

**AUBURN AREA RECREATION AND PARK DISTRICT
MEETING OF THE ACQUISITION AND DEVELOPMENT COMMITTEE AGENDA**

THURSDAY, SEPTEMBER 20, 2018, 11:00 AM

**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 during normal business hours. 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

Gray ____ Lynch ____

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 August 22, 2018 Acquisition & Development Meeting

Recommendation: Review and approve minutes.

4.2 Support Letter for Grant Request to the Sierra Nevada Conservancy: Auburn Shaded Fuel Break

Shall the Auburn Area Recreation & Park District (ARD) approve and send a letter for support for a grant request to the Sierra Nevada Conservancy?

4.3 Amending 2018/2019 project List

Shall the Auburn Area Recreation and Park District (ARD) amend the existing 2018/2019 Project List to coincide with the FY 18/19 Budget Revision?

Discussion items:

1. Information on what ARD has spent on contingency costs for projects within the last fiscal year.
2. Divestment from the Shockley Property.
3. 2017 – 2018 Project Activity Report.

5.0 ITEMS TO BE ONSIDERED AT FUTURE ACQUISITION & DEVELOPMENT MEETINGS

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH ADJOURNMENT

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

9-14-18
Date

10:50 Am.
Time

P. Larson
Secretary to the Board

Auburn Area Recreation and Park District
Minutes of the Acquisition & Development Committee Meeting
Wednesday, August 22, 2018, 1:00 PM
Canyon View Community Center, Board Room
471 Maidu Drive, Auburn, CA 95603

1.0 CALL TO ORDER

The meeting of the Acquisition & Development Committee was called to order at 1:03 p.m.

ROLL CALL

Directors Gray and Lynch were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by the Committee with the discussion items of an update on the construction drawing progress for the Auburn Bike Park being moved to before the action items of the agenda.

- 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 limitation of three minutes.

None.

Discussion item # 1. Update on the construction drawing progress for the Auburn Bike Park.

Landscape Architect/Project Manager Mike Scheele gave an update on the construction drawing progress for the Auburn Bike Park to the Auburn residents in attendance at the Acquisition & Development Committee Meeting. The engineer has started the construction drawings, there are no new changes to the drawings.

Public Comment:

Gary Moffat, an Auburn, California resident gave public comment that 1:00 p.m. is not a good time to hold a public meeting for people who would like to attend and have to work.

Bill Morago, an Auburn, California resident also gave public comment regarding the time of the public meeting.

Donna Williams gave public comment regarding the Pioneer Express Trail and the need for it to be protected.

Peggy Eggli, an Auburn, California resident gave public comment regarding her concerns about the fencing on the Shirland Canal Trail.

A resident gave public comment asking what the time frame is for the final drawing.

4.0 BUSINESS

4.1 Approval of Minutes from the July 18, 2018 Acquisition & Development Meeting

The minutes from the July 18, 2018 Acquisition & Development Meeting were reviewed and approved by Directors Gray and Lynch.

4.2 Resolution Number 2018-19: Fuel Load Reduction at the Shockley Property

Directors Gray and Lynch reviewed and approved Resolution Number 2018-19 and forwarded it to the Board of Directors for review and adoption.

Discussion Item:

1. Review of Five-Year Project List – this item was reviewed by Directors Gray and Lynch and forwarded to the Board of Directors for review as an informational item.
2. 2017-2018 Project Activity Report – this item was reviewed with the committee by Mike Scheele.

5.0 ITEMS TO BE CONSIDERED AT FUTURE ACQUISITION & DEVELOPMENT MEETINGS

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 2:00 p.m.

Board Secretary

Date

Item 4.2 Cover sheet – Support Letter for Grant Request to the Sierra Nevada Conservancy: Auburn Shaded Fuel Break

Auburn Area Recreation and Park District (ARD) Acquisition and Development Meeting, September, 2018

The Issue

Shall the Auburn Area Recreation and Park District approve and send a letter for support for a grant request to the Sierra Nevada Conservancy? This grant request is to expand the Auburn Shaded Fuel Break from 300 to 600 feet in width.

Background

Greater Auburn Area Fire Safe Council Chairman Kevin Hanley has asked ARD send a letter of support for an Auburn Fire Department and Greater Auburn Area Fire Safe Council grant request to the Sierra Nevada Conservancy. This grant would be to increase the width of the Auburn Shaded Fuel Break from 300 feet to 600 feet. A background paper and proposed letter of support is attached.

Recommendation for the Acquisition and Development Committee

Review and recommend that the ARD Board approve sending a letter of support for an Auburn Fire Department grant request to the Sierra Nevada Conservancy.

Fiscal Impact

There are no fiscal impacts for this support letter

Attachments

Background information on this grant request
Proposed letter of support

To: Kahl Muscott, Executive Director, Auburn Recreation District
Fr: Kevin Hanley, Chairman of the Greater Auburn Area Fire Safe Council

Re: Support for Auburn Fire Department's Grant Request to the Sierra Nevada Conservancy

Recommendation: That the Auburn Recreation District support a request by the Auburn Fire Department and the Greater Auburn Area Fire Safe Council for \$1 million from the Sierra Nevada Conservancy to expand the width of the Auburn Shaded Fuel Break from 300 feet to 600 feet.

Background

The Auburn Shaded Fuel Break (ASFB) is a 300-foot wide area along the rim of the American River Canyon from the Auburn-Forest Hill Bridge to the Maidu area of the City of Auburn. It encompasses lands owned by the federal Bureau of Reclamation (BOR) and private property owners. The shaded fuel break strategy is designed to reduce the number of trees per acre to a healthy level, remove tree branches and dead trees and open up the canopy to give firefighters on the ground and air tankers above an opportunity to slow down and stop a wild land fire before it ignites homes and businesses in Auburn. Given the proximity of businesses in Downtown and Oldtown to the American River Canyon and the fire threat, there is a direct benefit to these businesses if we can prevent a catastrophic fire from reaching the business districts and residences.

Since 2010, there has been a Memorandum of Understanding (MOU) between the City of Auburn Fire Department and BOR that allows the city's Fire Chief to implement a streamlined process of removing wood fuels on the federal land by non-federal agencies and residents. The GAAFSC has organized neighborhoods and volunteers to participate and support work projects to remove wood fuel in the ASFB. The Auburn Chamber Foundation maintains a "Project Canyon Fund," which allows, with resident donations to be tax deductible, and with GAAFSC approval, to be matched on a \$1 for \$1 basis, thus lowering neighborhood wood removal project costs by 50%.

The California Department of Parks and Recreation and BOR have also supported the California Conservation Corps and inmate work crews to remove wood fuel on the ASFB. A number of grants from the Placer County Middle Fork Project, California State Fire Safe Council Clearinghouse and the Sierra Nevada Conservancy (SNC) have assisted in wood fuel removal projects.

Recent Progress

The GAAFSC has been aggressively pursuing grant opportunities to reduce the fuel load within the City of Auburn and in the surrounding unincorporated areas. A few weeks ago, the California Department of Forestry and Fire Protection (CAL FIRE) announced that it was awarding \$1.98 million to be used to create a 400-foot wide, 7-mile long fuel break along the rim of the American River Canyon and a 50 acre fuel break in the Baltimore Ravine area, which is located in the southern section of the City of Auburn.

SNC Grant Opportunity

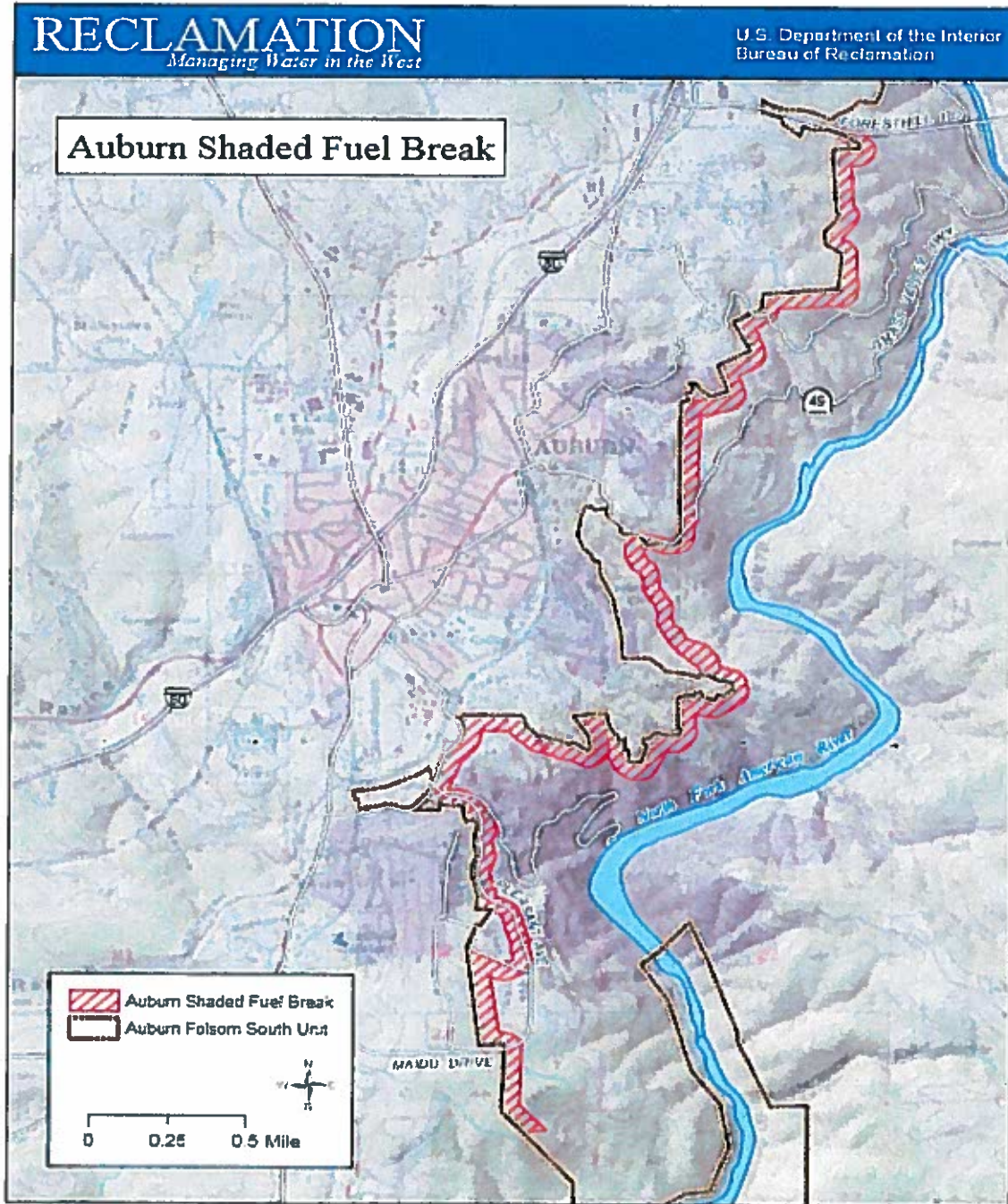
With the passage of Proposition 68, the SNC is making grants of up to \$1 million to projects that improve forest health and the watershed. A consensus among members of the GAAFSC and the Auburn Fire Chief is that we should apply for a \$1 million grant to expand the shaded fuel break from 300 feet to 600 feet. We can accomplish this work at \$3000 an acre. The pre-application to the SNC has been accepted and the final application, which will be submitted by the Auburn Fire Chief, is due on October 1. As a part of the application, the SNC accepts support letters from interested organizations.

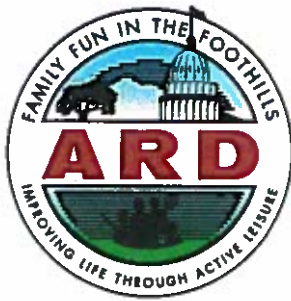
Support Letter

I've enclosed a sample support letter for your consideration. We would appreciate it if you could send the support letter on your organization's letterhead no later than September 27 to Kevin Hanley, P.O. Box 425, Auburn, CA 95604. Thank you.

Project Location and Map

Below shows the American River Canyon Shaded Fuel Break, also known as the Auburn Shaded Fuel Break, that runs along the eastern perimeter of the city of Auburn adjacent to land owned by the federal Bureau of Reclamation and managed by the State Department of Parks and Recreation.





AUBURN AREA RECREATION AND PARK DISTRICT

September 28, 2018

Sierra Nevada Conservancy
Proposition 1/Proposition 68 Grants Program Review Committee
11521 Blocker Dr., Ste 205
Auburn, CA 95603

Re: Auburn River Canyon Shaded Fuel Break: Auburn City Fire Department

Dear Committee Members:

On behalf of the Auburn Area Recreation and Park District, we strongly support the grant application request by the Auburn Fire Department to obtain \$1 million to expand width of the American River Canyon Shaded Fuel Break (ARCSFB) from 300 feet to 600 feet. Expanding the width of the ARCSFB will not only potentially save the lives of firefighters, residents, business owners and employees and property but will additionally improve forest health in the American River Canyon and the watershed of the American River as it flows to Sacramento.

Currently, the ARCSFB is a 300-foot wide area along the rim of the American River Canyon from the Auburn-Foresthill Bridge to the Maidu area of the City of Auburn. It encompasses lands owned by the federal Bureau of Reclamation (BOR) and private property owners. The shaded fuel break strategy is designed to reduce the number of trees per acre to a healthy level, remove tree branches and dead trees and open up the canopy to give firefighters on the ground and air tankers above an opportunity to slow down and stop a wild land fire before it ignites homes and businesses in Auburn. Expanding the ARCSFB from 300 feet to 600 feet will be a win-win for public safety, the health of the forests, wildlife and the watershed.

Given that the Auburn Fire Department has a long and impressive track record over the last eight years of cost-effectively managing wood fuel load reduction projects along the ARCSFB, their \$1 million grant request would be dollars well spent, is consistent with the intent of Propositions 1 and 68 and would assist the SNC in accomplishing its mission.

Sincerely,

Kahl Muscott
District Administrator

Item 4.3 Cover sheet – Amending 2018/2019 Project List

Auburn Area Recreation and Park District Acquisition and Development Committee September, 2018

The Issue

Shall the Auburn Recreation District amend the existing 2018/2019 Project List to coincide with the FY 18/19 Budget Revision?

Background

The ARD Board of Directors approved the 2018/2019 Project List in March, 2018. As staff prepared the budget revision for FY 2018/2019, a proposed revision was also made to the 2018/2019 Project List.

A list of those proposed revisions, as well as a spread sheet showing those revisions, is attached.

District Policy, Section H states:

3. Project List: The yearly Project List may include all funded items from that Fiscal Year's Capital Improvement Plan plus all planned General Fund projects costing an estimated \$5,000 or more. The Project List may be amended throughout the year if a project is identified after the creation and approval of the list. The Project List should be presented to the Board for approval by May of each Fiscal Year.

Recommendation for the Acquisition and Development Committee

Review and recommend to the ARD Board the approval of the amended 2018/2019 Project List.

Alternatives available to the A&D Committee

- 1) Do not recommend approval of the Project List Amendment. Send back to the October 2018 A&D Committee meeting

Fiscal Impact

The estimated costs and proposed funding for each project are included on the project list.

Attachments

FY 2018/2019 Project List (with updates **in red**)
FY 2019/2020 Project List (with moved projects highlighted)
Description of proposed amendments to FY 2018/2019 Project List
Previously approved FY 18/19 Project List

Auburn Recreation District Five Year Project List

2019/2020

Estimated balance

PROJECT	Est. Cost	Spent from General Funds or Grants In Prior Year(s)	Gen. Fund	ADA	Reserve	Cnty. Mit.	City Mit.	Grants	In Kind	Equip. Res.
<i>Recreation Park</i>										
James Field major renovation	250,000				80,000		170,000			
<i>Regional Park</i>										
POT tennis courts	41,500				30,000	11,500				
POT for South end Playground	40,000				40,000					
<i>24 Acre Preliminary work</i>										
Planning/CEQA	245,000				245,000					
<i>Meadow Vista</i>										
Parking lot reseal/resurface	10,000				10,000					
Tennis courts resurface	25,000				25,000					
Pickle ball resurface	25,000				25,000					
<i>CVCC</i>										
Maidu Dr. repair	50,000				50,000					
<i>Overlook Park</i>										
Restroom ADA upgrades	25,000						25,000			
Planning, Design and CEQA	110,000				70,000		40,000			
TOTAL	821,500	0	0	0	575,000	11,500	235,000	0	0	0
Estimated Balance Remaining			25,032	172,118	478,238	190,326	425,326	0	0	792,679

Note: Assumes \$50,000/year in County Mitigation Fees

Note: Assumes \$5000/year in ADA reserve funds

Note: Assumes \$10,000/year in city mitigation

Note: Assumes \$25,000 added to FCC per year

Note: Reserve amount includes Future Capital Const. Reserve + Cell Tower Reserve

Note: Assumes \$50,000/year in Equipment Reserve funds

FY 2018/2019 Project List - Mid-year Revision

The following is a brief discussion of the proposed amendments to the FY 2018/2019 Project List

Sierra Pool replastering: the cost for this project was updated, based on the bid received and approved by the ARD Board.

Pool bleachers shade structure and fencing: this completed project was on the 17/18 Project List. The contract was awarded in that Fiscal Year, however the completion did not happen until the current (18/19) Fiscal Year.

Bocce fencing: this completed project entailed adding fencing around the top of the retaining wall on the bocce courts, per code requirement.

Recreation Park Security Cameras: this project was added to the list. These cameras will cover the building, pool and maintenance shop areas.

Regional Park Path of Travel (POT) for the tennis courts: this project has been moved to the FY 19/20 Project List.

Regional Park playground and POT: the cost of this project has been updated, based on the bid received and approved by the ARD Board. The Path of Travel (POT) portion of the project has been moved to the FY 19/20 Project List.

Regional Park Security Cameras – Gym/Lakeside Room area: the cost of this completed project has been updated.

Dry Creek ADA picnic unit improvements: the cost of this completed project has been updated.

Regional Park pond pump: the project was originally listed as the pond pump filter. After starting the project and running into a multitude of problems, the project has morphed into a project to put in a new pump. The cost has also been updated.

Ashford Park drainage pipe repair: this completed project was added to the list.

Meadow Vista restroom & POT ADA upgrades: the costs for this completed project have been updated.

Meadow Vista pond pump and filter: this project has been added to the list.

Meadow Vista parking lot reseal/stripe: this project has been moved to the FY 19/20 Project List.

Overlook Park Restroom ADA upgrade: This project has been moved to the FY 19/20 Project List.

Overlook Park Planning, Design and CEQA: this project has been moved to the FY 19/20 Project List.

Bike Park Design Construction: the costs and funding appropriations for this project have been updated.

Maidu Dr repair: this project has been moved to the FY 19/20 Project List.

Armed Forces Pavilion/Garden Improvements: this project has been removed from the list due to inaction.

Auburn Recreation District Ten Year Project List

2018/2019

Estimated balance

PROJECT	Est. Cost	Spent from General Funds or Grants in	Gen. Fund	ADA	Reserve	Cnty. Mit.	City Mit.	Grants	In Kind	Equip. Res.
Recreation Park										
Sierra Pool Replester + Upgrades	180,000	(25,000)			155,000					
Regional Park										
POT tennis courts	41,500				30,000	11,500				
Pathway repairs	55,000	(3,000)		35,000	17,000					
New playground & POT, south end	170,000	(2,000)			58,000	110,000				
Security Cameras - Gym/Lakeside	25,000				10,000	15,000				
Dry Creek ADA picnic improvements	15,000	(1,200)		3,800	10,000					
Pond filter	90,000									90,000
Meadow Vista Park										
Restroom ADA upgrades	48,000					48,000				
Parking lot resurfacing	10,000				10,000					
Overlook Park										
Restroom ADA upgrades	25,000				25,000					
Planning, Design and CEQA	110,000				70,000		40,000			
CIVCC										
Bike Park Construction	175,000				79,700	87,300			8,000	
Maidu Dr. repair	50,000				50,000					
Armed Forces Pavilion/Garden										
Improvements	10,000						10,000			
TOTAL	1,004,500	(31,200)	-	39,800	504,700	281,800	50,000	0	8,000	90,000
Estimated Balance Remaining				36,232	451,271	240,482	307,430			826,531

- Note: Assumes \$50,000/year in County Mitigation Fees
- Note: Assumes \$5000/year in ADA reserve funds
- Note: Assumes \$10,000/year in city mitigation
- Note: Assumes \$25,000 added to FCC per year
- Note: Reserve amount includes Future Capital Const. Reserve + Cell Tower Reserve
- Note: Assumes \$50,000/year in Equipment Reserve funds

Approved March, 2018

Discussion Item #1. Cover sheet – Review of Project Contingency Fees Paid

Auburn Area Recreation and Park District Acquisition and Development Meeting September, 2018

The Issue

A review of the contingency fees paid on ARD projects over \$50,000 in the last two years. This item was requested at the August, 2018 Board of Directors meeting.

Background

A request was made at the August, 2018 Board of Director's meeting to review contingency fees paid on ARD on projects costing more than \$50,000 over the past two years. The information is as follows:

<u>Project</u>	<u>Contract amount</u>	<u>Contingency</u>	<u>Total</u>	<u>Actual paid to contractor</u>
Railhead A	\$47,735	\$2,386	\$50,121	\$46,535
Pool bleacher cover	\$61,007	\$1,423	\$62,430	\$61,007
Reg pathway repairs	\$49,764	\$2,488	\$52,252	\$51,440
MV POT/Bathroom	\$106,578	\$5,328	\$111,906	\$106,578

Recommendation

Review and discuss. Forward to the Board for review.

Fiscal Impact

N/A

Attachments

None.

Discussion Item #2. Cover sheet – Discussion: Divestment From the Shockley Property

ARD Acquisition and Development Committee September, 2018

The Issue

A discussion about whether the Auburn Area Recreation and Park District should pursue moving away from/divesting itself of the Shockley Property. Director Holbrook requested that this item be discussed.

Background

In May of 2007, ARD was notified of a donation of 28 acres +/- of land off of Shockley Rd. (nearest cross street is Auburn Ravine Rd.). This donation came from the William B. Shockley and Emmy L. Shockley trust. With this donation came \$50,000 to be used to establish and maintain the gifted real property, for use as a park to be named the “Nobel Laureate William B. Shockley and his wife Emmy L. Shockley Memorial Park”. The trust documents stated that the primary use of the property shall be for passive activities. The ARD Board of Directors accepted the property in March of 2009.

In September of 2009, the ARD Board of Directors, in response to news articles and concern from local, regional and national individuals and organizations, approved the following statement:

“As a point of clarification, the Auburn Area Recreation and Park District (ARD) currently has no intention, either now or in the near future, of erecting any kind of signage or other physical identification naming the recently acquired 28 acres on Shockley Avenue (Road). Also, the District currently has no intention of improving the property for public use in the near future. Questions regarding this subject should be directed to the District Administrator for ARD.”

In the past 5 years, ARD has spent the following at the Shockley Property:

	Wages	Maintenance
FY 13/14	\$1,899	\$2,343
FY 14/15	\$184	\$1,900
FY 15/16	\$668	\$0
FY 16/17	\$625	\$0
FY 17/18	\$549	\$322

The \$50,000 that was part of the original donation has been spent. This year, ARD is embarking on a fuel load reduction project on the property with CALFIRE. The estimated cost for this project is \$33,000. ARD has previously done fuel load reduction on the property at the end of 2012.

Recommendation for the A&D Committee

Review, discuss and provide direction.

Fiscal Impact

N/A at this point

Attachments

Shockley Property Trust documents
Shockley Property aerial and parcel maps

THIRD AMENDMENT TO AND RESTATEMENT OF THE
EMMY L. SHOCKLEY TRUST

THIS TRUST AGREEMENT is a complete Restatement of the EMMY L. SHOCKLEY TRUST which was created by Trust Agreement dated August 18, 1995, by EMMY L. SHOCKLEY (hereafter "EMMY") as grantor and trustee of such trust.

The trust created by the original Trust Agreement was amendable and revocable by EMMY during her lifetime. The Trust Agreement was amended and restated (FIRST AMENDMENT AND RESTATEMENT) on November 27, 1995. A SECOND AMENDMENT AND RESTATEMENT was executed on April 10, 2002. The SECOND AMENDMENT AND RESTATEMENT was invalidated by Order of the Superior Court of California, Santa Clara County, filed December 12, 2002, in Case No. 1-02-PR-151598. The Order invalidating the SECOND AMENDMENT AND RESTATEMENT is presently on appeal (Court of Appeal of the State of California, Sixth Appellate District, Case No. H025925).

The Grantor chooses by this THIRD AMENDMENT AND RESTATEMENT to amend the trust in its entirety to read as set forth below. All persons shall be able to rely alone on this Restatement. The original Trust Agreement and any prior amendments are superseded in their entirety by this Restatement, regardless of the final outcome the matters currently on appeal, and have no future legal significance other than to provide the date of creation of the trust and to confirm prior transfer of assets to the trust. Hereinafter the term "the Trust Agreement" shall refer to the original EMMY L. SHOCKLEY TRUST AGREEMENT as restated in its entirety by this Restatement of Trust. This trust shall continue to be known as the "EMMY L. SHOCKLEY TRUST".

This THIRD AMENDMENT AND RESTATEMENT is executed by EMMY, conservatee, by professional fiduciary RUSSELL H. MARSHALL in his

capacity as conservator of the estate of EMMY, of Santa Clara County, California, as grantor, and GREATER BAY TRUST COMPANY, as the initial trustee. The THIRD AMENDMENT AND RESTATEMENT is established pursuant to the Order for Substituted Judgment to Amend and Restate a Revocable Living Trust and Execute a Pour-Over Will for the Conservatee granted by the Superior Court of California, County of Santa Clara, on July 19, 2004, in Case No. 1-02-PR-151598. A copy of said court order is attached hereto, marked as Exhibit "A" and incorporated herein by reference.

EMMY is a widow. EMMY was married to WILLIAM B. SHOCKLEY who died during their marriage.

EMMY has no children, either living or deceased.

This Restatement of Trust is intended to confirm a trust hereunder for the purposes of facilitating the management of EMMY's estate during her life and providing a convenient process for the ultimate distribution of her estate in accordance with her present intentions.

ACCORDINGLY, the Grantor confirms all previous transfers to the Trustee, and the Trustee acknowledges receipt of all property to which ownership of record is presently held in the name of the trust. Such property shall constitute and is designated as the "Trust Estate." The Trust Estate shall include any and all other property hereafter conveyed to the Trustee by the Grantor or by other persons, any death benefits made payable to the Trustee hereunder, and any property appointed to the trust by the Grantor's exercise of a power of appointment.

For purposes of this instrument, any references to "Grantor" shall refer to RUSSELL H. MARSHALL acting on behalf of EMMY, as the conservator of her estate, and any successor duly appointed conservator(s) acting on her behalf, if applicable, when acting pursuant to California Probate Code §2580, et seq., or any successor statute.

be sold, the Paintings may be sold but the net proceeds of the sale shall be distributed with the remaining Trust Estate as hereafter provided.

(c) To the extent not otherwise distributed above, the Trustee shall distribute, in the Trustee's sole discretion, EMMY's remaining furniture, household furnishings, automobile(s) and other miscellaneous tangible personal property to EMMY's family and friends in accordance with written instructions to be prepared by EMMY. In the event that conflicts arise regarding the distribution of EMMY's tangible personal property pursuant to this paragraph, the Trustee's determination of which persons shall receive said property shall be final and incontestable by any person or organization. However, and in all events, DANIEL MYERS is to be excluded, and not considered as a friend. Any remaining items shall be sold and the net proceeds of such sale shall be distributed with the remaining Trust Estate as hereafter provided.

Section 4.03 Sale of Real Property. EMMY presently owns and has transferred to the trust all of her interest in her primary residence, commonly known as 797 Esplanada Way, Stanford, CA 94305. Said residence is described on Exhibit B. If any real property (including said residence but excluding the real property described in Section 4.04 below) is part of the Trust Estate at or by reason of EMMY's death, the Trustee shall sell such real property. The Trustee shall add the net proceeds of any sale to and distribute the net proceeds of any sale with the remaining Trust Estate as hereafter provided.

Section 4.04 Specific Gift of Real Property. EMMY presently owns and has transferred to the trust all of her interest in that unimproved real property consisting of approximately 28.35 acres near Auburn, located in Placer County, California. Said real property is described on Exhibit B. If said real property is part of the Trust Estate at or by reason of EMMY's death, the Trustee shall deed said real property to the AUBURN AREA RECREATION AND PARK DISTRICT, whose current mailing address is 123 Recreation Drive, Auburn, CA 95603, or its successor, for use as a park to be named "NOBEL LAUREATE

WILLIAM B. SHOCKLEY AND HIS WIFE EMMY L. SHOCKLEY MEMORIAL PARK," and the primary use of which shall be for passive activities. If said real property is not part of the Trust Estate at or by reason of EMMY's death, this gift shall lapse. If the gift is declined, the property shall be distributed as a part of the remaining Trust Estate as provided in Section 4.05 following.

Section 4.05 Distribution of Remaining Trust Estate. The Trustee shall first make gifts of the specific amounts to individuals described in Section 4.06. Next the Trustee shall make the charitable gifts of the specific amounts described in Section 4.07(a) and Section 4.07(b). Finally, the Trustee shall divide and distribute the remaining Trust Estate to the charitable organizations named in Section 4.07(e). All charitable gifts (except the gifts described in Section 4.02(b), Section 4.02(c), Section 4.07(b), and the gift of the Papers) shall be held as endowment funds pursuant to Section 4.07(d).

Section 4.06 Specific Gifts to Individuals. The Trustee shall administer and distribute the specific amounts set forth below to or for the benefit of the named individuals as follows:

(a) Lifetime trust for GERALDINE L. TRAVIS. If EMMY's sister, GERALDINE L. TRAVIS ("GERRY"), of Baypoint Village, 7927 State Road 52, Hudson, Florida 34667, survives EMMY, the Trustee shall allocate the sum of Five Hundred Thousand Dollars (\$500,000) to a trust for the benefit of GERRY during her lifetime, as hereafter provided. If GERRY does not survive EMMY, this gift shall lapse and be distributed under Section 4.07 with the residue of the Trust Estate. The Trustee shall hold, administer, and distribute this trust for GERRY as follows:

(1) The Trustee shall pay to or apply for the benefit of GERRY the entire net income of this trust in convenient installments, no less often than quarterly.

(2) The Trustee, in the Trustee's discretion, shall also distribute to or apply for the benefit of GERRY as much of the principal of this

maintained in the Department of Special Collections as part of the Stanford University Libraries and Archives, as a discrete collection identified as The William B. Shockley Papers. This gift shall be held as an endowment fund pursuant to Section 4.07(d). If, in the discretion of the head of the Special Collections, the Fund income is sufficient to support other uses in addition to the primary uses described above, the Board may use the Fund income to support student assistant(s) to work with the Papers, to reformat or perform an in-depth analysis of the Papers, to edit or write an introduction to any unpublished materials included in the Papers, or to make scholarships to students or grants to persons doing research with the Papers.

(b) Specific Gift to Auburn Area Recreation and Park District. If the gift described in Section 4.04 is made, then the Trustee shall also distribute the sum of Fifty Thousand Dollars (\$50,000) to the AUBURN AREA RECREATION AND PARK DISTRICT to be used to establish and maintain the gifted real property as the "NOBEL LAUREATE WILLIAM B. SHOCKLEY AND HIS WIFE EMMY L. SHOCKLEY MEMORIAL PARK." If the gift described in Section 4.04 lapses or is declined, this gift shall also lapse and the property shall be distributed pro rata among the charitable organizations described in Section 4.07(e).

(c) Qualified charitable organizations. Any gift of the residue of the Trust Estate made to one or more tax exempt charitable organizations qualified to receive contributions shall be free from federal estate taxes. The Trustee shall take no action which shall jeopardize the charitable deduction available to EMMY's estate for this gift. Any provision of this Trust Agreement which is determined to jeopardize such deduction shall be considered void.

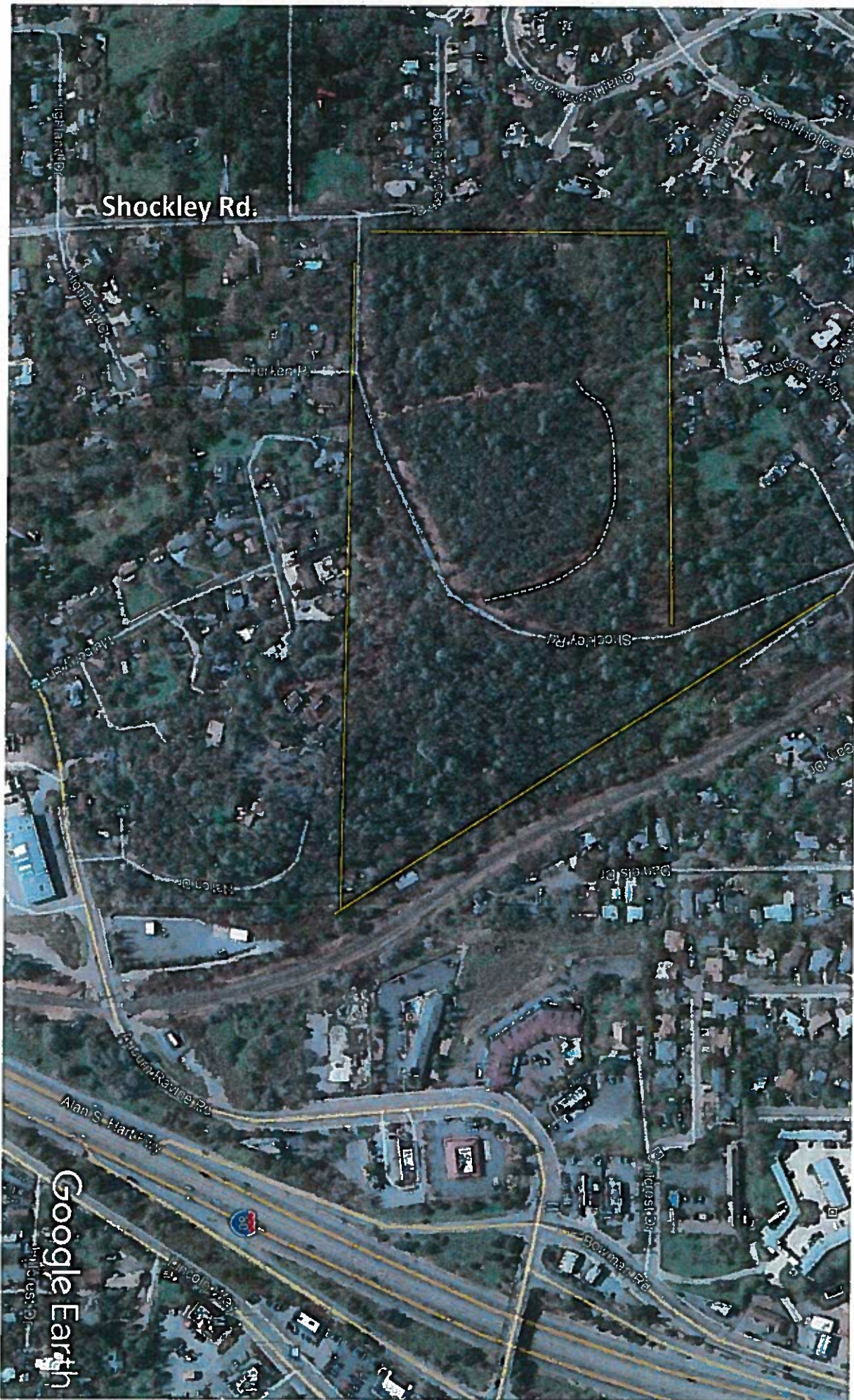
(d) Endowment Funds. The gift to each residuary charitable beneficiary named in Section 4.07(e) shall be held as an endowment fund. The property comprising the gift may, for investment purposes, be merged with any of the investment assets of the beneficiary, but the gift shall be entered in the

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2018/2019 PROJECT ACTIVITY REPORT		UPDATED 09/11/18	
PROJECT	EST. COST	NOTES	EST. COMPLETED
RECREATION PARK			
Sierra Pool Re-Plastering (2017/2018)	185,000.00	One bid was received and contract was awarded to Adams Pool Specialties out of Sacramento. Pool is being drained the week of the 10th in preparation for a large crane to be used to remove the pool bulkhead. PG&E has to come out and de-energize some power lines first. Construction/plaster removal to immediately follow crane work.	OCTOBER 2018
Bleacher Shade Structure (2017/2018)	150,000.00	Project, including the surrounding fence work and some additional fencing safety modifications, is completed.	MAY 2018
PLACER HILLS POOL			
ADA Path of Travel (2016/2017)	10,000.00	Minor sidewalk repair to be done in-house in the off season	NOVEMBER 2018
REGIONAL PARK			
Regional Park South Play Structure and ADA ramp (2017/2018)	170,000.00	BCI Burke Company won the playground voting contest gathering 50.27% of the votes and the second place company got 34.32% of the votes. Project will be purchased and installed via a joint purchasing agreement and the contract will be recommended for approval at the July Board meeting. Work includes demolition and removal of the existing structures. County Mitigation Funds for the playground and ADA pathway have been obtained. Staff also preparing construction documents for a concrete ramp to be installed from parking lot to play structure for ADA compliance. The new play structure will be built first.	OCTOBER 2018
AC Pathway Repairs Project (2017/2018)	55,000.00	Project completed.	AUGUST 2018
Dry Creek Picnic ADA parking and path improvements (2015/2016)	15,000.00	Project completed.	AUGUST 2018
ADA Path of Travel Tennis Courts (2018/2019)	41,500.00	Staff to design ADA access improvements in Spring 2019 with bidding and construction to follow in Summer.	JUNE 2019
Irrigation Pump Improvements (1. Inlet Flume Gate Valve 2. Pump 3. Filter) (2017/2018)	90,000.00	Attempting to fix this old pump has caused or revealed problem after problem. Staff and irrigation consultants are now recommending abandoning the old pump and installing a new system. Staff was directed by the Board to and is obtaining quotes and system comparisons for a new system and hope to have it in place before next spring.	WINTER 2018

Security Cameras at Gym/Lakeside (2018/2019)	25,000.00	Project has been completed.	JUNE 2018
OVERLOOK PARK			
Restroom ADA Upgrades (2018/2019)	25,000.00	Staff planning on hiring consultant to prepare construction documents in the Fall with Spring 2019 bidding and construction.	APRIL 2019
Planning and CEQA (2016/2017)	90,000.00	Project to be pushed back due to review delays at USBR	TBD
CVCC			
Bike Park - Design, CEQA, NEPA etc. (2014/2015)	100,000.00	The signed FONSI (Finding Of No Significant Impact) from the USBOR was finally received July 2nd.	JULY 2018
Bike Park - Construction (2015/2016)	175,000.00	50% project plans were received from the Engineer late July. Plans have been marked up and consultant has been directed to take the set to a 90% stage and provide a current cost estimate. At the 90% stage, project plans will be submitted to USBOR for their review & comment. After this all final comments will be incorporated into the bid docs and the project will be taken to the 100% stage, any required permits will be obtained and then put out to bid.	BID OCTOBER, CONSTRUCT NOVEMBER/DECEMBER 2018
Maidu Drive Repair (2018/2019)	50,000.00	A meeting between BOR and ARD staff took place September 5th regarding re-paving the road. PCWA was also at the meeting and State Parks couldn't make it. Long story short, ARD staff is going to take the lead on getting the scope of work for the road improvements agreed on and obtain initial cost estimates. Once this is complete, funding/cost sharing will be decided upon by BOR and ARD. ARD has pledged to put forward 50K towards a full re-paving of the road.	TBD
MEADOW VISTA PARK			
ADA Restroom Interior Renovation (2017/2018)	60,000.00	Project has been completed and restrooms have been opened back up to the public.	MARCH/APRIL 2018
Parking Lot Re-seal/Re-Stripe (2018/2019)	10,000.00	Parking lot maintenance project is planned for Spring 2019.	MARCH 2019
OPERATION AND DEV. PLAN			
CEQA/NEPA (2014/2015)	25,000.00	USBR Approved the document in June and District Board approved in July.	JULY 2018
ARMED FORCES PAVILLION/GARDEN			

Site Improvements (2017/2018)	10,000.00	Funding for this project is on hold pending information from associated non-profit.	TBD
MULTI-PARK ITEMS			
Streambed Alteration Agreement (2016/2017)	44,000.00	USFWS got back to the District giving authorization to proceed and outlining the various forms and reports that will need to be filled out as the creekside weed control work is done and what fees will be required.	TBD
Carry over projects from 2017/2018 list in YELLOW			
Fiscal Year Projects Total:	1,330,500.00		