

MEETING DATE:

July 14, 2014

AGENDA ITEM:

Nomination Process for the Names of Three Culver City Residents for Submittal to the Governor's Office for Appointment to the Baldwin Hills Conservancy Board of Directors.

ATTACHMENTS

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ATTACHMENT 1

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Baldwin Hills Conservancy

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ATTACHMENT 2

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Stats. 2000, Ch. 428 (SB 1625)
Stats. 2002, Ch. 3 (SB 259)

BALDWIN HILLS CONSERVANCY

Authority: Public Resources Code, §§ 32555 et seq.

Appointing Power: Governor - 6
Speaker of the Assembly - 1
Senate Committee on Rules - 1

Number: 19 Total - 13 voting and 6 nonvoting. (Pub. Resources Code, §32556(a).)

Qualifications: The thirteen voting members of the board shall consist of the following:

The Secretary of the Resources Agency, or his or her designee.
(Pub. Resources Code, §32556(b)(1).)

The Director of Parks and Recreation, or his or her designee.
(Pub. Resources Code, §32556(b)(2).)

The Director of Finance, or his or her designee.
(Pub. Resources Code, §32556(b)(3).)

The Director of the Los Angeles County Department of Parks, or his or her designee. (Pub. Resources Code, §32556(b)(4).)

The member of the Los Angeles County Board of Supervisors within whose district the majority of the Baldwin Hills area is located.
(Pub. Resources Code, §32556(b)(5).)

As to the Governor: Six members who are residents of Los Angeles County and who represent the diversity of the community surrounding the Baldwin Hills Area. (Pub. Resources Code, §32556(b)(6).)

Of those six members, four members shall be selected as follows:

One member shall be a resident of Culver City selected from a list of three persons nominated by the city council.
(Pub. Resources Code, §32556(b)(6)(A).)

Three members shall be residents of the adjacent communities of Blair Hills, Ladera Heights, Baldwin Hills, Windsor Hills, Inglewood, View Park, or Baldwin Vista.
(Pub. Resources Code, §32556(b)(6)(B).)

BALDWIN HILLS CONSERVANCY

(continued)

Qualifications:
(continued)

As to the Speaker of the Assembly: A resident of Los Angeles County.
(Pub. Resources Code, §32556(b)(7).)

As to the Senate Committee on Rules: A resident of Los Angeles County.
(Pub. Resources Code, §32556(b)(7).)

The six nonvoting members shall consist of the following:

The Secretary of the California Environmental Protection Agency, or his or her designee. (Pub. Resources Code, §32556(c)(1).)

The Executive Officer of the State Coastal Conservancy, or his or her designee. (Pub. Resources Code, §32556(c)(2).)

The Executive Officer of the State Lands Commission, or his or her designee. (Pub. Resources Code, §32556(c)(3).)

An appointee of the Governor with experience in developing contaminated sites, commonly referred to as "brownfields."
(Pub. Resources Code, §32556(c)(4).)

The Executive Director of the Santa Monica Mountains Conservancy, or his or her designee. (Pub. Resources Code, §32556(c)(5).)

The Director of the Culver City Human Services Department, or his or her designee. (Pub. Resources Code, §32556(c)(6).)

Term:

The voting members of the board shall serve for two-year terms. Any vacancy on the board shall be filled within 60 days from its occurrence by the appointing authority. (Pub. Resources Code, §32557(a).)

No person shall continue as a member of the board if that person ceases to hold the office that qualifies that person for board membership. Upon the occurrence of that event, that person's membership on the board shall automatically terminate. (Pub. Resources Code, §32557(b).)

Bond:

No statutory requirement.

Oath:

Government Code, §§1360 - 1363

Compensation:

All members shall receive reimbursement for actual, necessary, and reasonable expenses. Any member of the board who is not a full-time public employee shall be compensated at a rate not to exceed one hundred dollars (\$100) per regular meeting, not to exceed 12 regular meetings a year. Any member of the board may waive compensation.
(Pub. Resources Code, §32561.)

BALDWIN HILLS CONSERVANCY
(continued)

Purpose:

To acquire and manage public lands within the Baldwin Hills area, and to provide recreational, open-space, wildlife habitat restoration and protection, and lands for educational uses within the area.
(Pub. Resources Code, §32555(a).)

To acquire lands for open space within the territory of the conservancy.
(Pub. Resources Code, §32555(b).)

To provide for the public's enjoyment, and to enhance the recreational and educational experience on public lands in the territory in a manner consistent with the protection of lands and resources in the area.
(Pub. Resources Code, §32555(c).)

Powers & Duties:

The board shall do all of the following:

Study the potential environmental and recreational uses of Ballona Creek and the adjacent property described in subdivision (a) of Section 32553.
(Pub. Resources Code, §32556(e)(1).)

Develop a proposed map for that area.
(Pub. Resources Code, §32556(e)(2).)

Develop and coordinate an integrated program of resource stewardship so that the entire Baldwin Hills area is managed for optimum recreational and natural resource values based upon the needs and desires of the surrounding community. (Pub. Resources Code, §32565.5(a).)

Establish policies and priorities within the Baldwin Hills area, and conduct any necessary planning activities in accordance with the purposes set forth in Section 32555. (Pub. Resources Code, §32565.5(b).)

Give priority to related projects that create expanded opportunities that provide recreation, aesthetic improvement, and wildlife habitat in the Baldwin Hills area. (Pub. Resources Code, §32565.5(c).)

Approve conservancy funded projects that advance the policies and proprieties set forth in this division.
(Pub. Resources Code, §32565.5(d).)

Enter into a memorandum of understanding with the Department of Parks and Recreation that would require the conservancy and the department to cooperate in the sharing of technical assistance, data, and information.
(Pub. Resources Code, §32565.5(e).)

BALDWIN HILLS CONSERVANCY
(continued)

Powers & Duties:
(continued)

Any proposed operating agreement, or an amendment to an agreement, for the Kenneth Hahn State Recreation Area between the Department of Parks and Recreation and any local operating agency that would affect the conservancy shall be submitted to the conservancy at least 90 days prior to the proposed effective date of the agreement to enable the conservancy to provide input, as appropriate. (Pub. Resources Code, §32565.5(g).)

The conservancy may direct the management, operation, administration, and maintenance of the lands and facilities it acquires in accordance with the purposes set forth in Section 32555. The conservancy may adopt regulations governing the use by the public of conservancy lands and facilities and may provide for the enforcement of those regulations. (Pub. Resources Code, §32566.)

The conservancy shall determine acquisition priorities and may acquire real property or any interest in real property within the Baldwin Hills area from willing sellers and at fair market value or on other mutually acceptable terms, upon a finding that the acquisition is consistent with the purposes of the conservancy. The conservancy may acquire the property itself, or may coordinate the acquisition with other public agencies with appropriate responsibility and available funding or land to exchange. The overall objectives of the land acquisition program shall be to assist in accomplishing land transactions that are mutually beneficial to the landowners and the conservancy, and that meet the conservancy's purposes. Neither the conservancy nor the State Board of Public Works shall exercise the power of eminent domain for the purposes of this division. The conservancy shall have the first right of refusal to acquire, at the cost of acquisition, surplus public lands suitable for park and open space within the conservancy's territory, any may accept private or public lands offered for recreational trails. (Pub. Resources Code, §32567.)

The conservancy may, within the Baldwin Hills area, undertake site improvement projects; regulate public access; revegetate and otherwise rehabilitate degraded areas, in consultation with other public agencies with appropriate jurisdiction and expertise; upgrade deteriorating facilities; and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resource protection. These projects shall be directed by the conservancy and undertaken by other public agencies, with the conservancy provide overall coordination through setting priorities for projects and assuring uniformity of approach. (Pub. Resources Code, §32568(a).)

The conservancy shall not, under any circumstances, extend the road designated as "Stocker Street" to Overland Avenue or to any street within the boundaries of Culver City without the prior written approval of the city council. (Pub. Resources Code, §32568(b).)

BALDWIN HILLS CONSERVANCY
(continued)

Powers & Duties:
(continued)

The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division. (Pub. Resources Code, §32569(a).)

Notwithstanding any other provision of law, the conservancy may lease, rent, sell, exchange, or otherwise transfer any real property or interest therein or option acquired under this division to a local public agency, state agency, federal agency, nonprofit organization, individual, or other entity for management purposes pursuant to terms and conditions approved by the conservancy. The conservancy may request the Director of General Services to undertake these actions on its behalf. (Pub. Resources Code, §32570(a).)

The conservancy may initiate, negotiate, and participate in agreements for the management of land under its ownership or control with local public agencies, state agencies, federal agencies, nonprofit organizations, individuals, or other entities and may enter into any other agreements authorized by state or federal law. (Pub. Resources Code, §32570(b).)

The conservancy shall restrict access on acquired lands that are unsuitable for parks and open-space use by entering into temporary agreements with other state or local public agencies for the protection of public health and safety, resource management and protection, and security. (Pub. Resources Code, §32572.)

Establish policies and priorities regarding the territory within the Baldwin Hills area, and conduct any necessary planning activities in accordance with the purposes set forth in Public Resources Code section 32555. (Pub. Resources Code, §32573(a).)

Give priority to related projects that create expanded opportunities that provide recreation, aesthetic improvement, and wildlife habitat in the Baldwin Hills area. (Pub. Resources Code, §32573(b).)

Approve conservancy-funded projects that advance the policies and priorities set forth in this division. (Pub. Resources Code, §32573(c).)

Review the master plan required pursuant to subdivisions (b) and (c) of Section 1 of Chapter 752 of the Statutes of 1999 and implement prioritization for the acquisition and operation of additional recreational and open-space needs, including additional or upgraded facilities and parks that may be necessary or desirable. (Pub. Resources Code, §32573(d).)

BALDWIN HILLS CONSERVANCY

(continued)

Powers & Duties: **(continued)**

The conservancy may fix and collect fees for the use of any land owned or controlled, or for any service provided, by the conservancy. No fee shall exceed the cost of maintaining and operating the land or of providing the service for which the fee is charged. (Pub. Resources Code, §32574(a).)

The conservancy shall administer any funds appropriated to it and any revenue generated by public agencies for the Baldwin Hills area and contributed to the conservancy, and may expend those funds for capital improvements, land acquisition, or support of the conservancy's operations. Subject to Section 11005 of the Government Code, the conservancy may also accept any revenue, money, grants for capital improvements, land acquisitions, or support of the conservancy's operations. (Pub. Resources Code, §32575.)

The conservancy may recruit and coordinate volunteers and experts to assist with conservancy projects and the maintenance of conservancy lands. (Pub. Resources Code, §32576.)

The conservancy shall coordinate its actions with state and local public safety agencies. (Pub. Resources Code, §32577.)

The conservancy shall have, and may exercise, all rights and powers, expressed or implied, necessary to carry out the purposes of this division, except as otherwise provided. (Pub. Resources Code, §32578.)

The conservancy may sue and be sued.
(Pub. Resources Code, §32579.)

Miscellaneous:

A quorum shall consist of seven voting members of the board, and any action of the board affecting any matter before the board shall be decided by a majority vote of the voting members present, a quorum being present. However, the affirmative vote of at least four of the voting members of the board shall be required for the transaction of any business of the board. (Pub. Resources Code, §32556(d).)

The jurisdiction of the conservancy shall include only those lands or other areas that are donated to, or otherwise acquired by, or are operated by the conservancy, that are located in the Baldwin Hills area.
(Pub. Resources Code, §32565.)

The chairperson and vice-chairperson of the board shall be selected by a majority of the voting members of the board for one-year terms.
(Pub. Resources Code, §32558.)

BALDWIN HILLS CONSERVANCY
(continued)

Miscellaneous:
(continued)

The conservancy may employ an executive officer and other staff to perform those functions that cannot be provided by volunteers.
(Pub. Resources Code, §32559.)

All meetings of the board shall be subject to the requirements of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).
(Pub. Resources Code, §32560.)

The conservancy shall obtain and maintain adequate liability insurance or its equivalent for acts or omissions of the conservancy's agents, employees, volunteers, and servants. (Pub. Resources Code, §32562.)

This division shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.
(Pub. Resources Code, §32580.)

MODEL COMMISSION

J. Doe, Member, Baldwin Hills Conservancy, for the term prescribed by law.

March 4, 2003