



Legislation Details (With Text)

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**Title:** \*\*\*RESOLUTION - Opposing Assembly Bill 3218 (Subject to Mayor's veto)

**Sponsors:** Steve Brandau

**Indexes:**

**Code sections:**

**Attachments:** 1. Special Meeting Notice signed.pdf, 2. Resolution - AB 3218.pdf, 3. Exhibit A - Fresno County BOS Letter.pdf

Date	Ver.	Action By	Action	Result
3/8/2018	1	City Council	adopted as amended	Pass

**REPORT TO THE CITY COUNCIL**

**March 8, 2018**

**FROM:** STEVE BRANDAU, Councilmember for District 2  
City Council Offices

**SUBJECT**  
\*\*\*RESOLUTION - Opposing Assembly Bill 3218 (Subject to Mayor's veto)

**RECOMMENDATION**

That the Council approve the resolution concerning Assembly Bill 3218.

**EXECUTIVE SUMMARY**

Assembly Bill 3218, introduced to by Assemblymember Arambula, seeks to expand the Millerton Lake State Recreation Area to include the San Joaquin River and surrounding land. The current version of the bill has concerns in regards to local land use authority and impacts on private property along the river. It is recommended Council approve a resolution expressing these concerns and opposing the legislation until those concerns are addressed.

**BACKGROUND**

On February 16, 2018, Assemblymember Joaquin Arambula (AD31) introduced legislation titled Assembly Bill 3218 that seeks to expand the Millerton Lake State Recreation Area. The bill as written would order the California State Department of Parks and Recreation to take all actions necessary to expand the recreation area to include the San Joaquin River to the Highway 99 crossing as well as 5,900 acres of land adjacent to the river.

The legislation in its current form is brief, and as such, vague. The author has stated his intent is to open up new potential sources of revenue for the San Joaquin River Parkway for operations and maintenance to expedite its completion. The bill at this stage does not detail how that legislation would create that funding. More concerning however is the direction to the Department of Parks and Recreation to acquire lands “by all means necessary.” Without clarification, this could have significant impacts upon local jurisdictions’ land use authority and private property rights, as well as potential for eminent domain takings of lands not currently held by the San Joaquin River Conservancy or the CA Department of Fish and Game.

We are recommending Council approve a resolution expressing their support for the author’s intent of the bill; finding additional funding for the Parkway, but to also express the concerns about local land use impacts and oppose unless that language is modified. A resolution which has been approved by the City Attorney as to form has been attached.

On March 6, 2018, the Fresno County Board of Supervisors by a vote of 5-0 approved a letter to Assemblyman Arambula expressing similar concerns. It is included as an attachment.

## **ENVIRONMENTAL FINDINGS**

N/A

## **LOCAL PREFERENCE**

N/A

## **FISCAL IMPACT**

There is no fiscal impact from this item.

Attachments: Signed Special Meeting Notice  
Exhibit A - Fresno County BOS Letter  
Resolution