

**ASSEMBLY BILL**

**No. 2660**

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**Introduced by Assembly Member Jeffries**

February 19, 2010

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An act to add Section 5080.42 to the Public Resources Code, relating to state parks, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2660, as introduced, Jeffries. State parks: California Citrus State Historic Park: operating agreement.

Existing law authorizes the Department of Parks and Recreation to enter into an agreement with an agency of the United States, a city, county, district, or other public agency, or any combination thereof, for the care, maintenance, administration, and control of lands of the state park system.

This bill would require the department to enter into an operating agreement with the City of Riverside for the development, improvement, restoration, care, maintenance, administration, and control of California Citrus State Historic Park. The bill would require that the agreement contain certain provisions. The bill also would require that, notwithstanding the existence of the operating agreement, the park remain eligible for any grants or funding for which the park was eligible prior to the agreement.

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

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) California Citrus State Historic Park located in the City of  
4 Riverside opened to the public in 1993 and its visitor center opened  
5 to the public in 2003.

6 (b) The City of Riverside worked in conjunction with the  
7 Department of Parks and Recreation, with the city as lead, in  
8 administering the design and construction of Phase I and Phase II  
9 of the visitor center.

10 (c) With possible future state budget reductions, the Department  
11 of Parks and Recreation may be shuttering parks across the state  
12 and California Citrus State Historic Park is anticipated to be on  
13 the closure list.

14 (d) The City of Riverside is prepared to prevent even a  
15 short-term closure of California Citrus State Historic Park by  
16 assuming full responsibility for the maintenance and operation of  
17 this significant regional asset.

18 (e) The City of Riverside is willing to memorialize its long-term  
19 commitment to operating and investing in the long-term  
20 enhancement of California Citrus State Historic Park by entering  
21 into a 10-year operating agreement to assume all responsibilities  
22 for the park.

23 (f) The City of Riverside will ensure consistency with the state’s  
24 mission statement for the ongoing operation of California Citrus  
25 State Historic Park. The city is uniquely suited to enhance the  
26 visitor experience at California Citrus State Historic Park by  
27 expanding highly successful programming to that location to  
28 include summer concerts, special events, walking groups, and  
29 expansion of education programs in conjunction with the city’s  
30 museum department.

31 (g) The city is confident that California Citrus State Historic  
32 Park will become an even more significant regional attraction  
33 under the city’s stewardship. The city’s commitment to assist the  
34 State of California in achieving the full potential for California  
35 Citrus State Historic Park will complement the state’s overall  
36 success in providing park experiences of nationwide renown.

37 SEC. 2. Section 5080.42 is added to the Public Resources Code,  
38 to read:

1 5080.42. (a) Notwithstanding any provision of this article, the  
2 department shall enter into an operating agreement with the City  
3 of Riverside for the development, improvement, restoration, care,  
4 maintenance, administration, and control of California Citrus State  
5 Historic Park. The agreement shall include, but is not limited to,  
6 all of the following:

7 (1) Execution of an operating agreement granting control of the  
8 park to the city for one dollar (\$1) per year for a term of 10 years  
9 with an automatic renewal of the operating agreement after each  
10 10-year period, unless the department or the city decides not to  
11 renew the operating agreement at least six months before the  
12 expiration of the existing operating agreement. The terms of  
13 renewal shall take into consideration the state's ability to assume  
14 operations and maintenance at the levels achieved under the city's  
15 stewardship at the time of the operating agreement termination.

16 (2) Imposition of full and complete responsibility on the city  
17 for all costs of maintenance of the park, including existing and  
18 future facilities, fixtures, grounds, and amenities, throughout the  
19 term of the operating agreement and periods of extension.

20 (3) A requirement that the city, the department, and the  
21 California Citrus Nonprofit Management Corporation collaborate  
22 on programming at the park, for example, recreational activities,  
23 educational programs, facility rentals, and special events.

24 (4) A requirement that the city obtain the department's approval  
25 before making a capital improvement to, or changing the physical  
26 space of, the park, that is not consistent with the California Citrus  
27 State Historic Park general plan.

28 (5) A requirement for appropriate reciprocal indemnifications.

29 (6) A requirement that the park continue to be designated and  
30 promoted as a unit within the state park system.

31 (7) A requirement that the city will not impose a charge for  
32 general admission to the park.

33 (b) Notwithstanding the existence of the operating agreement,  
34 the park shall be eligible for any grants or funding for which the  
35 park was eligible prior to the agreement.

36 (c) The department and the city shall consider the impact on  
37 park vendors of a proposed closure of the park or a proposed  
38 alteration of the operating agreement.

1 (d) The operating agreement does not affect the classification  
2 of the park as a unit of the state park system. The signs for the park  
3 shall continue to reflect the state-park nature of the park.

4 SEC. 3. This act is an urgency statute necessary for the  
5 immediate preservation of the public peace, health, or safety within  
6 the meaning of Article IV of the Constitution and shall go into  
7 immediate effect. The facts constituting the necessity are:

8 In order to prevent the closing of a historic state park and to  
9 avoid the devastating effects this closure would have on the local  
10 economy, it is necessary that this act take effect immediately.

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