

ASSEMBLY BILL

No. 1036

Introduced by Assembly Member Allen

February 18, 2011

An act to amend Section 5549 of the Public Resources Code, relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1036, as introduced, Allen. Parks: park districts: employees.

Existing law authorizes the creation of a regional park district, a regional park and open-space district, or a regional open-space district in specified ways and provides that the district may exercise any powers granted to it under law. Existing law provides that a general manager of a district has certain administrative and executive functions, powers, and duties, including appointing subordinates, clerks, and other employees, and exercising supervision and control over all departments and offices of the district. Existing law requires that the appointees hold employment at the pleasure of the general manager.

This bill would delete the requirement that the appointees hold employment at the pleasure of the general manager.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 5549 of the Public Resources Code is
2 amended to read:

1 5549. (a) The general manager has the following administrative
2 and executive functions, powers, and duties. The general manager
3 shall do all of the following:

4 (1) Enforce this article and all ordinances and regulations of the
5 district.

6 (2) Appoint subordinates, clerks, and other employees, and
7 exercise supervision and control over all departments and offices
8 of the district. ~~Those appointees shall hold employment at the~~
9 ~~pleasure of the general manager.~~

10 (3) Attend all meetings of the board unless excused by the board.

11 (4) Submit to the board for adoption any measures, ordinances,
12 and regulations he or she deems necessary or expedient.

13 (5) Enforce all terms and conditions imposed in favor of the
14 district or its inhabitants in any contract and report any violations
15 to the board or the police department, as appropriate.

16 (6) Prepare and submit the annual budget to the board; and
17 perform all other duties imposed by this article or by the board.

18 (b) (1) With the approval of the board, the general manager
19 may bind the district, in accordance with board policy, and without
20 advertising, for the payment for supplies, materials, labor, or other
21 valuable consideration for any purpose other than new construction
22 of ~~any a~~ building, structure, or improvement in amounts not
23 exceeding ten thousand dollars (\$10,000), and for the payment for
24 supplies, materials, or labor for new construction of ~~any a~~ building,
25 structure, or improvement in amounts not exceeding twenty-five
26 thousand dollars (\$25,000). All expenditures shall be reported to
27 the board of directors at its next regular meeting.

28 (2) Notwithstanding paragraph (1), with the approval of the
29 board, the general manager of the East Bay Regional Park District,
30 the general manager of the Midpeninsula Regional Open Space
31 District, and the general manager of the Sonoma County
32 Agricultural Preservation and Open Space District may bind those
33 districts, in accordance with board policy, and without advertising,
34 for the payment for supplies, materials, labor, or other valuable
35 consideration for any purpose, including the new construction of
36 any building, structure, or improvement in amounts not exceeding
37 twenty-five thousand dollars (\$25,000). All expenditures shall be
38 reported to the board of directors at its next regular meeting.

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