bond	\$12,500,000	\$12,500,000	71%
Orange County	Nov-06	Measure M, 30-year extension of .5 cent sales tax for transportation purposes which includes funding for the preservation of areas of high ecological value including habitat	Sales tax	\$11,800,000,000	\$244,000,000	70%
San Luis Obispo	Nov-06	10-year, .5 cent local sales tax increase for essential services including the protection of open space	Sales tax	\$45,000,000	\$11,250,000	65%
Santa Clara County	Jun-06	12-year continuation of dedication of the equivalent of .01425 per \$100 property tax for land acquisition, development, and maintenance of parkland	Other	\$368,400,000	\$73,680,000	71%
Santa Monica	Nov-06	\$84 per single residential family unit parcel tax to implement the Watershed Management Plan	Parcel tax	\$47,000,000	\$11,750,000	67%
Sonoma County Agricultural Preservation and Open Space District	Nov-06	20-year, continuation of a quarter-cent sales tax for open space, clean water, and farmland protection	Sales tax	\$340,000,000	\$340,000,000	76%
Marinwood Community Services District	Mar-05	Measure D, \$75 dollar increase to \$150 on each land parcel for parks, open space, and street landscape maintenance	Parcel tax	\$5,200,000	\$1,800,000	71%
Portola Valley	Nov-05	4-year, extension of 2% utility tax to acquire and preserve open space	Other	\$800,000	\$800,000	58%

Source: Trust for Public Land, LandVote database. Includes only measures with some funding for land acquisition.

Voter Registration

Los Angeles County has 4,843,670 registered voters.

Timing

The established election dates in each year are as follows:

- The second Tuesday of April in each even-numbered year,
- The first Tuesday after the first Monday in March of each odd-numbered year,
- The first Tuesday after the first Monday in June of each year,
- The first Tuesday after the first Monday in November of each year.

At least 88 days prior to the date of the election, the governing board must call for an election and set forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot.¹¹ Deadlines for the November 2016 election are described in the table below.

November 2016 Election Dates		
Date	Action Taken	CA Statute
August 12	Deadline to deliver resolution calling ballot measure election. (E-88)	EC 10403
September 29 - October 18	Counties mail sample ballots and voter pamphlet (E-40 to E-21)	EC 13303-04; 13306
November 8	Election day	EC 1000

The November 2016 California ballot could be one of the most crowded in the past decade. Six statewide ballot propositions are currently eligible or qualified for the general election, but political strategists have identified at least 15 additional measures that are likely to go before voters next fall.

Qualified/Eligible Statewide Ballot Measures - California November 2016 Election		
Title	Subject	Description
Medi-Cal Hospital Reimbursement Initiative	Healthcare	Requires voter approval of changes to the hospital fee program
Multilingual Education Act	Education	Repeals Prop 227 of 1998, thus allowing for bilingual education in public schools
Plastic Bag Ban Referendum	Business	Ratifies SB 270, thus prohibiting plastic single-use carryout bags
Public Vote on Bonds Initiative	Elections and campaigns	Requires voter approval for projects that cost more than \$2 billion funded by revenue bonds
Public Education Facilities Bond Initiative	Education	Authorizes issuance and sale of \$9 billion in bonds for education and schools
Condoms in Pornographic Films Initiative	Adult entertainment	Requires the use of condoms in all pornographic films produced in California

Sources: Ballotpedia and California Secretary of State websites.

¹¹ California Elections Code 10403

Appendix C: Parcel Tax Summary

Option	Description and Generating Potential	Process	Considerations
Special Tax (per parcel)	A parcel tax is a type of excise tax that usually is based on either a flat per-parcel rate <i>or a rate that is based upon the size and/or number of units</i> on each parcel. A parcel tax must be adopted as a special tax, and may be utilized by counties and special districts with the capacity to levy special taxes.	Requires 2/3 rd approval by the Board of Supervisors and 2/3 rd approval by county or district voters.	Would create a dedicated funding source for parks and open space that could be used for acquisition as well as development and maintenance purposes.
Flat per parcel tax	In Los Angeles County, a flat \$34 per parcel tax levied on all property countywide would generate roughly \$80 million in annual revenue.		A flat tax is easier to understand – annual impact is known. Could raise equity concerns.
Flat per-square-footage tax	A tax of 3 cents per square foot (0.03) would generate approximately \$191 million and would cost the average single-family homeowner about \$45 per year.		A square-footage tax is more similar to the current assessments, it is less common and is modeled on the County's Trauma Tax.
	These figures are only intended for illustration, county officials, assessors, and financial advisors would determine the exact structure and any exemptions for the tax.		State law is unclear as to exemptions.

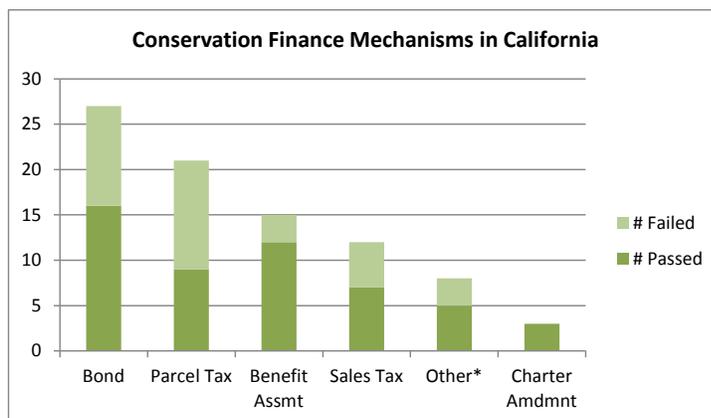
Appendix D: Other funding options

Local Public Finance in California

All taxes imposed by local governments in California are either general taxes or special taxes.¹² **General taxes** may be imposed only by local governments for general government purposes and not by special purpose districts, such as school districts. An imposition, extension or increase of any general tax requires the approval of a majority of voters at a regularly scheduled general election for members of the governing body. Revenues from general taxes are deposited into the General Fund. **Special taxes** are imposed for specific purposes by counties, cities and special districts, and any imposition; extension or increase of a special tax must be approved by a two-thirds vote of the electorate.¹³ Special districts may not impose general taxes. Taxes imposed by special districts are special taxes. Revenues from special taxes are deposited into segregated accounts restricted to the use for which they were imposed and collected.

The State of California authorizes communities to use various revenue sources for parks and recreation purposes including property-related taxes, sales and use taxes, general obligation bonds, the creation of financing districts that serve as financing mechanisms, and the creation of special districts. Each of these funding mechanisms requires approval by the electorate (or landowners in the case of special districts).

Conservation Finance Mechanisms in California			
Summary of local ballot measures from 1990 - 2014			
Mechanism	# Passed	# Failed	% Passed
Bond	16	11	59%
Parcel Tax	9	12	43%
Benefit Assmt	12	3	80%
Sales Tax	7	5	58%
Other*	5	3	63%
Charter Amdmnt	3	0	100%
*primarily utility taxes & occupancy taxes			
Source: TPL's LandVote database.			



Roughly 60 percent of local conservation finance measures (52 of 86) on the ballot in California between 1990 and 2014 were approved. Success at the ballot is hampered somewhat in the state by the high approval threshold (2/3rds vote) required for local bond and special tax measures. For a list of successful land conservation measures, see Appendix A to this report.

The legislation authorizing the Los Angeles Park and Open Space District (Section 5506.9 of the California Public Resources Code) clearly contemplates that the district would be funded by a countywide benefit assessment. Renewal or extension of the current District assessment is not feasible due to the Santa Clara County court decision.

¹² Cal. Const. Art. XIII C, Sect. 2 (Proposition 218, “the Right to Vote on Taxes Act,” 1996); Cal. Government Code §§53720-53730.

¹³ See Cal. Government Code §§50075-50077.5 (containing additional requirements for voter-approved special taxes).

Other finance mechanisms, such as special taxes and bonds, are authorized to regional park and open space districts under general law. Specifically, Public Resources Code section 5566 states: “It is the intent of the Legislature to provide a district with the authority to impose special taxes.” However, the enabling legislation of the Los Angeles County Regional Park and Open Space District does not clearly delegate taxing authority to the District. Therefore, in the future, the County should consider an amendment to the enabling legislation to clarify the authority of the District to utilize other funding sources. In addition there are requirements for spending a certain portion of assessment revenue in the first 20 years (min. of 80 percent) on capital outlay projects, etc. The ballot resolution adopted by the Board of Supervisors authorizing a vote on any new funding stream will need to clearly outline spending allocations requires for a revenue that does not come from an assessment.

Given that the District does not have explicit legal authority to levy its own tax, Los Angeles County is authorized to levy special taxes and may transfer revenues to the District provided that the ballot language for the tax and resolution are clear to that purpose.

Counties have various mechanisms it can use for funding local priorities. Along with the two parcel tax options discussed in this report, other counties have used sales taxes and bonds to fund parks as well. Below is a summary of those alternatives and why they are not being considered for Los Angeles at this time.

Sales and Use Tax

In California, the state sales tax is currently 6.50 percent which provides revenues for the general fund, the local revenue fund, and the local public safety fund.¹⁴ In addition, counties and cities impose a uniform local 1.0 percent sales and use tax for a combined statewide rate of 7.50 percent.¹⁵ Many of California’s cities, counties, towns, and communities have special taxing jurisdictions (districts), which may impose a transactions (sales) and use tax. These districts increase the tax rate in a particular area by adding the district tax to the statewide rate. The rates for these districts range from 0.10 percent to 1.00 percent per district. More than one district tax may be in effect in a given location.¹⁶

In particular, local districts including counties may levy, increase or extend a transactions and use tax in increments of 0.125 percent. The ordinance authorizing the tax must be approved by 2/3rds of the governing body and either a majority or 2/3rds of voters depending upon whether revenues from the tax will be used for general or special purposes.¹⁷ A county tax may be levied in the entire county or in the unincorporated area of the county.¹⁸

The total aggregate transactions and use taxes for all taxing districts in a county may not exceed two percent (for a total of 9.50 percent).¹⁹ The proceeds of the transactions and use tax for

¹⁴ Cal. Revenue and Taxation Code §6051, §6201; Cal. Const. Art. XIII, Sec. 35.

¹⁵ Cal. Revenue and Taxation Code §7202(a), §7203 (“the Bradley-Burns Uniform Local Sales and Use Tax Law”).

¹⁶ Cal. Revenue and Taxation Code §7202(a), §7203 Food for home consumption and utilities are exempted from sales and use taxes..

¹⁷ Cal. Revenue and Taxation Code §7285.

¹⁸ Cal. Revenue and Taxation Code §7285.

¹⁹ *Id.* at §7251.1. And http://info.sen.ca.gov/pub/bill/sen/sb_0551-0600/sb_566_cfa_20030910_013808_asm_floor.html. Prior to the passage of SB566 in 2003, cities had to first receive legislative approval to impose an additional sales tax.

specific purposes may be used to finance capital outlay expenditures through the issuance of bonds called limited tax bonds, which are explained in more detail later in this report.

Currently there are 164 approved transactions and use tax rates in 142 jurisdictions imposed for uses including libraries, transportation, hospitals, road, and capital improvements.²⁰ For example, Sonoma County imposes a 0.25 percent transaction and use tax to fund its agricultural preservation and open space authority. In 2012, voters in Marin County approved a 0.25 percent sales tax to support regional community parks projects and programs, and further farmland preservation.

The sales tax in Los Angeles County

The District does not have the authority to impose a sales tax, however the county has limited capacity to levy an additional transactions and use tax and spend the funds for parks and open space. Three cities²¹ are currently at the 2 percent aggregate tax limit; as such a countywide tax is not permissible. However, the county could seek approval from the legislature for authorization to levy a tax outside of the 2 percent maximum transaction and use tax limit.

Using the sales tax for parks and open space

There is a total sales tax capacity of 1.0 percent remaining in Los Angeles County in the unincorporated area under the 2.0 percent limit. Therefore, the county could levy an additional transactions and use tax outside of the city boundaries and spend the funds for parks and open space. In order to dedicate the entire tax for this purpose the county would have to impose a special tax requiring a 2/3rds vote. The county could transfer revenue from the tax to the District.²²

Based on 2013 estimates of total taxable transactions (\$20.7 billion),²³ a 1/4th cent (0.25 percent) transactions and use tax increase levied in the

unincorporated county for parks and open space would generate an estimated \$52 million annually at a cost to the average household of \$47 each year. If the tax were levied countywide, with authorization from the Legislature, a 1/8th cent would generate \$175 million. The minimum tax increment currently allowed under state law is 1/8th cent. However, the county could seek approval from the legislature for a different increment. For example, a 1/16th cent (0.0625 percent)

Estimated Revenue and Cost of Transactions and Use Tax			
Unincorporated County			
Sales Tax	Annual Revenue*	Household Spending on Taxable Goods**	Annual Cost/ Household
0.0625%	\$12,962,015	\$19,000	\$11.88
0.125%	\$25,924,030	\$19,000	\$23.75
0.250%	\$51,848,060	\$19,000	\$47.50
Countywide			
Sales Tax	Annual Revenue*	Household Spending on Taxable Goods**	Annual Cost/ Household
0.0625%	\$87,549,818	\$19,000	\$11.88
0.125%	\$175,099,635	\$19,000	\$23.75
0.250%	\$350,199,270	\$19,000	\$47.50
*Estimates based on 2013 CA DOR total annual taxable sales of \$20.7 billion unincorporated, and \$140 billion countywide.			
**Average household spending on taxable items. LA County Econ. Dev. Corp.			
***Average household spending multiplied by est. # of households in the county (3.3 M).			

²⁰ From CaliforniaCityFinance.com, *The Rise of Local Add On Taxes (Transaction and Use) in California, September 2013.*

²¹ La Mirada, Pica Rivera, and South Gate, California Board of Equalization, BOE-105 REV. 4 (7-15) District Taxes and Effective Dates.

²² Alternatively, a change in state law would be needed in order for the District to put a sales tax on the ballot as a special tax.

²³ California Board of Equalization, <http://www.boe.ca.gov>.

tax, *if made permissible*, would generate \$88 million at a cost to the average household of \$12 per year.

Implementation process

As with other California taxes, a transactions and use tax must obtain a majority vote if for general purposes and 2/3rds voter approval if for specific purposes.²⁴ The California Board of Equalization recommends that any county or district contemplating a transactions and use tax should begin by contacting its Local Revenue Allocation Section. Staff will assist with the preparatory functions for placing a proposal on the ballot to ensure the tax ordinance complies with law.

Bonds

To raise funds for capital improvements, such as land acquisition or building construction, counties, cities and districts may issue bonds.²⁵ In California, there are three types of bonds: (1) general obligation (“GO”) bonds, which are guaranteed by the local taxing authority; (2) revenue bonds that are paid by project-generated revenue or a dedicated revenue stream such as a particular tax or fee, and (3) limited tax bonds, which are paid by voter-approved transactions and use tax revenue. Generally, bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes.²⁶ As such, this report will not examine bonding in further detail.

²⁴ In addition, all transaction and use tax proposals require 2.3rds approval by the governing body. CaliforniaCityFinance.com

²⁵ Cal. Public Resources Code §5305.

²⁶ Federal government rules governing the issuance of tax-exempt bonds limit the use of proceeds to capital purposes such that only a small fraction of bond funds may be used for maintenance or operations of facilities. State and local laws may further limit the use of bond proceeds.

Appendix E

Uniformity and Exemptions – Legal Challenge

Borikas v. Alameda Unified School District is a legal decision reached by the California Court of Appeals in 2012 with potentially far-reaching consequences for parcel tax levies throughout the state. The lawsuit arose as a result of a June 3, 2008 vote on a parcel tax measure (Measure H) in the Alameda Unified School District. The measure narrowly passed but it was challenged by a local businessman, and several others, who objected to the different rates charged homeowners and commercial property owners. Measure H charged residential property owners \$120 each per parcel, while charging large commercial property owners \$0.15 cents per square foot up to a cap of \$9,500. The court concluded that state law requires “uniformity” in a parcel tax, i.e., a tax that will “apply uniformly to all taxpayers or all real property within the district.”

The Borikas v. Alameda Unified School District opinion could be read broadly to apply to all types of countywide or district parcel taxes or narrowly to just school districts but the decision definitely has increased the risk of a legal challenge to a countywide or districtwide parcel tax.

On a similar note, California Government Code Section 5079 explicitly provides for exemptions to seniors and disabled for school district measures. While Section 5789.1 provides that recreation and park district “special taxes shall be applied uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved parcels.” As such, it appears that the County or the District may not include an exemption for seniors in a new special tax measure.

Research indicates that LA County imposes its special taxes on all property unless otherwise exempted by state or federal law. Generally, properties that fall under this exemption are owned by other governmental agencies (local, federal and state) including school districts, cities, counties, airport authorities, etc.

Legally, however, parcel tax exemptions are specifically authorized only for school districts (seniors and disabled) and parks (improved/unimproved land). However, numerous counties and special districts have placed on ballots approved by voters measures that contain additional exemptions. For example, East Bay Regional Park District (Alameda and Contra Costa Counties) parcel tax measures provide exemptions for (a) owners of real property that is unimproved and provides, (b) any occupant of any property who, for any reason, is legally exempt, and (c) a modified senior exemption of a 50% discount for an occupant who is a senior citizen (age 65 and over) whose annual income is below the State-defined poverty level.

Because statutes authorizing parcel taxes by non-school districts do not provide specifically for exemptions other than for improved/unimproved properties, there is risk of challenge that the tax is not uniformly levied if other exemptions have been authorized. The challenge has been somewhat tempered by ballot language drafting that requires the tax to be levied uniformly on all properties and allows certain owners of parcels to apply annually for an exemption (seniors and disabled). In addition, many ordinances have provided that said “annual” exemptions are available only to the “fullest extent permitted by law.”

Due to legal questions, no exemptions are recommended for this measure. However exemptions found in numerous parcel tax measures include:

Senior Exemption. Properties owned and occupied by people age 65 years or older. Can be written so that it only applies to those who live on the property; meaning if a senior citizen owns a property that the parcel tax applies to, but does not live on that parcel, that senior citizen would still have to pay the tax.

Disability Exemption. Properties owned and occupied by people who receive Supplemental Security Income for a disability, regardless of age, often may obtain an exemption from parcel taxes. Other parcel tax ordinances/resolutions may offer an exemption for properties owned and occupied by those who receive Social Security Disability Insurance benefits, regardless of age, as long as the person's annual income does not exceed a certain threshold.

Contiguous Parcel Exemption. Multiple parcels that are contiguous, and are owned by one owner, may receive an exemption in which the contiguous parcels are treated as one for tax purposes. Some local governments apply the contiguous rule only to parcels owned by homeowners, and only if the homeowner lives on the property. Property owners may have to apply annually for exemptions by submitting forms to the city, county, special district, or other entity administering the tax. Some local governments that offer exemptions automatically grant an exemption to property owners who previously submitted an application. Applications for an exemption typically are available on a local government's website, where finance information is maintained.

For any questions or more information please contact:

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FM3

Public Opinion Research
& Strategy

TO: Interested Parties

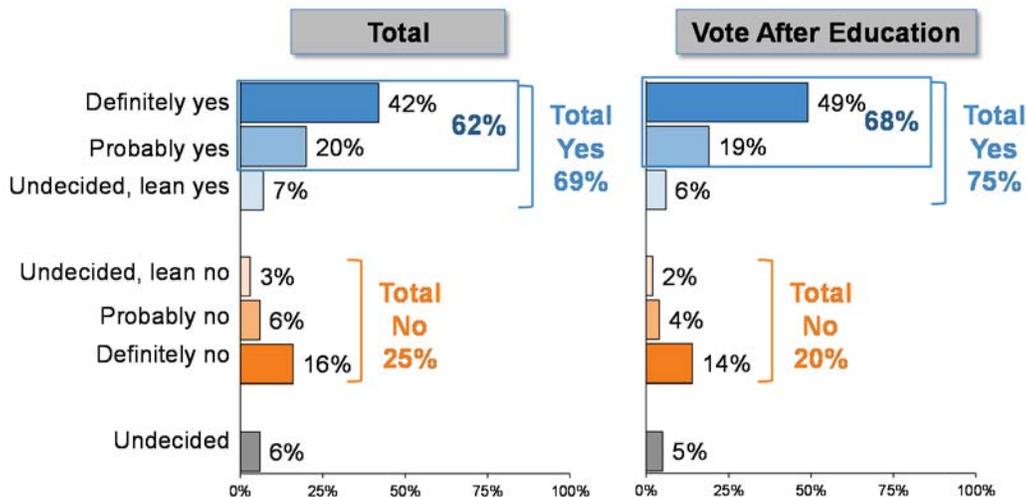
FROM: Fairbank, Maslin, Maullin, Metz & Associates (FM3)

RE: Los Angeles County Parks and Open Space Baseline Survey
Summary of Key Results

DATE: December 24, 2015

- A recent surveyⁱ of 1,010 likely November 2016 Los Angeles County voters shows that a majority (69 percent) would definitely, probably or lean toward voting yes in favor of a ballot measure establishing a three-cent per square foot of improvement property tax to fund neighborhood parks, recreation areas, beaches, rivers, and other natural areas, while about 25 percent would vote no to oppose the measure if the election were held today. A further six percent are initially undecided. However, once voters are provided with additional information, support for the measure increases by about 6 percent, from 69 to 75 percent, with slightly more than two-thirds saying definitely or probably yes. Opposition decreases to 20 percent and an additional 5 percent remain undecided.

FIGURE 1: Initial Vote and Vote after Education on the L.A. County Park and Open Space Measure

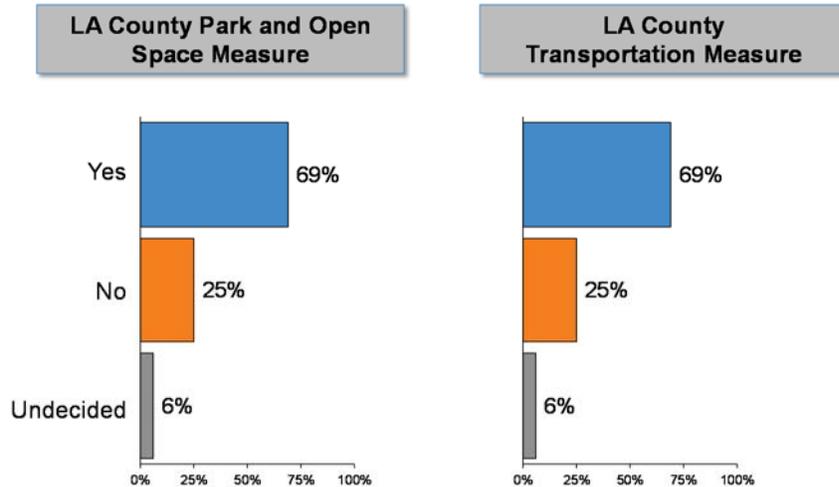


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- **Both measures – the Los Angeles County Parks and Transportation Measures – appear viable when on the same ballot (Figure 2).** Each measure initially starts with at least two-thirds support from voters who said they would definitely, probably or lean toward voting yes. Strong support for each measure persists regardless of whether voters hear one measure first or second (Figure 2).

FIGURE 2: Vote for LA County Parks and Open Space and Transportation Measures



- **Respondents rated in high percentages (70 percent or more), a number of features and provisions they consider extremely or very important to be included in the measure.** Those with the highest percentages include protecting clean water supplies, including rivers and creeks; helping to reduce gang activity; ensuring safe places to play; removing asbestos, mold and lead paint from aging recreation centers; and protecting and preserving parks and natural areas, as well as clean and safe beaches (Table 1).

TABLE 1: Potential Provisions and Features to be Included in the Measure

Potential Provisions/Features to be Included in the Measure	% Ext/Very Important
Protect clean water supplies including rivers and creeks	89%
Protect clean drinking water sources	89%
Help reduce gang activity	88%
Ensure safe places to play	81%
Remove asbestos, mold and lead paint from aging recreation centers	79%
Protecting and preserving parks and natural areas	79%
Protect clean and safe beaches	78%
Improve park accessibility for the disabled	75%
Improve the safety of recreation areas for children and seniors	75%
Protect and preserve open space, natural areas, and waterways	75%
Replace deteriorating water, sewer and gas lines at parks and recreation centers	75%

TABLE 1: Potential Provisions and Features to be Included in the Measure (Continued)

Potential Provisions/Features to be Included in the Measure	% Ext/Very Important
Reduce and prevent flooding during heavy rains	73%
Renew expiring, dedicated, local funding for neighborhood parks, rivers, beaches, and natural areas	73%
Protect wildlife areas	73%
Ensure space for after-school programs	73%
Ensure space for senior programs	73%
Exempt low income seniors from having to pay the annual tax	71%
Maintain and improve safe walking and biking paths and trails	71%
Upgrade security lighting and fencing	70%
Make existing state and federal matching funds available to our local parks that would otherwise go elsewhere	70%

- **Voters were more inclined to support the measure after hearing a series of educational statements.** Specifically, the following messages had the greatest effect, prompting more than three-quarters of voters to say that they would be more inclined to vote yes in favor of the measure:
 - This measure will **keep our kids, seniors, and other residents safe** by providing funding for necessary safety repairs and upgrades to outdated and/or unsafe playground equipment, park and recreation centers, senior centers, and restrooms (*80 percent much/somewhat more inclined to vote yes*).
 - This measure will help **protect and preserve LA County’s remaining undeveloped open spaces and natural areas so we and future generations** can enjoy them rather than lose them for good (*78 percent*).
 - This measure will help **keep kids off the streets and out of trouble** by providing safe places for them to play and participate in after-school programs (*77 percent*).
 - This measure will help **fund water conservation efforts** such as the increased use of drought-tolerant plants, recycled water for ball fields, and capturing and cleaning more rainwater. **These efforts to reduce the amount of water wasted will save money and help to protect and increase our local drinking water supplies** (*76 percent*).
- In general, more than 7 in 10 voters (73 percent) perceive great or some need for additional funding for neighborhood, city and county parks in Los Angeles County.

ⁱ Between December 3rd – 9th, 2015, Fairbank, Maslin, Maullin, Metz & Associates (FM3) conducted a telephone survey of 1,010 voters in the County of Los Angeles who are likely to vote in the 2016 General Election. The margin of error for the full sample is +/- 3.3% and for half the sample it is +/- 4.7%; margins of error for subgroups will be higher.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES PROVIDING FOR AND GIVING
NOTICE OF A SPECIAL TAX ELECTION TO BE HELD IN THE
COUNTY OF LOS ANGELES ON NOVEMBER 8, 2016, AND
CONSOLIDATING THE SPECIAL TAX ELECTION WITH THE
CALIFORNIA STATEWIDE GENERAL ELECTION TO BE HELD
ON
NOVEMBER 8, 2016

WHEREAS, every year, more than 70 million people visit the over 3,000 parks in the County of Los Angeles (the 'County') and its cities, including their neighborhood parks, and participate in park-sponsored recreational programs. Parks are important to families, as millions of children and youth use park facilities for after-school, weekend, and summer programs, and millions of seniors attend programs at nearby senior centers; and

WHEREAS, parks, open space, beaches, and natural water resources contribute to the health and vitality of our citizens in the County. These natural areas help make our community a wonderful place to live and protect our quality of life; and

WHEREAS, County citizens spend a great deal of time working indoors and commuting in cars, making our parks

and natural resources essential to protecting and enhancing our quality of life; and

WHEREAS, the County and its cities have a long history of making significant investments in parks and recreation, beaches, open spaces, and natural areas; and

WHEREAS, the Los Angeles County Regional Park and Open Space District (the “District”) has awarded more than 1,500 development, acquisition, improvement, restoration, and rehabilitation grant projects for parks, recreational, cultural, and community facilities, as well as beaches and open space lands throughout Los Angeles County; and

WHEREAS, for over 20 years the County has relied on local voter-approved funding to protect and maintain our local neighborhood, city and county parks, outdoor areas, beaches, rivers, watersheds, and local water resources. This funding is expiring and we face the loss of the only source of dedicated local funding for our neighborhood parks; and

WHEREAS, dedicated local funding from the District has served as matching funds for State, Federal, and philanthropic funding, and in this way is essential for our communities to receive their fair share of available resources; and

WHEREAS, while many of the over 3,000 parks, beaches, and open space areas and over 9,000 recreational

amenities throughout the County have received District funding since 1992, heavy usage by the public year-round result in a continuous need for resources to repair and replace amenities; and

WHEREAS, the County has undertaken an inventory, analysis, and community engagement process that culminated in the 2016 Los Angeles Countywide Comprehensive Park and Recreation Needs Assessment Final Report (the “2016 Countywide Park Needs Assessment”), which allowed the County to document and analyze the needs of all the communities within its jurisdiction; and

WHEREAS, the 2016 Countywide Park Needs Assessment was a 16-month outreach process to study 188 sub-regions of the County (the “Study Areas”) to identify community park needs and priorities; and

WHEREAS, the 2016 Countywide Park Needs Assessment shows that there is a serious need for tens of billions of dollars in investments in safe neighborhood parks; clean water and protection of local water resources; protection of rivers, streams, lakes, beaches and watersheds; safe and healthy communities; urban greening; sustainability and energy efficiency; senior centers, community and facility rehabilitation and maintenance; at-risk youth job training and placement, gang violence

prevention; and improved community access, connectivity and trails to these facilities; protection of local water resources; protection of rivers, streams, lakes, beaches and watersheds; safe and health communities; and

WHEREAS, the Board of Supervisors of the County (the "Board") finds and determines that the continued development, acquisition, improvement, restoration and maintenance of parks, recreational, cultural and community facilities, beaches, and open space lands within the County confer documented health, social, environmental and economic benefits throughout the County resulting in increased opportunities for physical activity, improved safety and social cohesion, sustainability and maintained or enhanced property values; and

WHEREAS, the Board further finds and determines that the public interest and convenience require, and that it is in the best interest of the County, that local funding be secured within the County, to fund projects consistent with the plan of expenditure hereinafter set forth; and

WHEREAS, the collection and expenditure of all funds under this measure will continue to be transparent to the voters through annual independent financial audits and a public oversight committee, and all communities throughout the County will receive a share of the funding. To the extent feasible, funds generated by this measure shall be spent on

priorities in high-need and very high-need areas pursuant to the 2016 Countywide Park Needs Assessment; and

WHEREAS, the acquisition, construction, rehabilitation and maintenance of parks and recreation facilities, beaches, and open space lands under this measure will aid in the development of safe places and facilities for local children, youth and families, thereby creating healthy places for children and youth to play, learn and interact with other children. These alternatives keep children and youth off the streets and limit exposure to gangs, drugs and vandalism while providing positive incentives for healthy living; and

WHEREAS, the Board further finds and determines that it is necessary to provide a voter-approved funding source to ensure all parks and recreation centers throughout Los Angeles County and its cities are continuously serviced, maintained and upgraded, and that new parks and facilities are established and open space lands preserved; and

WHEREAS, the protection and restoration of our last open spaces and natural areas of scenic beauty located next to rivers, creeks, streams and lakes is necessary for the purposes of conserving native and endangered species, biological diversity, protecting the health of the County's environment, and for the enjoyment of this and future generations; and

WHEREAS, improving non-motorized or active transportation methods to reach the network of park facilities, beaches, and multi-use trails, including regional bike paths, is important to our health and provides for greater accessibility for our citizens; and

WHEREAS, the District intends to use the 2016 Countywide Park Needs Assessment as a guide to direct funding to all communities within the County to ensure local high-need and very high-need priorities are met; and

WHEREAS, the District intends to continue the community and stakeholder engagement processes and make periodic updates to the 2016 Countywide Park Needs Assessment; and

WHEREAS, a public hearing on the matters set forth in this resolution was called and held on Xxxx XX 2016, and this resolution shall not take effect unless and until the question of approval of the matters set forth herein shall have been submitted to the electorate of the County and approved by a supermajority of voters voting on the question; and

WHEREAS, the Board deems it necessary and essential to submit the question of a special tax to the qualified voters within the County at a special tax election to be held on November 8, 2016, and to consolidate such election with the Statewide General Election to be held on that date;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, as follows:

Section 1.

A special tax election shall be held and the same is hereby called and ordered to be held in the County on the 8th day of November, 2016, for the purpose of submitting to the voters of the County the question of a special tax to be levied by the County in the amounts and for the purposes hereinafter set forth and to be administered by the District. The special election called by this resolution shall be consolidated with the Statewide General Elections conducted by and in the County of Los Angeles on November 8, 2016, and the Proposition shall be placed on the same ballot and the same precincts, polling places, election officers, and facilities shall be used for this special election.

Commencing with Fiscal Year 2017-2018, an annual special tax to raise revenue to continue funding for programs pursuant to the plan of expenditure contained herein is hereby imposed upon all improved parcels located within the County of Los Angeles. The Special Tax shall be levied on all improved parcels in the County at a rate of ___ cents per square foot of structural improvements, excluding the square footage of improvements used for parking. For each

fiscal year after 2017-2018, the Board of Supervisors shall by a majority vote set the rate of the tax; however, in any fiscal year the rate may be set no higher than the amount of __ cents per square foot, as adjusted by the cumulative increases, if any, to the Western Urban Consumer Price Index from July 1, 2017, as established by the United States Bureau of Labor Statistics. If for any fiscal year the Board fails to set the rate, the tax shall continue at the same rate as the preceding year.

(c) All laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, liens and collections for the secured roll ad valorem property taxes shall be applicable to the collection of the Special Tax. The secured roll tax bills shall be the only notices required for the levying of the Special Tax. The Auditor-Controller of the County shall place the Special Tax on the secured tax roll for the initial Fiscal Year 2017-2018, and for subsequent fiscal years. The Treasurer and Tax Collector of the County shall collect the Special Tax for the initial Fiscal Year 2017-2018, and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of the County. The Los Angeles County Regional Park and Open Space District shall establish and administer an appeals

process to address and correct potential errors in the levy of the Special Tax.

(d) Properties owned by public agencies, will not be assessed except when such property is not devoted to a public use, consistent with the statutes applying to possessory interests. The Special Tax shall be levied on possessory interests based on the amount of privately-held structural improvements.

(e) Based upon all of the facts before it on this matter, the Board finds that the submission of this question of a Special Tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act (CEQA) because it is not a project as defined by California Code of Regulations Section 15378(b)(4) relating to the creation of government funding mechanisms, which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Section 2.

The Proposition for levying said special tax shall appear upon the ballot substantially as follows:

Los Angeles County Safe Neighborhood Parks, Healthy Communities, and Local Water Resources Measure

To renew expiring, dedicated, local funding for neighborhood/city parks, recreational areas, rivers/beaches; protect local water resources; including rivers/creeks; reduce gang activity; ensure safe play areas; shall an annual ___¢ tax per square foot of improvements be levied on developed property in Los Angeles County, generating \$_____ annually, for 35 years; exempting low-income seniors; requiring citizen oversight, independent audits, and local control?

The Board of Supervisors does hereby submit to the qualified voters of the County, at said special County election, this proposition. The Chair and Clerk of the Board of Supervisors are hereby authorized and directed to publish notice of said special election in accordance with the California Elections Code. Analysis and review of this resolution shall be carried out pursuant to Section 9160 of the California Elections Code.

Section 3.

As used in this resolution, the following terms have the indicated meanings:

“1992 and 1996 Propositions” means the Safe Neighborhood Parks Propositions approved by voters on November 3, 1992 and November 5, 1996, respectively.

“2016 Countywide Parks Needs Assessment” means the 2016 Los Angeles Countywide Comprehensive Park and Recreation Needs Assessment Final Report and any supplementary material adopted, and as subsequently updated, by the District.

“Assessor” means the County of Los Angeles Office of the Assessor.

“Beaches” means a public beach or shoreline area bordering the Pacific Ocean owned, controlled, or managed by a public agency, within the County of Los Angeles.

"Board" means the County of Los Angeles Board of Supervisors.

“Community Development” means the feasibility, planning, design, permitting and construction of recreational infrastructure and amenities.

"County" is used as defined in the recitals to this resolution.

“Director” means the Director of the Los Angeles County Regional Park and Open Space District.

"District" means the Los Angeles County Regional Park and Open Space District.

“Eligible project” means pre-project assistance and feasibility, planning, acquisition, construction, development, improvement, restoration, rehabilitation, maintenance, program oversight, public safety and security or any combination thereof, for any park or recreation project or improvement.

“Greenway” means a project that incorporates elements of water conservation and reclamation, urban greening, or public safety in a linear park, urban trail and/or active transportation corridor such as a Class-I or Class-IV bike path.

“High-Need and Very-High Need” means areas designated as such in the Parks Needs Framework as identified in the 2016 Countywide Park Needs Assessment.

“Joint-use” means shared management of facilities, land, utilities, programs, or other common elements between two or more parties.

“Local jurisdiction” means a city, county, special district or local agency.

“Multi-benefit project” means a project that maximizes or enhances recreation opportunities, protection or

enhancement of the natural environment, stormwater capture that improves infiltration, water and air quality improvements, greenhouse gas (GHG) reductions, carbon sequestration, heat-island reductions; habitat protection and biodiversity, community health improvements, or any combination thereof.

"Natural Lands" means an area of relatively undeveloped land which has substantially retained its characteristics as provided by nature or has been substantially restored, or which can be feasibly restored to a near-natural condition and which derives outstanding value from its wildlife, scenic, open space, parkland or recreational characteristics, or any combination thereof.

"Nonprofit Organization" means any charitable organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which has among its purposes the provision of park, recreation or community services or facilities, gang prevention and intervention, conservation corps, environmental education and interpretation, tree-planting, or the conservation and preservation of wetlands or of lands predominantly in their natural, scenic, historical, forested or open-space condition, or restoration of lands to a natural, scenic, historical, forested or open-space condition.

"Open space, foothill, mountain, trail, river, wetlands and stream projects" include any of the following: preservation of natural lands, scenic vistas and wildlife habitat, wildlife corridors, development and restoration of mountain and other open space hiking, biking, walking and equestrian trails, especially those maintained by the County Public Works and Parks and Recreation Departments, restoration of natural vegetation and habitat, habitat and recreation facilities in and adjacent to riparian and flood control channels, and the provision of recreational opportunities and public access in mountain, foothill, river, stream and wetland areas.

"Parcel" means any unit of real property that receives an annual secured property tax bill from the Los Angeles County Treasurer and Tax Collector.

"Park" means a tract of land with scenic, natural, open-space or recreational values, set apart to conserve natural, scenic, wildlife, cultural, historical or ecological resources for present and future generations, and to be used by the public as a place for respite, rest, recreation, education, exercise, inspiration or enjoyment.

"Parks Fund" means the Los Angeles County Regional Park and Open Space District Park Fund.

“Per Capita and Structural Improvements” refers to each Study Area’s respective percentage of total Countywide 1) population as of the 2010 Census, and 2) structural improvements on parcels on the secured property tax rolls according to the Assessor’s records as of January 1, 2017.

“Per Capita and Structural Improvements Formula” means the formula established by the District to determine how allocations of certain funding programs under this proposition shall be distributed. Each Study Area’s allocation percentage of the applicable funding programs shall be the arithmetic mean of Per Capita and Structural Improvements, where Per Capita is weighted two-thirds and Structural Improvements are weighted one-third, and shall be calculated as follows: Allocation Percentage = $[(\text{Per Capita} + \text{Per Capita} + \text{Structural Improvements})/3]$.

“Pre-Project Assistance” means the planning, design, feasibility and studies necessary to define and articulate 1) a park project on land that was developed for uses other than parkland, or 2) a project to acquire and/or restore parks and natural lands.

“Public Agency” means any governmental agency, special district, or joint power authority, established pursuant to the laws of the State that is authorized to acquire, develop, improve and restore real property for beach, wildlife, park, recreation, community, cultural, open

space, water quality, flood control, or gang prevention and intervention purposes.

"Regional Recreational Parks" means facilities with unique, countywide significance that are publicly owned, consist of at least 100 contiguous acres and have three or more active recreational amenities.

"Special Tax" is the Tax levied on all improved parcels in the County at a rate of _ cents per square foot of structural improvements, excluding the square footage of improvements used for parking, within the County pursuant to this resolution.

"State" means the State of California.

"State Lands Commission" means the Lands Commission of the State of California.

"Study Areas" is used as defined in the recitals to this resolution.

"Urban area" means an urban place, as that term is defined by the United States Department of Commerce, of 2,500 or more persons.

"Urban Forest" means those native or introduced trees and related vegetation in an urban area, including, but not limited to, urban watersheds, soils and related habitats,

street trees, park trees, natural riparian habitats, and trees on other private and public properties. Where feasible, introduced trees and plants shall be native species selected and planted in accordance with best management practices. No plants or trees identified on the California Invasive Species list maintained by the California Invasive Plant Council, or other appropriate sources, shall be planted.

“Urban Forestry” means the cultivation and management of trees in an urban area for their present and potential contribution to the economic, physiological, sociological, and ecological well-being of urban society.

“Urban Park” means a park in an urban area that offers respite, rest, recreation, education, exercise, inspiration or enjoyment to residents of, and visitors to, that urban area.

“Veterans” means any person who served in the United States armed forces as defined by Title 38 of the Code of Federal Regulations.

“Youth and Veterans Career Development and Job Training” means a program that provides job training, career development, or both, to young adults aged 18-24 and veterans, including education and/or certification for jobs within the conservation and parks and recreation fields.

Section 4.

It is the intent of this proposition to provide funds to benefit property and improve the quality of life throughout the District by preserving and protecting parks, safe places to play, community recreation facilities, beaches, rivers, open spaces, water resources, youth and veteran career development, and the urban tree canopy. Funds will be disbursed by the District consistent with the 2016 Countywide Park Needs Assessment to ensure all communities within the County can fund local priorities.

Section 5.

Expenditure Plan

(a) The Board shall allocate proceeds of the Special Tax to the District to develop and implement grant programs that invest in eligible projects consistent with the 2016 Park Needs Assessment, including, but not limited to, the following:

- (1) Protecting and developing parks, safe places to play, beaches, open space lands, and natural areas,
- (2) Promoting Healthy Communities,

- (3) Increasing investments in high-need and very high-need regions identified in the Countywide Park Needs Assessment,
- (4) Protecting clean local water resources, including lakes, rivers and creeks,
- (5) Developing and improving local and regional recreational facilities, including general infrastructure improvements, sustainability improvements, and removal of asbestos, mold, and lead paint from existing facilities,
- (6) Helping reduce gang activity by maintaining safe and healthy parks to encourage use by the community
- (7) Ensuring local drinking water continues to be safe and accessible at park and recreation centers,
- (8) Providing safe places to play and afterschool programs for children and youth,
- (9) Protecting, enhancing, and preserving open space, natural areas, and waterways,
- (10) Providing youth and veteran career development and job training,
- (11) Improving park safety and universal accessibility, including for seniors and those with disabilities,

- (12) Protecting and enhancing clean and safe beaches,
- (13) Improving water quality and implementing stormwater capture on park and open space lands,
- (14) Developing and enhancing urban gardens, pocket parks, and other small-scale greening projects, including education and food health programs,
- (15) Facilitating community education, engagement, natural and cultural resource interpretation, and other innovative projects that engage the community regarding park facilities funded by the District.
- (16) Developing and enhancing senior citizen, youth, multi-generational, and other neighborhood and community recreation facilities,
- (17) Developing and enhancing public equestrian facilities, especially to promote sustainable practices,
- (18) Developing, restoring and maintaining museums and cultural facilities,
- (19) Protecting and preserving the urban canopy and promoting tree health.

(b) The funds allocated pursuant to subsection (a) shall be expended according to the following schedule:

(1) Community-Based Park Investment Program.

(A) Thirty-five percent (35%), on an annual basis, for eligible projects located in each study area, to all incorporated cities and unincorporated areas of the County located within the District. To ensure that each community throughout the County will benefit from improvements as identified in the 2016 Countywide Park Needs Assessment Report, funds will be allocated to each study area based on the Per Capita and Structural Improvements Formula. The District shall prioritize projects located in high-need, and very high-need, portions of each study area as identified in the 2016 Countywide Park Needs Assessment.

(2) Safe Parks, Repairs and Upgrades, Healthy Communities and Urban Greening Program.

(A) Twenty percent (20%), on an annual basis, for the acquisition of real property, and the construction and rehabilitation of parks and recreation facilities that provide safe places and facilities for after-school, weekend and holiday programs for local children, youth and families, provide opportunities for healthy living in all our neighborhoods, improve the quantity and quality of green spaces in the county, or improve local water capture and infiltration. The District shall prioritize

projects in high-need, and very high-need, study areas, as identified in the 2016 Countywide Park Needs Assessment, based on the Per Capita and Structural Improvements Formula, including, but not limited to, the following:

- (i) community and local parks, including pocket parks, playgrounds, playground equipment, dog parks, and picnic areas, especially those that connect and restore underutilized spaces;
- (ii) community and senior recreational centers;
- (iii) park safety, graffiti removal, facility safety lighting, safe routes to schools, and other safety improvements;
- (iv) greenspace and greenway development; gardens, including garden and nutrition education;
- (v) urban canopy development to reduce the heat island effect, especially in heavily urbanized, tree-poor areas of the County;
- (vi) active transportation and physical activity programming that promotes recreation and accessibility to recreational facilities,

- (vii) interpretation, education and communication about parks, local environmental issues and recreational activities
- (viii) water quality, stormwater capture, and water use efficiency projects on park and open space lands;

(3) Protecting Open Spaces, Local Water Sources, Beaches and Watershed Program.

(A) Twenty percent (20%), on an annual basis, for planning, acquisition, development, improvement, and restoration, of multi-benefit park projects that promote, improve, or protect clean local water supplies, habitat improvements, park space, recreation, public access, watershed health, and open space, including improvements or restoration of areas that buffer our rivers, streams, and their tributaries along with the lakes and beaches throughout the County, including but not limited to, the following:

- (i) riparian corridor improvements;
- (ii) river and stream parkway development;
- (iii) river and stream clean up, access and community development;

- (iv) lake clean up, access and community development;
- (v) beach and coastal watersheds clean-up, access and community development;
- (vi) fishing and boating facilities;
- (vii) natural lands, wildlife corridors, and watershed protection;
- (viii) recreational facilities, public property and rights of way, flood control infrastructure, and other easements;
- (ix) natural and cultural resource interpretive programs and nature education activities.

(B) Of the funds allocated to this paragraph, multi-benefit projects should seek to leverage public and private funding from water conservation and supply; water and air quality improvements; flood risk management; climate pollution reduction or adaptation; carbon sequestration; heat-island reduction; habitat protection and biodiversity; public health; and environmental justice benefit programs.

(C) The District shall prioritize projects that offer the greatest regional benefits, or serve the greatest regional need.

(4) Regional Recreational Facilities, Multi-use Trails and Accessibility Program.

(A) Twenty percent (20%), on an annual basis, for acquisition, development, improvement, restoration, or rehabilitation projects, including but not limited to, the following:

- (i) regional parks, regional facilities, museum, environmental education and other cultural facilities;
- (ii) multi-use sports facilities and other community recreational facilities;
- (iii) multi-use trail connectivity for existing and future park facilities, including connection to Public Works-maintained Class I bike path facilities;
- (iv) multi-use trail and path projects, with special emphasis being placed on those multi-use trails that provide hiking, equestrian, bicycle and opportunities for ADA and universal access, especially in urban communities.
- (v) regional, ecological, zoological, geological, archeological, anthropological, paleontological, and cultural sites of countywide significance

(B) Trail and accessibility projects funded under this paragraph that connect river, mountain, and urban areas, especially to the County Parks, State Parks, the National Forest, the National Recreation Area and the National Monument, and link other canyons and regional and local parks throughout the County will be given higher priority.

(5) Youth and Veteran Job Training and Placement Opportunities Program.

(A) Five percent (5%), on an annual basis for:

- (i) Organizations within the county, including certified conservation corps, that provide education, skills training, and career pathway development to young adults, aged 18 to 25, or veterans, to implement park projects, and
- (ii) Organizations within the county that provide certifications and placement services, or apprenticeship opportunities, for young adults, aged 18-25, or veterans, for jobs and careers in the Parks and Recreation field.

- (iii) The District shall prioritize grants to organizations that provide services to, or recruit a majority of their participants from, the areas of high-need, and very high-need, as identified in the 2016 Countywide Park Needs Assessment Report. The District shall grant no less than eighty percent (80%) of funds from this paragraph pursuant to sub-paragraph (A)(i).

Section 6.

Implementation

(a) Authority to award and administer grants pursuant to Section 5 shall be delegated by the Board to the Director for projects consistent with this resolution.

(b) Of the funds allocated pursuant to Section 5, eligible project applicants include Public Agencies and Nonprofit Organizations.

(c) To the extent feasible, priority may be given to multi-benefit projects that maximize climate pollution reduction and adaptation, carbon sequestration, heat-island reduction, stormwater capture that increase infiltration, habitat protection and biodiversity, community health

improvements, promote innovative public-private partnerships, or a combination thereof.

(d) Of the funds allocated pursuant to Section 5(b)(2) through Section 5(b)(5), the District may periodically dedicate a portion of funds to:

(1) Competitive grant solicitations accessible to eligible Public Agencies and Nonprofit Organizations for projects consistent with the goals of this paragraph.

(2) Grant solicitations designed to leverage federal, or state, park, conservation, water, or climate funding programs.

(e) Notwithstanding Section 5(a), in each of the years after the date the special tax is levied and collected, the schedule of expenditure of all proceeds of the special tax shall conform to the following:

(1) Up to seventy-seven percent (77%) shall be used for grant projects, including but not limited to, pre-project assistance, planning, acquisition, development, improvement, restoration, rehabilitation, technical assistance, and program oversight. For purposes of this resolution, grant projects include the servicing of bonds, notes or other evidences of indebtedness issued by the District/County.

(2) Up to fifteen percent (15%) shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service, including resource protection activities for the capital outlay projects funded by the District, inclusive of projects funded by 1992 and 1996 Propositions. These funds shall be administered separately from the District's grant program and shall be held in trust by the District until a request from an eligible entity is made pursuant to rules established by the District. To ensure that every community maintains park and recreation facilities and park safety improvements as identified in the 2016 Countywide Park Needs Assessment, funds granted pursuant this paragraph will be allocated based on the Per Capita and Structural Improvements Formula. The District shall grant funds, pursuant to this paragraph, for projects identified in the 188 study areas, as well as the associated addenda, as contained in the report. For projects identified in the 188 study areas, the District shall prioritize funds for high-need, and very high-need, areas as identified in the report, as well as projects that provide public access. The maintenance and servicing amount shall be allocated each year as follows:

(A) fifty point eighty-five percent (50.85%) to cities; ten point ninety-four percent (10.94%) to the Department of Beaches and Harbors; fifteen percent (15%) to the Department of Parks and Recreation; three point forty-

six percent (3.46%) to the Department of Public Works; one percent (1.0%) to the Baldwin Hills Recreation and Conservation Authority; one percent (1.0%) to the Desert and Mountains Conservation Authority; point five percent (0.5%) to the Los Cerritos Wetlands Authority; six percent (6.0%) to the Mountains Recreation and Conservation Authority; one percent (1.0%) to the Newhall Ranch High Country Recreation and Conservation Authority; two percent (2.0%) to the Puente Hills Habitat Preservation Authority; one percent (1.0%) to the Santa Clarita Watershed Recreation and Conservation Authority; point five percent (0.5%) to the San Gabriel River Discovery Center Authority; two percent (2.0%) to the Watershed Conservation Authority; and, five percent (5.0%) unallocated for eligible nonprofit organizations that own, operate, or both, parklands consistent with this resolution.

(i) Any additional local agencies created for park purposes after January 1st, 2017, may receive funding made available pursuant to (d)(2)(C) according to a determination made by the District.

(3) Eight percent (8%) shall be made available for strategic planning, updates to the 2016 Countywide Park Needs Assessment, and the District for operations, management,

technical assistance, outreach, and oversight, including personnel, to administer programs pursuant to this resolution.

(f) Notwithstanding Section 6(d), starting in 2026, and each year thereafter, the District may increase funds made available pursuant to provision (d)(2) up to 2%, annually, and corresponding decrease funds made available pursuant to (d)(1), until funding made available pursuant to provision (d)(1) and (d)(2) both equal 46%.

(g) Funds for maintenance and servicing as described in this section shall be allocated annually to each recipient within the District. Allocations shall be made only to those entities which certify that: (1) such funds shall be used only to maintain and service projects funded by the District, inclusive of grants issued pursuant to the 1992 and 1996 Propositions and this resolution, and (2) such funds shall be used to supplement existing levels of service and not to fund existing levels of service.

(h) Except for those funds allocated to cities, the Director may, on an annual basis, adjust the allocations pursuant to (d)(2)(A) through (d)(2)(C).

(i) The District shall promote sustainability, energy efficiency, stormwater capture, and technology innovation

through the implementation of this program, including but not limited to the following:

(1) Development of projects that include as many of the following elements as possible:

- (A) Sustainability,
- (B) Cost-saving energy efficiency,
- (C) Weatherization,
- (D) Water efficiency, including irrigation efficiency,
- (E) Use of reclaimed water or stormwater, and
- (F) Use of climate and site appropriate native California tree and plant materials.

(2) Investment in enhanced electronic communications and other forms of technology innovation that benefits the public's interactions with individual parks or the park system, including internet connectivity; electronic or mobile reservation, scheduling, and fee systems; regional websites; or other systems deemed necessary by the District.

(j) (1) The Director may provide advanced payment for up to 50 percent of the grant award for those projects that satisfy both of the following criteria:

(A) The project proponent is a nonprofit organization and would require advanced payment to implement the project.

(B) The grant award for the project is less than five hundred thousand dollars (\$500,000).

(2) The Director may establish rules to determine how the funds will be managed and administered.

(3) If funds are not expended, the unused portion of the grant shall be returned to the department within 60 days after project completion or the end of the grant performance period, whichever is earlier.

(k) Notwithstanding Sections 4, 5 and 6 of this resolution, of the funds available from the special tax, the District's Board may, on an annual basis, allocate up to 2% of the funds for eligible projects.

(l) As a California Special District established pursuant to Section 5500 of the Public Resource Code, officers and employees of the County may act ex officio as the officers and employees of the District. However, in order to maintain transparency and accountability to the public and fairness to its various grant recipients, the District shall hereby operate as an independent agency of the County, with the District Administrator reporting directly to the Director of Parks and Recreation with clear separation from its grant recipients in

all aspects of District administration including, but not limited to, personnel, fiscal, budget, and audit functions.

(m) An exemption from the special tax, to be claimed under procedures established by the County, shall be available for any parcel that, as of January 1 of each year, is owned by, and upon which is located the principal residence of, a person or persons 65 years of age or older whose household income does not exceed 80 percent of the median income for the County as defined by the United States Department of Housing and Urban Development.

Section 7.

Community Oversight and Accountability

(a) The Citizens Oversight Advisory Board is hereby created.

(1) The Citizens Oversight Advisory Board shall be composed of five members appointed by the Board. Each appointing office shall appoint one member who meets each of the following criteria:

(A) An accountant, economist, or other professional with knowledge and expertise in evaluating financial

transactions and program cost-effectiveness, or an appointed member of the Park Needs Assessment Steering Committee;

(B) A community member from one of the five Supervisorial Districts.

(2) The Citizens Oversight Advisory Board shall do all of the following:

(A) Tri-annual (3 times per year) review of all expenditures from the special tax;

(B) Ensure that this program is integrated in the annual independent audit of the District;

(C) Publish a complete accounting of all allocations each year, posting the information on the District's publicly accessible Internet Web site;

(D) Submit periodic evaluations of the program to the County identifying any changes needed to meet the objectives of this resolution.

(3) (A) Members of the Citizens Advisory Board shall serve a term of four years at the pleasure of the Board, and no member may serve more than two consecutive four-year

terms. The Board may, by order, extend this length of service or waive this limit for individuals or the Citizens Oversight Advisory Board as a whole. A member's position shall become vacant upon his or her death, resignation, or removal by the Board. In the case of such a vacancy, the Board shall appoint a successor to fill the unexpired term.

(B) Members of the board shall not be compensated for their service, but may be reimbursed for actual and necessary expenses incurred in the performance of their duties.

Section 8.

Eligibility

(a) No funds authorized pursuant to Section 5 may be disbursed to any recipient unless the recipient agrees:

(1) To maintain and operate in perpetuity the property acquired, developed, improved, rehabilitated or restored with the funds. With the approval of the granting agency, the recipient or its successors in interest in the property may transfer the responsibility to maintain and operate the property in accordance with this Section.

(2) (A) To use the property only for the purposes of this resolution and to make no other use, sale, or disposition of the property, except as described in paragraph (B).

(B) If the use of the property acquired through grants pursuant to this resolution is changed to one other than a use permitted under the category from which the funds were provided, or the property is sold or otherwise disposed of, an amount equal to the (1) amount of the grant, (2) the fair market value of the real property, or (3) the proceeds from the portion of such property acquired, developed, improved, rehabilitated or restored with the grant, whichever is greater, shall be used by the recipient for a purpose authorized in that category or shall be reimbursed to the Parks Fund and shall be available for a use authorized in that category.

If the property sold or otherwise disposed of is less than the entire interest in the property originally acquired, developed, improved, rehabilitated or restored with the grant, an amount equal to the proceeds or the fair market value of the property interest sold or otherwise disposed of, whichever is greater, shall be used by the grantee for a purpose authorized in that category or shall be reimbursed to the Parks Fund and be available for a use authorized in that category. Nothing in this Section shall limit a Public Agency from transferring property acquired pursuant to this

order to the National Park Service or the State Park System, with or without consideration.

(3) Any beach, park or other public facility acquired, developed, rehabilitated or restored with funds from this act shall be open and accessible to the public without discrimination as to race, color, sex, sexual orientation, age, religious belief, national origin, marital status, physical or medical handicap, medical condition or place of residence, to the extent consistent with the provisions of subdivision (b) of Section 9.

(4) In order to maintain the exclusion from gross income for federal income tax purposes of the interest on any bonds, notes or other evidences of indebtedness issued for purposes of this resolution, each recipient of funds pursuant to this resolution covenants to comply with each applicable requirement of Section 103 and Sections 141 through 150 of the Internal Revenue Code of 1986, as amended. Each recipient of funds disbursed pursuant to this resolution shall agree in writing to the conditions specified in this paragraph.

(5) An entity receiving funds pursuant to this resolution shall agree to audits of expenditures on a regular basis, as directed by the District.

Section 9.

Property

(a) All real property acquired pursuant to this resolution shall be acquired in compliance with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the California Government Code. Public Agencies and Nonprofit Organizations receiving funds pursuant to this resolution shall certify compliance to the Department of Parks and Recreation. Funds disbursed to a Public Agency in accordance with this resolution may be expended by that agency pursuant to an agreement, or by an entity, authorized or established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code.

(b) Reasonable public access to lands acquired in fee with funds made available pursuant to this resolution shall be provided except where that access may interfere with resource protection. For purposes of this resolution, reasonable public access shall include parking and public restrooms.

(c) Prior to recommending the acquisition of lands that are located on or near tidelands, submerged lands, swamp or overflowed lands, or other wetlands, whether or not those lands have been granted in trust to a local public

agency, any agency receiving funds pursuant to this resolution shall submit to the State Lands Commission any proposal for the acquisition of those lands pursuant to this measure. The State Lands Commission may, at its discretion, within ninety (90) days of such a submission, review the proposed acquisition, make a determination as to the State's existing or potential interest in the lands, and report its findings to the entity making the submittal and to the Department of Parks and Recreation.

(d) No wetlands or riparian habitat acquired pursuant to this resolution shall be used as a dredge spoil area or shall be subject to revetment which damages the quality of the habitat for which the property was acquired.

(e) No provision of this resolution shall be construed as authorizing the condemnation of publicly-owned lands.

(f) Funds that are granted pursuant to this resolution for the purposes of development, improvement, rehabilitation or restoration shall be expended for these purposes only on lands owned by the applicant Public Agency or Nonprofit organization or subject to a lease or other interest held by such Public Agency or Nonprofit Organization. If such lands are not owned by the applicant or subject to such other interest held by the applicant, the applicant shall first demonstrate to the satisfaction of the

administering agency that the project will provide public benefits commensurate with the type and duration of the interest in land held by the applicant.

Section 10.

Financing

(a) It is the intention of the Board of Supervisors to cause the District to issue bonds, notes or other evidences of indebtedness, to fund all or a portion of the costs of the projects funded by this resolution, pursuant to Article 3 of Division 5 of the Public Resources Code. Such bonds, notes or other evidences of indebtedness may be issued in one or more series at such times and in such principal amounts as the Board of Supervisors may determine in its sole discretion.

(b) All funds generated by the Special Tax shall be deposited into the Regional Parks and Open Space District Park Fund (Parks Fund). The Auditor-Controller of the County, on behalf of the District, may create any other funds, accounts or subaccounts necessary or desirable, including the proceeds of assessments and bonds, notes or other evidences of indebtedness issued by the District.

(c) All revenue generated by the District, including the proceeds from the issuance of any bonds, notes or other evidences of indebtedness, shall be deposited in the Parks Fund and shall be allocated among all affected Public Agencies within the District as defined in Section 5506.9 of the California Public Resources Code, for expenditure consistent with the purposes of Division 5, Chapter 3, Article 3 of the Public Resources Code and of this resolution. The District shall reimburse the County from the Parks Fund for all costs of administration of the District, and the costs of issuance of bonds, notes, or other evidences of indebtedness.

(d) Pursuant to subdivision (e) of Section 5506.9 of the Public Resources Code, no proceeds from any bonds, notes or other evidences of indebtedness issued by the District shall be used for any operations, maintenance or servicing purposes, except that such proceeds may be used to pay all costs incidental to the preparation and issuance of the bonds.

Section 11.

(a) A special tax levied pursuant to this resolution shall be levied for a period of thirty-five (35) years beginning

with the fiscal year in which the tax is first levied and collected by the District.

Section 12.

(a) In case any provision of this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 13.

(a) This resolution shall take effect immediately, and upon declaration by the Board of Supervisors that the special tax herein has been approved by the voters, all officers and employees of the District shall take all actions necessary and desirable to carry out the purposes of this resolution. The officers and employees of the County and the ex officio officers and employees of the District, are and each of them acting alone is, hereby authorized and directed to take any and all actions which are necessary or desirable to carry out the purposes of this resolution.

Los Angeles County Informational Meetings

May 2016

Supervisor Hilda Solis, District 1

East Los Angeles

Thursday, May 12

7:00PM – 8:30PM

Griffith Middle School, 4765 E. 4th Street, Los Angeles, CA 90022

Baldwin Park - *Not scheduled*

St. John the Baptist Church

Supervisor Mark Ridley-Thomas, District 2

South LA

Wednesday, May 18

7:00PM – 8:30PM

Exposition Center, 3980 Bill Robertson Lane, Los Angeles, CA 90037

South Bay - Hawthorne

Wednesday, May 11

7:00PM – 8:30PM

Hawthorne Memorial Park, 4455 West 126th Street, Hawthorne, CA 90250

Supervisor Sheila Khuel, District 3

Santa Monica

Monday, May 9

7:00PM – 8:30PM

Civic Auditorium East Wing, 1855 Main Street, Santa Monica, CA 90401

Pacoima

Thursday, May 19

7:00PM – 8:30PM

Pacoima City Hall, 13520 Van Nuys Blvd, Pacoima, CA 91331

Supervisor Don Knabe, District 4

North Long Beach - *Not Scheduled*

Meeting Location: TBD

Hacienda Heights

Monday, May 16

7:00PM – 8:30PM

Hacienda Heights Community Center, 1234 Valencia Ave, Hacienda Heights, CA 91745

Supervisor Michael D. Antonovich, District 5

Palmdale - **Not scheduled**

Marie Kerr Recreation Center, 2723 Rancho Vista Blvd, Palmdale, CA 93551

Santa Clarita

Tuesday, May 17

7:00PM – 8:30PM

William S. Hart Park, 24151 Newhall Avenue, Newhall (Santa Clarita) 91321

Arcadia

Wednesday, May 11

7:00PM – 8:30PM

Los Angeles County Arboretum & Botanic Garden, 301 N Baldwin Ave, Arcadia, CA 91007