

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

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 amended, Allen. Parks: ~~park districts~~; *Sonoma County Agricultural Preservation and Open Space District* employees.

Existing

(1) *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 *for appointees who are employees of the Sonoma County Agricultural Preservation and Open Space District*.

(2) *The bill would declare that, due to the unique geography and circumstances pertaining to the Sonoma County Agricultural Preservation and Open Space District that the bill is intended to address, a general statute within the meaning of specified provisions of the*

California Constitution cannot be made applicable and thus a special statute is necessary.

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:
- 3 5549. (a) The general manager has the following administrative
- 4 and executive functions, powers, and duties. The general manager
- 5 shall do all of the following:
- 6 (1) Enforce this article and all ordinances and regulations of the
- 7 district.
- 8 (2) (A) Appoint subordinates, clerks, and other employees, and
- 9 exercise supervision and control over all departments and offices
- 10 of the district.
- 11 (B) *Except as provided in subdivision (c), these appointees shall*
- 12 *hold employment at the pleasure of the general manager.*
- 13 (3) Attend all meetings of the board unless excused by the board.
- 14 (4) Submit to the board for adoption any measures, ordinances,
- 15 and regulations he or she deems necessary or expedient.
- 16 (5) Enforce all terms and conditions imposed in favor of the
- 17 district or its inhabitants in any contract and report any violations
- 18 to the board or the police department, as appropriate.
- 19 (6) Prepare and submit the annual budget to the board and
- 20 perform all other duties imposed by this article or by the board.
- 21 (b) (1) With the approval of the board, the general manager
- 22 may bind the district, in accordance with board policy, and without
- 23 advertising, for the payment for supplies, materials, labor, or other
- 24 valuable consideration for any purpose other than new construction
- 25 of a building, structure, or improvement in amounts not exceeding
- 26 ten thousand dollars (\$10,000), and for the payment for supplies,
- 27 materials, or labor for new construction of a building, structure,
- 28 or improvement in amounts not exceeding twenty-five thousand
- 29 dollars (\$25,000). All expenditures shall be reported to the board
- 30 of directors at its next regular meeting.
- 31 (2) Notwithstanding paragraph (1), with the approval of the
- 32 board, the general manager of the East Bay Regional Park District,
- 33 the general manager of the Midpeninsula Regional Open Space

1 District, and the general manager of the Sonoma County
2 Agricultural Preservation and Open Space District may bind those
3 districts, in accordance with board policy, and without advertising,
4 for the payment for supplies, materials, labor, or other valuable
5 consideration for any purpose, including the new construction of
6 any building, structure, or improvement in amounts not exceeding
7 twenty-five thousand dollars (\$25,000). All expenditures shall be
8 reported to the board of directors at its next regular meeting.

9 *(c) The general manager of the Sonoma County Agricultural*
10 *Preservation and Open Space District shall appoint subordinates,*
11 *clerks, and other employees, and exercise supervision and control*
12 *over all departments and offices of the district, and subparagraph*
13 *(B) of paragraph (2) of subdivision (a) shall not apply to these*
14 *appointments.*

15 *SEC. 2. Due to the unique geography and circumstances*
16 *pertaining to the Sonoma County Agricultural Preservation and*
17 *Open Space District, the Legislature hereby finds and declares*
18 *that a general statute cannot be made applicable within the*
19 *meaning of Section 16 of Article IV of the California Constitution.*
20 *Therefore, the special legislation contained in Section 1 of this act*
21 *is necessarily applicable only to the Sonoma County Agricultural*
22 *Preservation and Open Space District.*