

## Assembly Bill No. 584

### CHAPTER 135

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

[Approved by Governor July 21, 1999. Filed with  
Secretary of State July 22, 1999.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 584, Aroner. East Bay Regional Park District contracts: new construction.

Existing law authorizes the general manager of a park or open-space district, with the approval of the board of directors of the district, to bind the district, without advertising and without written contract, for the payment for supplies, materials, or labor for new construction of any building, structure, or improvement in an amount not to exceed \$25,000 or for any other purpose in an amount not to exceed \$10,000.

This bill would, instead, authorize the general manager of a park or open-space district with the approval of the board of directors of the district, to bind the district in accordance with board policy, and without advertising, for the payment for those supplies, materials, or labor for new construction of any such building, structure, or improvement, and would, with regard to the East Bay Regional Park District increase the maximum amount for all of the above purposes to \$25,000.

The bill would make legislative findings and declarations relating to the need for special legislation.

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

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

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

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

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

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



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

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

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

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

(2) Notwithstanding paragraph (1), with the approval of the board, the general manager of the East Bay Regional Park District may bind the district, in accordance with board policy, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, including the new construction of any building, structure, or improvement in amounts not exceeding twenty-five thousand dollars (\$25,000). All expenditures shall be reported to the board of directors at its next regular meeting.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the East Bay Regional Park District. The facts constituting the special circumstances are that the East Bay Regional Park District needs to complete park maintenance and new construction projects that are necessary due to the unique geographical features of parklands within the jurisdiction of the district. This unique set of circumstances does not exist in any other state or local park or open-space preserve.

