

Assembly Bill No. 2789

CHAPTER 246

An act to add Section 5080.36.1 to the Public Resources Code, relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 20, 1996. Filed with
Secretary of State July 22, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2789, Kuehl. State park system: Malibu pier: operating agreement: repair refurbishment, and operation.

Existing law authorizes the Department of Parks and Recreation to enter into operating agreements for the care, maintenance, administration, and control of lands within the state park system pursuant to specified review procedures.

This bill would authorize the department and the City of Malibu to enter into an operating agreement for the repair, refurbishment, and operation of the Malibu Pier for a period not to exceed 30 years if the agreement also requires the rent to be reviewed and adjusted at least every 5 years to reflect economic conditions in the area in which the pier is located.

The bill would make related legislative findings and declarations.

The bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 5080.36.1 is added to the Public Resources Code, to read:

5080.36.1. (a) The Legislature hereby finds and declares that the department and the City of Malibu are in the process of entering into an operating agreement for the purpose of negotiating a concession contract that would require the City of Malibu to repair and refurbish, and operate, the Malibu Pier, and that the standard 20-year term is insufficient to enable the City of Malibu to amortize the type and scale of repairs and improvements that the department will require the City of Malibu to make.

(b) The department and the City of Malibu may enter into an operating agreement for the repair, refurbishment, and operation of the Malibu Pier for a period not to exceed 30 years if the operating agreement also requires the rent to be reviewed and adjusted at least every five years to reflect economic conditions in the area in which the pier is located.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make repairs necessary to eliminate a threat to public safety, as soon as possible, thereby preventing the closure of, and ensuring the continued operation of, the Malibu Pier, it is necessary that this act take effect immediately.

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