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AB-2137 Regional park and open-space districts: general manager: powers. (2017-2018)

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Assembly Bill No. 2137

CHAPTER 278

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

[Approved by Governor September 06, 2018. Filed with Secretary of State September 06, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2137, Mayes. Regional park and open-space districts: general manager: powers.

Existing law generally authorizes the general manager of any park or open-space district, with district board approval, to 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 in amounts not exceeding \$25,000. However, existing law grants that authority to the general managers of the East Bay Regional Park District, the Midpeninsula Regional Open Space District, and the Sonoma County Agricultural Preservation and Open Space District with respect to the payment of amounts not exceeding \$50,000.

This bill would instead make \$50,000 the limit by which the general manager of any park or open space district, with district board approval, may bind the district, in accordance with board policy that has been adopted in an open meeting, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose. The bill would authorize the district, by action of the board in an open meeting, to increase the amount by which the general manager of the district may bind the district above that limit, as specified.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

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 and remove subordinates, clerks, and other employees, and exercise supervision and control over all departments and offices of the district, subject to the personnel rules, civil service or merit system, and policies adopted by the board.
- (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 that has been adopted in an open meeting, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, including new construction of a building, structure, or improvement, in amounts not exceeding fifty thousand dollars (\$50,000). All expenditures shall be reported to the board of directors at its next regular meeting.

(2) A district may, by action of the board in an open meeting, increase the amount by which the general manager may bind the district above the fifty-thousand-dollar (\$50,000) limit established in paragraph (1). An increase made pursuant to this paragraph shall not exceed an amount equal to 2 percent, for each fiscal year following the operative date of the last adjustment, of the amount in effect when the board's action is adopted.