

**AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE
PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA**

WEDNESDAY, AUGUST 22, 2018, AT 12:00 PM

**CANYON VIEW COMMUNITY CENTER
471 MAIDU DRIVE, AUBURN, CA 95603**

Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection in the District's Office at 471 Maidu Drive, Auburn, CA 95603. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (530) 537-2187. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

1.0 CALL TO ORDER

Holbrook _____ Ferris _____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

3.0 PUBLIC COMMENT – This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

4.0 BUSINESS

4.1 Approval of Minutes from the June 20, 2018 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

Recommendation: Review and approve minutes.

4.2 Designating Locations for Model Airplane and Rocketry Use in ARD Parks

Shall the Auburn Area Recreation and Park District (ARD) modify its existing policy regarding model airplane and rocket use to include language about drones and to consider closing certain parks for use?

4.3 Approval of Legal Bills

Recommendation: Review and approve legal bills from June and July, 2018.

Discussion Items:

1. The Placer County Sheriff's Office will discuss policies of notification and interaction with homeless transients.
2. Policies and Procedures Related to Vehicles in the Parks After Hours.

**5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM,
PERSONNEL, POLICY & FEE COMMITTEE MEETINGS**

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

- Quote from SDRMA
- Review the District Transparency Checklist - ongoing.

ADJOURNMENT

AUBURN AREA RECREATION AND PARK DISTRICT
This agenda is hereby certified to have been posted as follows:

8-17-18
Date

11:25 AM
Time

P. Larson
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes
of the Program, Personnel, Policy, Fee & Legal Review Committee Meeting
Wednesday, June 20, 2018, 12:00 p.m.
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 12:10 p.m.

ROLL CALL

Director Holbrook was present, Director Ferris was absent.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by Director Holbrook.

3.0 PUBLIC COMMENT- This is the time wherein any person may comment on Any item not on the agenda within the subject matter jurisdiction of the Committee. After you are recognized by the Committee Chairperson, please state your name and address for the record (optional). There is a time limit of three minutes.

None.

4.0 BUSINESS

4.1 Approval of Minutes from the May 23, 2018 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The minutes from the May 23, 2018 Program, Personnel, Policy, Fee & Legal Review Committee meeting were reviewed and approved by Director Holbrook.

4.2 Amendments to Facilities & Grounds Job Descriptions

Director Holbrook reviewed the information provided and recommended forwarding the amendments to the Facilities & Grounds job descriptions to the ARD Board for review and approval.

4.3 Approval of Legal Bills

Director Holbrook reviewed and approved the legal bills from May, 2018.

Discussion Items:

1. None.

5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL,

POLICY, FEE & LEGAL REVIEW COMMITTEE MEETINGS

None.

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

- Obtain a quote from SDRMA.
- Review the District Transparency Checklist – ongoing.
- Review investment policy .

Director Holbrook discussed following up on the SDRMA insurance quote that Joe Fecko was working on. He also requested that staff prepare a report to the Board regarding the investment policy and why we are staying with what we have.

ADJOURNED

As there was no further business, the meeting was adjourned at 12:26 p.m.

Board Secretary

Date

Item 4.2 Cover sheet – Designating locations for model airplane and rocketry use in ARD Parks

Auburn Area Recreation and Park District (ARD) Board of Director's meeting July 26, 2018; Policy Committee August 22, 2018

The Issue

Shall the Auburn Area Recreation and Park District (ARD) modify its existing policy regarding model airplane and rocket use to include language about drones and to consider closing certain parks for use?

Background

ARD Ordinance #1 states the following:

V. Hazardous activities. No person shall engage in model airplane flying, propelling a rocket or missile of any type, driving of golf balls, archery or any game of a hazardous nature within a park, except at such places as shall be specifically designated and authorized by the district for such purpose.

It was recommended that ARD create a policy specifically designating places that are acceptable for model airplane and rocket flying. The following policy was adopted in August, 2011:

Model Airplane and Rocket Flying: The District specifically designates and authorizes the safe flying of model airplanes and rockets at the following locations:

1. Regional Park – “C” field
2. Recreation Park – James field
3. Railhead Park – Fields A and B
4. Meadow Vista Park – upper and lower soccer fields
5. Sugar Pine Ridge – (Winchester) Park – soccer/baseball field

Model rockets may not be used in District parks from June through October (fire season).

Members of the public wishing to fly model airplanes and rockets may not cause a hazard to or endanger park users, animals or property.

The locations listed above may not be used for model airplane and rocket flying if the fields or areas area already being used or will be used by a user group with a reservation.

This policy does not address drones, as drone flying was not a recreational activity that was as actively pursued in 2011. Since that time, drone flying has become more active in ARD parks. It has also been suggested that ARD consider whether drones should be allowed at Meadow Vista Park as that park is too busy and has too much wildlife for model airplanes, rockets or drones.

The following amendments to ARD's drone policy are suggested:

Drone, Model Airplane and Rocket Flying: The District specifically designates and authorizes the safe flying of **drones**, model airplanes and rockets **only** at the following locations **and only during open hours:**

1. Regional Park – “C” field
2. Recreation Park – James field
3. Railhead Park – Fields A and B
4. **Meadow Vista Park – upper soccer field**
5. Sugar Pine Ridge – (Winchester) Park – soccer/baseball field

Model rockets may not be used in District parks from June through October **or anytime during fire season as declared by the California Department of Forestry and Fire Protection (CAL FIRE).**

Members of the public wishing to fly **drones**, model airplanes and rockets may not cause a hazard to or endanger park users, animals or property. **All federal, state and other local laws and ordinances must be adhered to.**

The locations listed above may not be used for **drone**, model airplane and rocket flying if the fields or areas area already being used or will be used by a user group with a reservation.

Alternatively, language used in the CA State Parks “Unmanned Aircraft Systems” policy (attached) could be added, specifically the items from the bullet points. This may help to better describe certain rules and regulations.

Recommendation for the Policy Committee

Review, discuss and provide direction for staff.

Staff recommends making the changes as noted above.

Alternatives available to the Policy Committee

- 1) Bring the policy back for further discussion and possible action at the September, 2018 Policy Committee meeting
- 2) Take no action

Fiscal Impact

Four new signs will need to be created (approximately \$200 total).

Attachments

CA State Parks policy: Unmanned Aircraft Systems (Drones) in State Parks

FAA info on Model Aircraft

Article from Coastside State Parks Association re: drones in certain parks

California State Parks

Drones are currently allowed in State Parks, State Beaches, State Historic Parks, State Recreational Areas, and State Vehicular Recreation Areas except where prohibited by a District Superintendent's posted order. Posted orders may prohibit drones for numerous reasons, including: protection of threatened species; threats to cultural and natural resources; high fire danger; public safety; recreational conflicts; impacts upon visitor experience privacy; and park unit classification. Therefore, drone users should always check with their local State Park District for any specific posted orders.

Drones in State Wilderness Areas, Natural Preserves, and Cultural Preserves:

State Park regulations prohibit the use of motorized equipment (including UASs) within wilderness areas, cultural preserves, and natural preserves (Cal. Code Regs. tit. 14, § 4351.) Therefore, drone users should always check the designation of the park unit before operating a drone.

Recreational Drones:

California State Parks recommends that recreational drone users check with their local [State Park District](#) before operating a UAS within a State Park. Each park unit may have its own posted orders. Even absent a posted order on drones, it is within the discretion of park staff to contact drone operators when drones threaten visitors, property, wildlife, or privacy. If a drone operator continues to fly in a dangerous or reckless manner, they may be asked to stop flying and remove the drone from park boundaries.

It is recommended that recreational drone operators consult the Federal Aviation Administration (FAA) rules and regulations on the proper use of recreational drones and use common sense when operating these devices around crowded public areas, wildlife, or historic resources.

DPR requires compliance with the FAA guidelines for recreational Unmanned Aircraft Systems (http://www.faa.gov/uas/model_aircraft/):

- Fly below 400 feet and remain clear of surrounding obstacles;
- Keep the aircraft within visual line of sight at all times;
- Remain well clear of and do not interfere with manned aircraft operations;
- Do not fly within 5 miles of an airport unless you contact the airport and control tower before flying;
- Do not fly near people or stadiums;
- Do not fly in adverse weather conditions such as in high winds or reduced visibility;
- Do not fly under the influence of alcohol or drugs;
- Do not fly an aircraft that weighs more than 55 lbs;
- Do not fly near or over sensitive infrastructure or property such as power stations, water treatment facilities, correctional facilities, heavily traveled roadways, etc.;
- Do not be careless or reckless with your unmanned aircraft – you could be fined for endangering people or other aircraft;

- Do not conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission.

Commercial Drones:

The FAA requires commercial drone operators to receive special authorization; either a Section 333 Exemption or a Special Airworthiness Certificate. The FAA defines commercial drone use as, among other things: filming for hire; selling aerial photography or videography; inspections for hire; surveying for hire; or flying to further a business purpose. Operating a drone for commercial purposes within a state park also requires a permit. Commercial Drone users must submit a copy of their FAA authorization to the appropriate State Park District(s). Depending on the proposed use, the District Superintendent may require a Special Event permit, Right of Entry permit, or other approval. Further, commercial photography or filming within State Park also requires a permit from the California Film Commission. (Cal. Code Regs. tit. 14, § 4316.)

Research Drones:

Drones may prove a valuable tool for scientific research and surveys. Operation of a drone for research purposes requires approval from the FAA. Before operating a drone for research purposes within a state park, please submit a copy of your FAA authorization to the appropriate State Park District(s). California State Parks requires a scientific collection permit (DPR 65) for any scientific research and surveys within a State Park.

Public Agency Drones:

The FAA requires public entities to obtain a Certificate of Waiver or Authorization (COA) to operate public aircraft. Before operating a drone for governmental purposes within a state park, please submit a copy of your COA to the appropriate State Park District(s).



Fly under the Special Rule for Model Aircraft



(https://public.govdelivery.com/accounts/USAFAA/subscriber/new?topic_id=USAFAA_486)



(www.faa.gov/news/stay_connected/)

To fly under the Special Rule for Model Aircraft you must:

- Fly for hobby or recreation ONLY
- Register your model aircraft
- Fly within visual line-of-sight
- Follow community-based safety guidelines and fly within the programming of a nationwide community-based organization
- Fly a drone under 55 lbs. unless certified by a community-based organization
- Never fly near other aircraft
- Notify the airport and air traffic control tower prior to flying within 5 miles of an airport*
- Never fly near emergency response efforts

For more information about what you can do with a model aircraft, please read [FAA Advisory Circular 91-57A](#)

(www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-57A_Ch_1.pdf) (PDF) or read the [Interpretation of the Special Rule for Model Aircraft](#) (www.faa.gov/uas/media/model_aircraft_spec_rule.pdf).(PDF).

If you do not meet these requirements, you must fly under the FAA's small UAS Rule (part 107).

*The person flying the model aircraft is responsible for contacting the airport directly. Many phone numbers for airports are available here:

https://www.faa.gov/air_traffic/flight_info/aeronav/aero_data/Airport_Data/
(www.faa.gov/air_traffic/flight_info/aeronav/aero_data/Airport_Data/)

Many airports have processes for people who fly near their airport, and the model aircraft operator can talk with them directly about how to meet this rule.

Registration Requirements

The FAA requires you to register as a "modeler" and mark your model aircraft with your registration number in case it is lost or stolen.

Registration costs \$5 and is valid for 3 years.

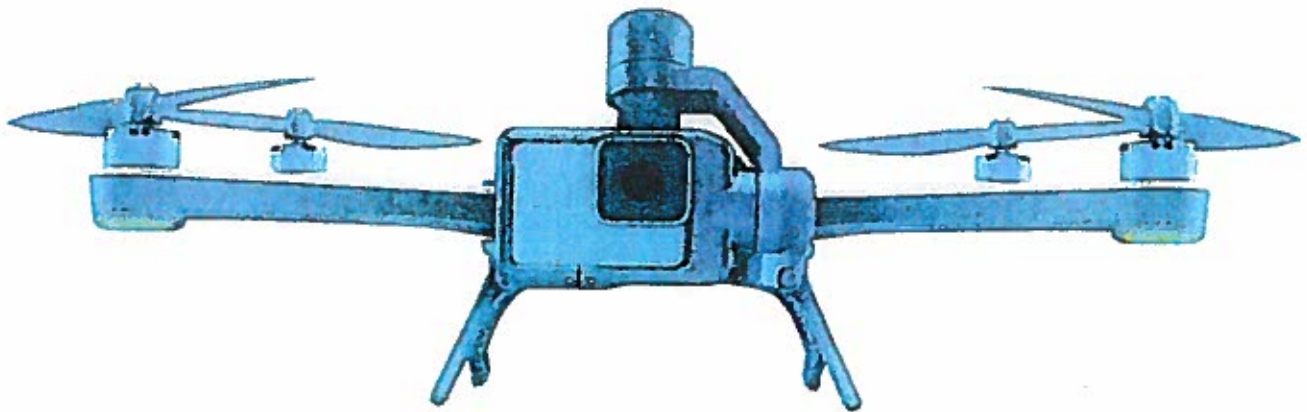
More information about the registration process is available through [UAS Registration](#).

Additional Resources

- [Examples of UAS that do and do not require registration \(media/UAS_Weights_Registration.pdf\)](#) (PDF)
- [Frequently Asked Questions \(www.faa.gov/uas/faqs/\)](http://www.faa.gov/uas/faqs/)
- [Definition of terms in the Special Rule for Model Aircraft \(media/Definitions_terms_Special_Rule_for_Model_Aircraft.pdf\)](#) (PDF)

Page last modified: February 01, 2018 11:29:19 AM EST

This page was originally published at: https://www.faa.gov/uas/getting_started/model_aircraft/



NEW "DRONE" POLICY PROHIBITS USE IN LOCAL STATE PARKS

Originally published July 8, 2017

To owners of increasingly popular recreational drones, these remotely controlled flying video cameras provide a new way to explore difficult-to-reach areas and to gain overhead perspectives. But to other visitors to state parks and beaches there are few things that disturb their peace

and sense of privacy more than a drone with its whirling blades. The buzzing often sounds to them like an annoying, super-sized mosquito.

California State Parks (CSP) must concern itself not only with this issue—the pleasure or annoyance of its visitors—but also the impact on wildlife, as well as other natural and cultural park resources. While there is no statewide ban on drones in all state parks, the department's formal policy gives the superintendent of each California State Parks District the authority to prohibit the use of drones in a district's parks by posting such an order. The statewide policy says in part: "Posted orders may prohibit drones for numerous reasons, including: protection of threatened species; threats to cultural and natural resources; high fire danger; public safety; recreational conflicts; impacts upon visitor experience privacy; and park unit classification. Therefore, drone users should always check with their local State Park District for any specific posted orders."

The Santa Cruz District, which includes the San Mateo Coast Sector and all the state parks and beaches supported by CSPA, posted a new drone policy in May of this year.

"To protect wildlife and cultural resources, and for the safety and welfare of visitors and staff; the Park Units in the Santa Cruz District are closed to the use of Model Aircraft, Unmanned Aircraft Systems (UAS) [i.e., drones] and Gliders in flight."

The full notice may be accessed [here](#). There are exceptions for areas of Seacliff State Beach and Sunset State Beach, as well as for special events and California Film Commission permit holders.

Within the San Mateo Coast Sector of the Santa Cruz District this is welcome news! Parks staff and most visitors have long considered drones to be inconsistent with the desired park experience. They can be noisy and intrusive within the natural environment and have negative impacts on the wildlife found within the parks.



Plovers nest on the beaches. Photo courtesy Avis Boutell



Weasels inhabit several of our parks. Photo courtesy Avis Boutell



Peregrine Falcon. Photo courtesy Avis Boutell

Nesting birds, whether in trees or on the beaches and some of which are listed as endangered or threatened species, are often disturbed by flying drones and may abandon their nests. To small mammals the drone may be mistaken for a hawk; this disturbs their foraging behavior and impacts their survival. To hawks and other raptors a drone may be considered competition. They may attack a drone and be injured (instances have been witnessed), or drones may displace the hawks from their usual range.

We hope this new policy will improve the parks for all of our visitors and wildlife alike.

HOW YOU CAN HELP

Make a tax-deductible donation to support our programs at the coastal state parks.

DONATE

VOLUNTEER

Volunteer your time to support our programs at the coastal state parks.

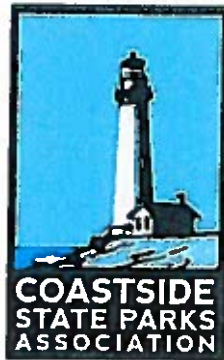
KEEP UP TO DATE WITH OUR NEWSLETTER

Enter your email below and we'll keep you up to date on the latest projects and events.



The Coastside State Parks Association is an official nonprofit partner of California State

Parks and Recreation's San Mateo Sector. Visit www.parks.ca.gov to learn more about California State Parks.



COASTSIDE STATE PARKS ASSOCIATION
New Year's Creek Road,
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Discussion Item 2. Cover sheet – Policies and Procedures Related to Vehicles in the Parks After Hours

Auburn Area Recreation and Park District (ARD) Program, Policy, Fee and Legal Review Committee
August, 2018

The Issue

Shall the Auburn Area Recreation and Park District (ARD) discuss and create policies and procedures related to vehicles being in the parks after hours?

Background

A recent incident at Regional Park involving a broken-down car being parked in the parking lot for several days resulted in discussion and investigation by ARD. As such, a review of current policies and Ordinance's related to such issues is warranted.

ARD Ordinance #1 states (in part) the following:

SECTION 3. Rules and policies to be obeyed. It shall be unlawful for any person to disobey or violate any of the rules, policies or regulations of the District Board governing the use and enjoyment of any park or governing the use and enjoyment of any building, structure, equipment, apparatus or appliances thereon, or any roadway, avenue, grounds or recreation center, or in or near the building, structure, equipment, apparatus or appliances to which the rule or regulation applies.

SECTION 4. Signs and notices to be obeyed. It shall be unlawful for any person to disobey any instruction, sign or notice properly posted by the District Administrator, or his or her designee, in accordance with District Ordinance or policy, in any park, or in any building, structure, construction and/or erection thereon for the control, management, or direction of such park roadway, avenue, grounds, recreation center, building, structure, construction or erection.

SECTION 5. Conduct-General. It shall be unlawful for any person, within the limits of any park, or within any property or facility which is owned, leased, under the control of, or maintained or operated by the Auburn Area Recreation and Park District, to do any of the following:

R. Prohibited presence. No person shall tent, camp, lodge, or otherwise be present in any park after dusk or before dawn or at times otherwise posted, except when lawfully in attendance at an event permitting such.

There are no existing ARD policies related to vehicles being parked overnight in an ARD parking lot, however each parking lot is posted with a sign stating that the park closes at dusk and that no overnight parking/camping is allowed. The sign also states that the vehicle will be towed at the owner's expense. A copy of one of these signs is attached.

Recommendation for the Policy Committee

Discuss and make recommendations on policies and procedures for vehicles in the parking lot after hours. This may include related policies and procedures.

Fiscal Impact

Unknown

Attachments

Example of signs posted in all ARD parking lots
Timeline of incident with car parked at Regional Park

18" X 24"

1" letters

**REGIONAL PARK
CLOSED NIGHTLY
Dusk to Dawn**

(Except by Permit)

**NO OVERNIGHT
PARKING/CAMPING BY**

**ARD Ord. No. 1 Sec.5 (R)
Placer County Code 12.24.020 (F)**

**UNAUTHORIZED VEHICLES
WILL BE TOWED AT VEHICLE
OWNER'S EXPENSE**

CVC SECTIONS: 22658 (a)

Placer County Sheriff at

(530) 889-7800

Halls Towing

(530) 885-4578

Car at Dry Creek

Timeline and notes

- Friday, August 10, 2018: L with Green Valley Security (GVS) notices car parked at Dry Creek picnic area when locking up. Calls PCSO (**unconfirmed**)
- Saturday, August 11: L says that the Fire Dept. asked him to keep the gate open Saturday and Sunday night (**unconfirmed**)
- Sunday, August 12: ARD employee J first noticed the Honda CRV license plate number MSTAMBO was parked in the Dry Creek Picnic Area parking lot on Sunday the 12th. However, he could not verify that this car was parked in this parking lot overnight because the gates were not locked the night before.
- Monday, August 13: On Monday J noticed the car was in the exact same spot however the gates had not been locked again the night before so he was unable to know without a doubt that this car had parked there overnight. Later that day, Kelpro Security sent their weekly report with the following entry:
 - Aug. 11: 10:00 PM – 1:00 AM
10:10 pm, contact with female /disabled vehicle (Honda CRV Lic. MSTAMBO) in Dry Creek lot. Said PCSO and other security guards were aware (Green Valley Sec.).
- Tuesday, August 14: J opened the gate at Dry Creek Picnic Area and verified that the Honda CRV license plate number MSTAMBO was parked in the parking lot overnight. J notified ARD employee H. H spoke to the owner of the vehicle and notified her she could not park in ARD parking lots overnight and she needed to get her car moved or we would tow it. The owner stated she understood and she would get her car moved by the end of the day.
- Wednesday, August 15: H opened the gate and noticed this vehicle was still in the parking lot and the owner was sleeping in it. He then called Placer County Sheriff's Department at 7:27 am and asked them to come talk to the owner of the vehicle and enforce our District policy. Wednesday evening the owner called ARD employee W's cell phone at 6:35 pm and left a message stating she was trying to find a tow company that would work with her and would have the car towed Thursday, August 16.
- Thursday, August 16: Upon arriving at work this morning (7:00 am) W notified H and J that if this car was parked in the parking lot when they opened the gate they needed to call the tow company as long as we had a sign stating who to call if your car is towed. W also informed them that moving forward they needed to enforce our policies better. Upon opening the gate H noticed the car was still parked in the parking lot. H spoke to the owner again and told her again that she needed to move her vehicle or we would have it towed. The owner of the car had it towed a little before noon