

**AUBURN AREA RECREATION AND PARK DISTRICT
MEETING OF THE BOARD OF DIRECTORS AGENDA**

6:00 PM

**THURSDAY, APRIL 29, 2021
CANYON VIEW COMMUNITY CENTER, FOOTHILLS ROOM
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 by contacting the District Administrator at kmuscott@auburnrec.com or by calling (530) 537-2186 (M-F).

The public may participate in the meeting in-person or through Zoom. The link for this meeting is <https://zoom.us/j/98270675891>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 982 7067 5891 to participate.

People using the Zoom website will be able to see and hear the Board, and the Board will be able to hear the public. The Board will not receive any visual/video from the public. This is done to avoid inappropriate visual content at the meeting.

Questions and comments can be sent via email to the District Administrator no later than one hour before the meeting. These emails will be read aloud at the meeting and responded to accordingly. Emails can be sent during the meeting, and staff will work to ensure that all are read, however the best way to have your comment heard is through the Zoom meeting or the associated phone number.

If you are a person with a disability and need an accommodation to participate in the District's programs, services, activities and meetings, contact Kahl Muscott at (530) 537-2186 or kmuscott@auburnrec.com at least 48 hours in advance to request an auxiliary aid or accommodation.

1.0 CALL TO ORDER

(PLEDGE TO THE FLAG)

The Board of Directors of the Auburn Area Recreation and Park District welcomes you to its meetings. Regular meetings are scheduled at 6 p.m. the last Thursday of each month. The November and December Board meetings will be scheduled in consideration of recognized holidays. Your attendance and interest is encouraged and appreciated. Special accommodations may be made upon request to the District Administrator 72 hours in advance of the meeting.

Roll Call

Ainsleigh ____ Lynch ____ Ferris ____ Gray ____ Holbrook ____

2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS

Recognition of Facilities & Grounds Park Worker Jonathan Laymon for actions taken during a medical emergency.

Presentation from Youth Services Manager Amy Oddo to Youth Services Program Leader Alina Kuchina as Employee of the Month for April, 2021.

3.0 AGENDA REVIEW, CHANGES, AND APPROVAL

Motion by _____ Second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

4.0 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 Board of Directors. If you have a public comment, please use the “Raise your hand” feature through Zoom. You will be un-muted after you are recognized by the Board Chairperson. People only calling in should press #9 to telephonically raise your hand. Please state your name, and address for the record (optional). There is a time limitation of three minutes.

5.0 CONSENT ITEMS – (roll call vote). All matters listed under the Consent Calendar are to be considered routine by the Board of Directors and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the Board votes on the motion to adopt, a member or members of the Board, staff or the public requests a specific item to be removed from the Consent Calendar for separate discussion and action.

_____ **5.1 Review and approval of Minutes of the Board of Directors from March 25, 2021 (Pages 6 – 12)**

Review and approval of Minutes of the Board of Directors from March 25, 2021

_____ **5.2 Review of Cash Requirements for March, 2021 (Standing Finance Committee) (Pages 13 – 15)**

This item was reviewed and approved by the Standing Finance Committee and forwarded to the Consent Calendar for review and approval.

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS (Pages 16 – 33)

Please see board reports, vandalism reports, and project activity report under item 6.0.

_____ **7.0 UNFINISHED BUSINESS**

7.1 Legal Requests for Proposals for Legal Services (Program, Personnel, Policy, Fee & Legal Review Committee) (Pages 34 – 87)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors review RFP's and contract with a new law firm for legal counsel?

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

7.2 UAL CalPERS Pension 115 Trust Agreement (Program, Personnel, Policy, Fee & Legal Review Committee) (Pages 88 – 99)

Shall the Auburn Area Recreation & Park District (ARD) Board of Directors sign the Agreement and Election of the Auburn Area Recreation and Park District to Prefund Employer Contributions to a Defined Benefit Pension Plan?

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

_____ **8.0 NEW BUSINESS**

8.1 Replacing the Meadow Vista Park Playground (Acquisition & Development Committee) (Pages 100 – 107)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors amend the existing Project List and 5-Year CIP to complete the Meadow Vista Park playground replacement earlier than anticipated?

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

8.2 Resolution Number 2021-08: ARD James Ballfield Outfield Turf Replacement Project-Award of Contract (Acquisition & Development Committee) (Pages 108 – 120)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors authorize and adopt Resolution 2021-08, a resolution awarding a contract for the ARD James Ballfield Turf Replacement Project to Marina Landscape?

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

8.3 Facilities Maintenance Worker/Senior Facilities Maintenance Worker Job Descriptions Creation (Program, Personnel, Policy, Fee & Legal Review Committee) (Pages 121 – 125)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors approve the creation of a new Facilities Maintenance Worker and Senior Facilities Maintenance Worker job descriptions?

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

8.4 Special District Representative-Placer Local Agency Formation Commission (LAFCO) Ballot (Pages 126 – 135)

Shall the Auburn Area Recreation & Park District (ARD) Board of Directors vote for a Special District Representative for the Placer Local Agency Formation Commission (LAFCO)? Please vote for two nominees.

Motion by _____ second by _____ to _____

Ainsleigh _____ Lynch _____ Ferris _____ Gray _____ Holbrook _____

Roll Call Vote

___ 9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS

1. County Mitigation Fund, current balance \$792,000.

___ 10.0 BRIEF ANNOUNCEMENTS AND REPORTS FROM BOARD MEMBERS

No action will be taken at this time on any item announced or reported by a Board Member. The Board or a member of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter so reported, or take action to direct staff to place a matter of business on a future agenda.

___ 11.0 CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL

None.

___ 12.0 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 Board of Directors. If you have a public comment, please use the “Raise your hand” feature through Zoom. You will be unmuted after you are recognized by the Board Chairperson. People only calling in should press #9 to telephonically raise your hand. Please state your name, and address for the record (optional). There is a time limitation of three minutes.

___ 13.0 CLOSED SESSION

13.1 Public Employee Performance Evaluation (Gov Code 54954.5, subd. (e), 54947.)

Title: District Administrator

___ 14.0 OPEN SESSION – REPORT/ACTION ON OR ABOUT CLOSED SESSION

ADJOURNMENT

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

4-22-21
Date

1:20 pm
Time

P. Hanson
Clerk to the Board

SECTION: 5.0

**ITEM: 5.1 REVIEW AND APPROVAL OF MINUTES OF THE
BOARD OF DIRECTORS FROM MARCH 25, 2021**

INFORMATION: SEE ATTACHED MINUTES

**STAFF
RECOMMENDATION: BOARD OF DIRECTORS REVIEW & APPROVE
MINUTES**

FISCAL IMPACT: NONE

**Auburn Area Recreation and Park District
Minutes of the Meeting of the Board of Directors
Thursday, March 25, 2021, 6:00 p.m.**

Board Members

Present: Chairman H. Gordon Ainsleigh
Director Mike Lynch
Director Jim Ferris
Director Jim Gray
Director Scott Holbrook

**Board Members
Absent:** None.

Staff Present: Kahl Muscott, District Administrator
Veona Galbraith, Administrative Services Manager
Jesse Williams, Facilities & Grounds Manager
Manouch Shirvanioun, Customer Service/Marketing Manager
Mark Brunner, Recreation/Youth Services Manager
Amy Oddo, Youth Services Manager
Mike Scheele, Landscape Architect/Project Manager
Pat Larson, Recording Secretary

1.0 CALL TO ORDER

The Meeting of the Board of Directors was called to order at 6:00 p.m. by Chairman Ainsleigh.

2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS

A presentation was given by Youth Services Manager Amy Oddo to Youth Services Preschool Director Renata Macintosh as Employee of the Month for March, 2021.

3.0 AGENDA REVIEW, CHANGES AND APPROVAL

A motion was made by Director Holbrook and seconded by Director Ainsleigh to approve the agenda as written with item 7.1 being moved prior to item 6.0.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 – 0 Motion carries.

4.0 PUBLIC COMMENT

City Council Member Rachel Radell-Harris gave public comment that the City would like to do joint projects with the Auburn Recreation District. The City of Auburn will be approving their budget. Workshops will be held the week of March 29th via zoom if anyone is interested.

5.0 CONSENT ITEMS

- 5.1 **Review and Approval of Minutes of the Board of Directors Meeting from February 25, 2021**
- 5.2 **Review of Cash Requirements for February, 2021 (Standing Finance Committee)**
- 5.3 **Review of Financials for February, 2021 (Standing Finance Committee)**
- 5.4 **Resolution Number 2021-05: Transfer of \$40,000 from the Capital Construction Reserves for 24-Acre Planning and CEQA (Standing Finance Committee)**
- 5.5 **Resolution Number 2021-03: Transfer of Equipment Reserve Fund (Standing Finance Committee)**
- 5.6 **Claim Against ARD – Vehicle Accident**

A motion was made by Director Holbrook and seconded by Director Gray to approve the Consent Calendar as written.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 – 0 Motion carries.

Item 7.1 was moved to before 6.0, Administrator’s and Departmental Reports.

Resolution Number 2021-07: Establishing a UAL CalPERS Pension Prefunding/115 Trust (Program, Personnel, Policy, Fee & Legal Review Committee)

A presentation was given by Matt Goss and Jean McDonald of CalPERS to the ARD Board of Directors regarding the 115 Trust.

A presentation was given by Rachel Sanders of PARS to the ARD Board of Directors regarding the 115 Trust.

A motion was made by Director Holbrook and seconded by Director Lynch to adopt Resolution Number 2021-07 naming CalPERS as the Trust Administrator with moderate contributions.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 – 0 Motion carries.

6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS

Board reports, fee waiver log, and project activity report were provided to the Board under separate cover.

7.0 UNFINISHED BUSINESS

7.1 This item was previously moved to before 6.1 on the agenda.

7.2 UAL CalPERS Pension Prefunding/115 Trust (Program, Personnel, Policy, Fee & Legal Review Committee)

A motion was made by Director Holbrook and seconded by Director Lynch to modify the suggested policy change by removing the specific dollar amounts in the second and third sentences and just leaving the percentages and to approve the update to the policy for funding the Pension Reserve to include payments to: 1) Prefund the CalPERS UAL directly, and 2) Contribute to a Section 115 Trust for ARD’s Pension liability.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 – 0 Motion carries.

7.3 Final Budget Resolution Number 2021-06 for Fiscal Year 2021-2022 (Standing Finance Committee)

A motion was made by Director Holbrook and seconded by Director Lynch to adopt Resolution Number 2021-06 for Fiscal Year 2021 – 2022.

Roll Call Vote

Director Ainsleigh – No
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – No

3 – 2 Motion carries.

8.0 NEW BUSINESS

8.1 Approval of Agreement with Local 39 Operating Engineers (Standing Finance Committee)

A motion was made by Director Ainsleigh and seconded by Director Lynch to approve the Agreement with Local 39 Operating Engineers.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 – 0 Motion carries.

8.2 Change in ARD’s Medical Family Benefit for Non-Represented Employee Hired After February 1, 2020 and Union Represented Employees (Program, Personnel, Policy, Fee & Legal Review Committee)

A motion was made by Director Holbrook and seconded by Director Gray to approve the change in ARD’s Medical Family Benefit for Non-Represented Employees Hired After February 1, 2020 and Union Represented Employees.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 - 0 Motion carries.

8.3 COLA Wage Increase (Program, Personnel, Policy, Fee & Legal Review Committee)

A motion was made by Director Lynch and seconded by Director Gray to approve a Cost of Living (COLA) wage increase for ARD staff.

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 - 0 Motion carries.

8.4 District Administrator Contract Amendment – COLA (Standing Finance Committee)

A motion was made by Director Ferris and seconded by Director Ainsleigh to approve the District Administrator’s contract for a Cost of Living Adjustment (COLA).

Roll Call Vote

Director Ainsleigh – Yes
Director Lynch – Yes
Director Ferris – Yes
Director Gray – Yes
Director Holbrook – Yes

5 - 0 Motion carries.

9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS

1. County Mitigation Fund, current balance \$792,000.

10.0 BRIEF ANNOUNCEMENTS AND REPORTS FROM BOARD MEMBERS

No action will be taken at this time on any item announced or reported by a Board Member. The Board or a member of the Board may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent Meeting concerning any matter so reported, or take action to direct staff to place a matter of business on a future agenda.

None.

11.0 CORRESPONDENCE/COMMUNICATIONS AND INFORMATIONAL

None.

12.0 PUBLIC COMMENT

None.

13.0 CLOSED SESSION – Closed Session was cancelled.

ADJOURNMENT - As there was no further business, the meeting was adjourned at 7:29 p.m. by Chairman Ainsleigh.

Board Secretary

Date

SECTION: 5.0

ITEM: 5.2 REVIEW AND APPROVAL OF CASH REQUIREMENTS FOR MARCH, 2021

DESCRIPTION: ACCOUNTS PAYABLE

INFORMATION: SEE ATTACHED INFORMATION

STAFF RECOMMENDATION: THIS ITEM WAS REVIEWED BY THE STANDING FINANCE COMMITTEE AND FORWARDED TO THE CONSENT CALENDAR FOR REVIEW AND APPROVAL

FISCAL IMPACT: \$333,224.03

Auburn Rec & Park
 VENDOR CHECK REGISTER REPORT
 Payables Management

Ranges: From:
 Check Number First
 Vendor ID First
 Vendor Name First

To:
 Last
 Last
 Last

From: 3/1/2021 To: 3/31/2021
 Check Date Checkbook ID COMM 1ST COMM 1ST

Sorted By: Check Number

* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
21292	S1007	Stationary Engineers, Local 39	3/5/2021	COMM 1ST		
21293	1099-256	Healing Pastures, Inc.	3/12/2021	COMM 1ST	PMCHK00002719	\$352.76
21294	1099-271	Kelpro Security	3/12/2021	COMM 1ST	PMCHK00002720	\$225.00
21295	1099-295	Juli Land-Marx	3/12/2021	COMM 1ST	PMCHK00002720	\$2,818.20
21296	A0001	Recology Auburn Placer	3/12/2021	COMM 1ST	PMCHK00002720	\$3,000.00
21297	A0013	AT&T	3/12/2021	COMM 1ST	PMCHK00002720	\$426.33
21298	A0027	Recology Auburn Placer	3/12/2021	COMM 1ST	PMCHK00002720	\$128.40
21299	A0051	Anderson's Sierra Pipe Co.	3/12/2021	COMM 1ST	PMCHK00002720	\$1,145.23
21300	A0091	Altara	3/12/2021	COMM 1ST	PMCHK00002720	\$133.88
21301	A0170	AT&T Acct 088-034-5818-655	3/12/2021	COMM 1ST	PMCHK00002720	\$962.50
21302	B0070	BWD General Engineering Contra	3/12/2021	COMM 1ST	PMCHK00002720	\$90.95
21303	C0072	CIT Technology Fin. Serv., Inc	3/12/2021	COMM 1ST	PMCHK00002720	\$500.00
21304	C0120	Capture Technologies	3/12/2021	COMM 1ST	PMCHK00002720	\$470.75
21305	D0008	The Davey Tree Expert	3/12/2021	COMM 1ST	PMCHK00002720	\$1,803.99
21306	D0010	Diamond Pacific	3/12/2021	COMM 1ST	PMCHK00002720	\$9,500.00
21307	D0025	Dawson Oil Company	3/12/2021	COMM 1ST	PMCHK00002720	\$344.06
21308	D0096	DC Solar Electric, Inc.	3/12/2021	COMM 1ST	PMCHK00002720	\$2,692.98
21309	G0078	GameTime	3/12/2021	COMM 1ST	PMCHK00002720	\$2,900.00
21310	L0027	Pat Larson	3/12/2021	COMM 1ST	PMCHK00002720	\$2,183.41
21311	L0033	Les Schwab	3/12/2021	COMM 1ST	PMCHK00002720	\$30.46
21312	L0100	Lifeguard First Aid & Safety,	3/12/2021	COMM 1ST	PMCHK00002720	\$69.08
21313	M0098	Meadow Vista County Water Dist	3/12/2021	COMM 1ST	PMCHK00002720	\$552.18
21314	O0021	Amy Oddo	3/12/2021	COMM 1ST	PMCHK00002720	\$693.48
21315	P0005	Placer County Water Agency	3/12/2021	COMM 1ST	PMCHK00002720	\$53.97
21316	P0007	Pacific Gas & Electric Company	3/12/2021	COMM 1ST	PMCHK00002720	\$547.71
21317	P0023	PG&E	3/12/2021	COMM 1ST	PMCHK00002720	\$218.24
21318	Q0003	Quality Automotive	3/12/2021	COMM 1ST	PMCHK00002720	\$178.98
21319	R0073	Riebes Auto Parts	3/12/2021	COMM 1ST	PMCHK00002720	\$3,253.20
21320	S0136	Spoor's Heating & Air Conditio	3/12/2021	COMM 1ST	PMCHK00002720	\$345.04
21321	S0145	SCP Pool Distributors LLC	3/12/2021	COMM 1ST	PMCHK00002720	\$87.00
21322	S1000	State Of California/DOJ	3/12/2021	COMM 1ST	PMCHK00002720	\$307.63
21323	T0009	Stanley Convergent Security So	3/12/2021	COMM 1ST	PMCHK00002720	\$74.00
21324	T0031	Turf Star, Inc.	3/12/2021	COMM 1ST	PMCHK00002720	\$418.53
21325	T1000	Transamerica Life Insurance	3/12/2021	COMM 1ST	PMCHK00002720	\$1,370.47
21326	TEMPD	Nicole Deguara	3/12/2021	COMM 1ST	PMCHK00002720	\$460.00
21327	TEMPPG	Michael Georgianna	3/12/2021	COMM 1ST	PMCHK00002720	\$159.00
21328	TEMPPH	Christina Harmon	3/12/2021	COMM 1ST	PMCHK00002720	\$252.00
21329	TEMPPR	Lisa Rutherford	3/12/2021	COMM 1ST	PMCHK00002720	\$149.00
21330	V0007	Verizon Wireless	3/12/2021	COMM 1ST	PMCHK00002720	\$149.00
21331	W0001	Walker's Office Supplies, Inc.	3/12/2021	COMM 1ST	PMCHK00002720	\$811.30
21332	W0010	Waxie Sanitary Supply	3/12/2021	COMM 1ST	PMCHK00002720	\$364.45
21333	W0044	Wave	3/12/2021	COMM 1ST	PMCHK00002720	\$72.33
21334	U0019	US Bank	3/15/2021	COMM 1ST	PMCHK00002720	\$1,340.70
21335	R0057	Reserve Account	3/19/2021	COMM 1ST	PMCHK00002721	\$14,763.39
21336	S1007	Stationary Engineers, Local 39	3/19/2021	COMM 1ST	PMCHK00002722	\$1,000.00
21337	A0051	Anderson's Sierra Pipe Co.	3/26/2021	COMM 1ST	PMCHK00002722	\$372.36
21338	A0134	Advanced Integrated Pest Mana	3/26/2021	COMM 1ST	PMCHK00002723	\$65.11
21339	B0075	B & D Donor Recognition	3/26/2021	COMM 1ST	PMCHK00002723	\$150.00
21340	C0113	Cooks Portable Toilets & Septi	3/26/2021	COMM 1ST	PMCHK00002723	\$3,060.20
21341	C0121	Cole Huber LLP	3/26/2021	COMM 1ST	PMCHK00002723	\$1,522.63
21342	C0133	California Smog	3/26/2021	COMM 1ST	PMCHK00002723	\$45.30
21343	C0137	Centrica Business Solutions	3/26/2021	COMM 1ST	PMCHK00002723	\$35.00
21345	D0096	DC Solar Electric, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$224,000.33
21346	E0008	Ewing Irrigation Products, Inc	3/26/2021	COMM 1ST	PMCHK00002723	\$2,250.00
21347	G0006	Gold Country Media Publication	3/26/2021	COMM 1ST	PMCHK00002723	\$1,760.78
21348	M0013	Meadow Vista Hardware	3/26/2021	COMM 1ST	PMCHK00002723	\$1,697.86
21349	M0099	George Eric Menig	3/26/2021	COMM 1ST	PMCHK00002723	\$111.90
21350	N0012	Nevada Irrigation District	3/26/2021	COMM 1ST	PMCHK00002723	\$5,375.00
21351	N0048	Normac, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$409.95
21353	P0007	Pacific Gas & Electric Company	3/26/2021	COMM 1ST	PMCHK00002723	\$214.00
21354	P0058	Pitney Bowes Credit Corporatio	3/26/2021	COMM 1ST	PMCHK00002723	\$9,447.96
21355	Q0003	Quality Automotive	3/26/2021	COMM 1ST	PMCHK00002723	\$115.51
21356	S0009	Sierra Saw Sales And Service	3/26/2021	COMM 1ST	PMCHK00002723	\$182.72
21357	S0025	Sierra Pacific Turf Supply, In	3/26/2021	COMM 1ST	PMCHK00002723	\$90.31
21358	S0063	Simpson & Simpson, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$562.43
21359	S0067	Superfast Copy	3/26/2021	COMM 1ST	PMCHK00002723	\$9,577.00
21360	S0136	Spoor's Heating & Air Conditio	3/26/2021	COMM 1ST	PMCHK00002723	\$22.15
					PMCHK00002723	\$87.00

Auburn Rec & Park
 VENDOR CHECK REGISTER REPORT
 Payables Management

* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
21361	S0154	Mike Scheele	3/26/2021	COMM 1ST	PMCHK00002723	
21362	T0071	TIAA Commercial Finance, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$72.24
21363	U0016	Uptown Signs & Graphics, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$107.34
21364	V0004	Valley Truck & Tractor Co.	3/26/2021	COMM 1ST	PMCHK00002723	\$37.54
21365	W0001	Walker's Office Supplies, Inc.	3/26/2021	COMM 1ST	PMCHK00002723	\$467.78
21366	W0010	Waxie Sanitary Supply	3/26/2021	COMM 1ST	PMCHK00002723	\$392.94
21367	W0045	Williams, Jesse	3/26/2021	COMM 1ST	PMCHK00002723	\$115.21
21368	A0013	AT&T	3/26/2021	COMM 1ST	PMCHK00002723	\$44.24
21369	H0056	Humana Dental Ins. Co	3/26/2021	COMM 1ST	PMCHK00002724	\$42.80
21370	N0012	Nevada Irrigation District	3/26/2021	COMM 1ST	PMCHK00002724	\$2,219.73
21371	S0171	Scape Goats	3/26/2021	COMM 1ST	PMCHK00002724	\$7,300.59
21375	1099-216	Gerald Harris	3/30/2021	COMM 1ST	PMCHK00002724	\$500.00
21376	1099-256	Healing Pastures, Inc.	3/30/2021	COMM 1ST	PMCHK00002727	\$208.00
21377	1099-269	Deborah Lynn	3/30/2021	COMM 1ST	PMCHK00002727	\$112.50
21378	1099-343	Faith Petersen	3/30/2021	COMM 1ST	PMCHK00002727	\$58.50
21379	P0021	Petty Cash	3/30/2021	COMM 1ST	PMCHK00002727	\$288.00
21380	TEMPF	Joshua Flynt	3/31/2021	COMM 1ST	PMCHK00002727	\$262.71
31372	P0005	Placer County Water Agency	3/26/2021	COMM 1ST	PMCHK00002728	\$65.00
31373	P0007	Pacific Gas & Electric Company	3/26/2021	COMM 1ST	PMCHK00002725	\$82.62

Total Checks: 86

Total Amount of Checks: \$333,224.03

SECTION: 6.0

BOARD REPORTS, VANDALISM REPORTS, AND THE PROJECT ACTIVITY REPORT ARE ATTACHED.

Kahl Muscott
District Administrator
Report to the Board of Directors
April 2021

- **As of the writing of this report, the following is true about ARD facilities and amenities:**

Currently OPEN, with appropriate restrictions (social distancing, members of the same household, etc.):

- **General park areas and walking pathways**
- **Pickleball courts**
- **Tennis courts**
- **Disc golf**
- **Ashley Memorial Dog Park**
- **Basketball courts**
- **Skate Park**
- **All parking lots**
- **Ballfields**
- **Individual picnic tables**
- **Group picnic areas (with reservations)**
- **Sierra Pool**
- **Playgrounds**

Still partially closed:

- **Buildings. CVCC has been open for Day Camp/Child Care and for very limited public use (certain classes). The Recreation Park Customer Service Office is open M - F from 10am – 3pm. The Canyon View Community Center offices are open for staff.**
- **Several new CDPH guidance documents came out April 14th and 15th regarding gatherings and vaccinated people. These guidance documents have led to even more questions.**
- **The pad for the new Ashford Park irrigation pump was formed and poured. Pump installation is scheduled to be completed by the end of the month.**
- **Our largest bridge group has returned. Players are having to show proof of vaccination and sign an informed consent form, which they are all doing. Masks are also required.**
- **The Regional Park disc golf course will be one of the courses used in the United States Women's Disc Golf Championship, May 21 – 23.**
- **Several races have been reserved at the parks for races this year.**
- **Registrations for our May pickleball tournament are over 100 players.**
- **Registrations for activities like dog training, swim lessons (don't start until June) and some camps are filling up quickly. All of this without the benefit of**

an activity guide, which is at the printers. This will be a modified version of the Activity Guide.

- Adult Softball started back this month. We have 2 games Wednesday nights, 5 games Thursday nights and 2 games Friday nights. Jerry has been out checking to make sure that players are following our rules (masks for catchers and in the dugouts). So far, no issues.
- The Floating Easter Egg Hunt was a nice success.

Meetings and events attended or scheduled to attend

4/1: TGIT Food Truck event

4/3: Floating Easter Egg Hunt

4/6: Webinar: Lessons Learned from 2020 and Effects on Litigation

4/6: Rotary

4/9: Guest speaker at CPRS D2 meeting

4/9: Stan Padilla, murals at Regional Park

4/12: CPRS Admin Section meeting

4/12: Blair Aas, SCI Consulting re: Atwood III

4/13: Rotary

4/15: Atwood budget review meeting

4/19: A&D Committee

4/20: Rotary

4/21: Policy Committee

4/21: Finance Committee

4/23: Interviews for F&G positions

4/24: Rotarians at Work Day at the B&G Club

4/27: Rotary

4/29: CARPD GM meeting

Veona Galbraith

Administrative Services Manager

Report to the Board of Directors

April, 2021

We are in the process of closing the books for the year and have begun sending responses to the Auditor. A Preliminary audit is scheduled for May 5th.

Kathy Van Dam spent the last month training our new Accounts Payable Clerk, Kathryn von Seeburg. She comes to us with 20+ years of experience from Recology. Kathy Van Dam has now retired and plans to travel more.

We should have \$120,000 in surplus at year end.

Appointments to Note for March/April:

- **Atwood Budget Review**

- Began meeting with staff individually, to counsel them on their new insurance policy
- Reconciling Credits with SDRMA
- Applied and received \$1,000 grant for safety supplies
- Union Contract updating with Chuck Thiel

Jesse Williams

Facilities & Grounds Manager

Report to the Board of Directors

April, 2021

American River Canyon Overlook Park, Ashford Park, Atwood Park, Canyon View Community Center, Christian Valley Park, Meadow Vista Park, Mt. Vernon Park, Placer Hills Park, Railhead Park, Recreation Park, Regional Park, Placer Hills Park, Shockley Woods Park, Sugar Pine Ridge Park:

- Menig Weed Control performed weed control services for the diligent control of annual grasses and broadleaf weeds (labels and safety data sheets available upon request).

American River Canyon Overlook Park:

- Norris Electric removed receptacles from the outside outlet and installed a blank cover.

Ashford Park:

- Serviced the #15 truck.

Auburn Elementary School:

- Performed roof repairs on the Day Camp Modulars.

Canyon View Community Center

- Started painting the inside of the community center.

Meadow Vista Park

- Serviced the Toro Groundsmaster 4000-D rough mower.
- Serviced the Polaris Ranger.
- Serviced the John Deere sprayer.
- Davey Tree Expert Company pruned trees according to our Tree Maintenance Plan.

Placer Hills Park

- **Lifeguard First Aid and Safety serviced our eye wash station.**

Railhead Park:

- **Applied Monument 75WG herbicide to A and B Field to control the weeds in the turf. This broad-spectrum herbicide helps ensure a healthier stand of bermudagrass (label and safety data sheet available upon request).**

Recreation Park:

- **Serviced the #10, #22, #29 #30 and #31 truck.**
- **Lifeguard First Aid and Safety replaced our eye wash station.**
- **Spoor's Heating and Air Conditioning repaired Recreation Services Manager's Office HVAC unit.**
- **Serviced the Jacobsen 311T rotary mower.**
- **Purchased a new John Deere Sprayer.**
- **Installed 50 yards of ShockAb Playground Chips in the back playground.**
- **Applied Monument 75WG herbicide to the infield of Beggs Field and infield of James Field to control the weeds in the turf.**
- **DC Solar Electric replaced inverter #1 and #2, rewired all ports and replaced all Cat 5 cables on all four inverters for the photovoltaic system.**
- **Continued painting the inside of the community center.**

Regional Park:

- **Performed smog check on the #24 truck.**
- **Serviced the Jacobsen Triplex reel mower.**
- **Serviced the DR Field and Brush Mower.**
- **Serviced John Deere 1600 Wide Area Mower.**
- **Serviced the John Deere TX 4x2 Traditional Utility Vehicle.**
- **Serviced the Viper Fang 20" Pad Assist Floor Scrubber.**
- **Applied Monument 75WG herbicide to the infield of C Field to control the weeds in the turf.**
- **Replaced the foot bridge over the spillway in the Disc Golf Course.**
- **Continued working on getting full remote irrigation system access and numerous other advanced water management features from any web-based device.**
- **Replaced the entrance mats to the gymnasium.**
- **Replaced the tennis court lights' sign.**

Mike Scheele
Landscape Architect/Project Manager
Report to the Board of Directors
April, 2021

RECREATION PARK

- **Recreation Field Infield Renovation Project:** Rough cost estimate for the infield renovation work (laser grading, baseline/foul pole alignment) was received in early 2020 pre-pandemic. Topographic survey of the field was received in fall 2020. The District received \$15,000.00 towards this project from Placer County Park Dedication Fees at the November 19th, 2020 County Parks Commission Meeting. Staff planning on getting bids and doing the renovation project in summer 2021.
- **James Ballfield Outfield Turf Replacement Project:** Project was put out to formal bid last week of February and the bids were opened March 18th. Marina Landscape was the lowest qualified bid and staff is recommending Award of Contract to them at the April A&D and Board Meetings. Project is scheduled to begin June 2nd this year, the day after the last Placer High ballgame.
- **South Play Area Wheelchair Swing Project:** The swing is called the “We Go Swing” and is going to be placed in the Recreation Park South Playground. Staff is looking at modifying the work scope to include moving the existing swings so that the WC swing can be placed within the existing play box instead of outside. A small amount of additional survey work is needed.
- **Rec. Shop Floor Reinforcement Project:** Engineering drawings have been received for Recreation Park maintenance shop garage roof reinforcement and Staff will be submitting them to the City for permitting with bid solicitation to follow.

MEADOW VISTA PARK

- **ADA Signage Project:** Signage needs to be upgraded or replaced around parking lot.
- **Parking Lot Re-seal & Re-stripe Project:** Project currently postponed but possible to happen late summer/fall 2021
- **Asphalt Pathway Repairs Project:** Staff is taking inventory of the main asphalt path conditions at the park and putting together a bid package to get quotes and have repairs made in the summer.
- **Pickle Ball Court Crack Repairs Project:** Staff to obtain fresh quotes for the work in the coming months in order to assign proper budget amount.

ASHFORD PARK

- **Irrigation Pump and Filter Replacement Project:** Lowest informal bid was received from Cornerstone Environmental Environmental Contractors Inc. and they have completed pouring the concrete pads for the new irrigation pump and relocated filter. The District-purchased pump arrived on 4/15 and the contractor is scheduled to get it set up on 4/22-23. Rain Bird kindly donated a new irrigation controller and stainless-steel enclosure for the park.

OVERLOOK PARK

- **Restroom ADA Upgrades & Partitions Project:** Project signage and fixture adjustments will be done in-house when staffing levels allow. ADA Parking lot re-striping needs to be re-done and restroom partitions are in need of replacement. Staff will obtain quotes for this work.

REGIONAL PARK & 24 ACRES SITE

- **Trail Mapping & Signage Project:** Staff has obtained a survey of the existing trails on the site and will use this to prepare a trail map and signage in the coming months.
- **Prop. 68 Statewide Park Development & Community Revitalization Program (SPP) Grant Round 4: No New Action.** Grant's consultant produced the draft narrative and staff compiled and wrote the rest of the grant application. The application was submitted on March 11th and the request is for \$2,389,125. If the grant is successful, ARD is committing \$1,037,952 (\$445,000 Park Dedication Fees, \$177,952 Per Capita Grant, \$415,000 Mount Vernon Park Sale Proceeds) to the overall project cost of \$3,427,077. District should find out if application was successful early to mid-summer.
- **24 Acres Site Park Construction Documents:** Construction documents for the site which will be started by DUDEK immediately if the District gets the grant.
- **Dry Creek Playground Replacement Project:** If the 24 Acres Grant application is not successful these 177K Per Capita Grant funds will be put towards replacing this playground.
- **Pickle Ball Court Crack Repairs Project:** Staff to obtain fresh quotes for the work in the coming months in order to assign proper budget amount.

CANYON VIEW COMMUNITY CENTER (CVCC)

- **Bike Park Project:** Bike Park bridge bids opened on 4/20 and Frank Loduca Company was the low bid. F. Loduca Co. was the contractor on the bike park phase 1 project. Trail watering system project is currently out for informal bid, opens 4/29. Work on both projects to begin in the next two weeks. Sean Allen of Eagle Fence has begun building the Ph. 2 area boundary fence. District is paying for all materials on the fence project except the donated lumber and Auburn Trail Alliance (ATA) is paying for the labor. Additional clean "capping soil" is expected to be delivered to the Ph. 2 area in the coming weeks with Bike Park Designer Randy Spangler beginning the jump area/skills loop work in the next month or two.
- **Maidu Drive Repair Project (Bureau of Reclamation):** In March the Bureau announced to the District that they will be re-paving the distressed section of Maidu Drive. The work will apparently take place this summer and be done prior to October. A relatively straightforward project the work should only take a week or so.
- **ADA Door Access Project:** Automatic door hardware needs to be installed at the north entrance.

PLACER HILLS PARK

- **Parking Lot Repairs & ADA Striping Project:** Project had been postponed but staff has drawings already prepared and ready for Placer County permitting and then putting out to formal bid.

MULTI PARK ITEMS

- **Energy Efficient Upgrades:** Multiple energy efficiency upgrade projects going on at park sites. Centrica is prime contractor and staff is assisting with scope review and other items.

MISCELLANEOUS ITEMS

- **New Memorial Bench inquiry for possible placement near Sierra Pool. Investigation and prelim pricing for a VFD (variable frequency drive) at Railhead Park irrigation pump. Possible new Memorial Bench for placement at Overlook Park. Updates of monthly Board reports/A&D Project Activity Reports etc.**

Manouch Shirvanioun
Customer Service/Marketing Manager
Report to the Board of Directors
April, 2021

3/01/21 - 4/20/21

Activity Registrations	\$18,000
Day Care/Discovery payments	\$63,000
Facility payments/reservations	\$31,000

Customer Service Office is now open daily from 10am-3pm. Lobby traffic is increasing and people are happy to have the ability to conduct business in person. Staff updated new fee schedule in the system along with all new registration and reservation forms.

We started making reservations on April 15. Since then, we have issued many permits for outdoor family gatherings.

Many inquiries from groups that are planning on community events and fundraising activities. Most of them are waiting to see what happens after June 15th before committing to any dates.

Placer County Human and Health Services Department is planning to hold their annual event, Recovery Happens, at Recreation Park on September 11th.

In April three different endurance running events took place at Overlook Park:
- TBF Racing - Formidable - Canyons
In May we have two possibly three other races at this park.

Earth Day at ARD Parks! Students from Waldorf School participated in Earth Day Activities at ARD. With Jesse's help, we came up with two projects: fifth grade students painted the sound wall at Skate Park and 19 first grade students helped moving bark in and around the playground structure at Meadow Vista Park.

Worked with the Meadow Vista Community Center Board to ensure their forms are in compliance with recent updates and changes

- Met with a representative from Placer County Sheriff Rescue Team-issued a permit for using Overlook Park in May for their training program
- Working with Kirby Family to hold Bill Kirby Memorial at Recreation Park
- New Hope Group is back 7 days a week at Overlook Modular
- One church group has returned to CVCC twice per month

- Placer Hills School Jog-a-Thon at Meadow Vista Park
- Bridge Groups have returned to CVCC
- Arranged for WS-100 and Tevis Cup Ride Radio Control unit to use Overlook Modular and the parking lot

Mark Brunner

Recreation/Youth Services Manager

Report to the Board of Directors

April, 2021

Adult Sports

- **Adult Softball returned in early April. The District was able to start four different leagues with a total of 20 teams registered. Teams can check schedules, standings and scores on our new sports website www.teamsideline.com/auburnrec.**
- **The Spring Pickleball Tournament will take place the weekend of May 7 at Regional Park. The three-day tournament has 130 pickleball players registered for the tournament.**

Aquatics

- **The Mermaids Synchronized Swimming Team season will begin on April 26. The VFCAL Synchronized Swimming Board has agreed to host all of the swim meets in person this season. Team sizes also will not be limited this season. The Mermaids are expected to have 45-50 swimmers on this year's team.**
- **Ralph Kendrick, Master's Swimming Instructor, has decided to step down from the program due to health issues. Our aquatics team is searching for a replacement instructor for the program. Until a replacement can be found, Ralph has created workout sheets that will be distributed to the swimmers by the lifeguards.**
- **Robalos Swim Team season is scheduled to start on May 3. The team has been hosting swim clinics on Saturday afternoons in March and April to help gain new interest in the team. The VFCAL Board has made a decision to have the first three swim meets be hosted virtually. Meaning that teams will swim on their own at their pool. The final three swim meets may be held in person if both teams agree to host it together. Otherwise, the swim meets will be held virtually.**
- **Swim Lessons, public and private, are now online for registration. Swim Lessons will begin on June 7.**

Camps

- **Summer Camps are now online and available for registration. This summer Recreation Services will feature summers camp from Mad Science, Lego,**

Skyhawks Sports, Challenger Soccer, Intellibricks, Susie Bell's art camps, Turns N Tumble, Live Oak Waldorf, Horse Camps, and Jr. Tennis Camps.

Recreation Guide

- **The summer guide will be mailed out to residents in the community on May 4. The summer guide will highlight upcoming summer camps, youth sports, events, aquatics programs, and some upcoming District projects. This year's summer guide is being printed locally by Gold Country Media.**

Special Events

- **Recreation Services hosted its first ever Floating Egg Hunt on April 3 at the Sierra Pool. The event was a great success as the staff were able to serve seventy-six families for the event. This event was made possible through our generous sponsors IFC, Auburn Gymnastics, and Precision Orthodontics.**
- **The Ukulele Festival event will now be held on December 3 and 4. The headliner for the event will be ukulele artist Daniel Ho. Daniel was the headliner for 2019 festival and received rave reviews.**
- **Movie in The Park will take place on June 11 at Recreation Park. The feature film that night will be Trolls World Tour.**

Amy Oddo

Youth Services Manager

Report to the Board of Directors

April, 2021

We had an AMAZING Spring Break Camp at Rec Park at the beginning of April. The kids were able to swim, help out around the park and work on a big collaborative project. Future programs at Recreation Park site will regularly include "Community Service" programs to foster not only a sense of community, but to help develop work ethic for the students as well.



Youth Services has transitioned to reusable plates, cups and utensils to reduce waste and expense. Staff at all sites would like to look into dishwashers to increase cleaning efficiency and offer sanitization of dishes and classroom toys.

YS Manager and Directors are working together to overhaul the nutritional aspect of the Department. All snacks must now include a fresh fruit or vegetable daily. Student nutritional education will become a primary aspect of our programming as we phase in our new nutritional plans.

Staff is actively preparing for summer camps! We will be offering full day programming at three locations- Auburn Elementary, Skybridge Elementary and Recreation Park. We will be working closely with Aquatics staff to ensure swim lessons and open swim time are available to students.

Staff has been working to empty and purge old items from storage and from our facilities. The Modular classrooms at Rec Park have been deep cleaned and refreshed. Students LOVED the new environments during Spring Break Camp.

The Food Truck Thursdays were a great help to YS Department and the funds will be used for summer programming activities.

MARCH 2021 VANDALISM REPORT

	VANDALISM	LABOR COSTS	MATERIAL COSTS
3/11/2021	Kid's telescope on playgrounds Ashford & Railhead broken	\$72.00	\$2,183.41
3/17/2021	Replace sign at Regional Pk - graffiti that couldn't paint over	\$36.00	\$89.87
3/26/2021	Ashford Park vandalism - trash dumping and bridge destruction	\$1,206.00	\$476.19
3/26/2021	MV Park - r re-close slide with barriers that were stolen	\$114.00	\$70.75
3/31/2021	Overlook Park - graffiti cover up	\$21.00	\$91.66
3/31/2021	Diesel cans stolen from MV shop	\$38.00	\$109.37
	Total labor	\$1,487.00	\$3,021.25
	Total for year	\$3,611.13	\$4,710.11

FEBRUARY 2021 VANDALISM REPORT

	VANDALISM	LABOR COSTS	MATERIAL COSTS
2/10/2021	Graffiti Regional C Field - removal	\$53.00	\$5.77
2/10/2021	Regional Park - mounting of trail cam	\$225.00	\$35.37
2/26/2021	Graffiti at Meadow Vista Park	\$19.00	\$4.93
	Total labor	\$297.00	\$46.07
	Total for year	\$2,124.13	\$1,688.86

JANUARY 2021 VANDALISM REPORT

	VANDALISM	LABOR COSTS	MATERIAL COSTS
1/8/2021	Someone left a lawn mower at Regional Park, staff took it to the dump	\$21.00	\$12.50 cost for the dump
1/8/2021	Graffiti at Regional Park All buildings & C field	\$166.00	\$154.46
1/8/2021	Graffiti at Skate Park	\$123.00	\$51.19
1/15/2021	Regional Park Locker Room someone tried to break in - had to replace the deadbolt.	\$42.00	\$297.39
1/15/2021	Overlook Park - blank wall was vandalized - had to be re-prepped for artist to paint mural	\$432.00	\$151.39
1/29/2021	Graffiti at MV Park	\$40.00	\$5.36
1/29/2021	MV Park - someone broke into the shed and stole 3 cans of gas	\$20.00	\$109.37
1/29/2021	Graffiti at Overlook Park	\$120.00	\$239.03
	Total labor	\$964.00	Total material \$1,020.69
	Total for year	\$1,827.13	Total for year \$1,642.79

2021/2022 PROJECT ACTIVITY REPORT		UPDATED 4/14/21	
PROJECT	EST. COST	NOTES	EST. COMPLETED
RECREATION PARK			
Rec Field infield Renovation (2020)	25,000.00	Rough cost estimate for the infield renovation work (laser grading, baselime/foul pole alignment) was received in early 2020 pre-pandemic. Topographic survey of the field was received in Fall 2020. The District received \$15,000.00 towards this project from Placer County Park Dedication Fees at the November 19th, 2020 County Parks Commission Meeting. Staff planning on getting bids and doing the renovation project in spring/summer 2021.	SEPTEMBER 2021
James Ballfield-Outfield Bermudagrass Conversion Project (2019)	42,000.00	Project was put out to formal bid last week of February and the bids were opened March 18th. Marina Landscape was the lowest qualified bid and staff is recommending Award of Contract to them at the April A&D and Board Meetings. Project is scheduled to begin June 2nd this year, the day after the last Placer High ballgame.	OCTOBER 2021
Wheelchair Swing Project (2019)	60,000.00	The District received \$25,000.00 towards this project from Placer County Park Dedication Fees at the 11/19/20 County Parks Commission Meeting. Staff has obtained a topographic survey of the area and has started preparing design/construction documents for the project. Staff recently learned that a top US playground manufacturer just unveiled a wheelchair swing for 2021 that appears to be a superior design than the swing previously being considered out of the UK. While more expensive the unit allows other children/adults to swing with a user in a wheelchair and doesn't require the area to be fenced and needs less concrete & safety surfacing. Staff is looking at modifying the work scope to include moving the existing swings so that the WC swing can be placed within the existing play box instead of outside. A small amount of additional survey work is needed.	FALL 2021
Rec Shop Floor Reinforcement Project (2020)	10,000.00	Engineering drawings have been received for Recreation Park maintenance shop garage roof reinforcement and Staff will be submitting them to the City for permitting with bid solicitation to follow.	SUMMER 2021

MEADOW VISTA PARK					
ADA Signage	1,200.00	Signage to be upgraded		FALL 2021	
Parking Lot Re-seal/Re-Stripe	15,000.00	Project currently postponed but possible to happen late summer/fall 2021		SUMMER/FALL 2021	
Asphalt Pathway Repairs (2020)	15,000.00	Staff is taking inventory of the main asphalt path conditions at the park and putting together a bid package to get quotes and have repairs made in the summer.		SUMMER 2021	
Pickleball Court Crack Repairs	5,000.00	Staff to obtain fresh quotes for the work in the coming months in order to assign proper budget amount.		SUMMER 2021	
ASHFORD PARK					
Irrigation Pump Replacement Project (2021)	45,000.00	Lowest informal bid was received from Conerstone Environmental Contractors Inc. and they are beginning work pouring the concrete pads for the new irrigation pump and relocated filter on Thursday 4/15. The District-purchased pump is scheduled to arrive the same day. Contractor to install asap as weather is warming and the irrigation needs to be turned on.		APRIL-MAY 2021	
OVERLOOK PARK					
Restroom ADA Upgrades	15,000.00	Project signage and fixture adjustments will be done in-house when staffing levels allow. ADA Parking lot re-striping needs to be re-done and restroom partitions are in need of replacement. Staff will obtain quotes for this work.		SUMMER/FALL 2021	
REGIONAL PARK & 24 ACRES					
SITE					
Trail Mapping & Signage Project (2020)	10,000.00	Staff has obtained a survey of the existing trails on the site and will use this to prepare a trail map and signage in the coming months.		SUMMER/FALL 2021	
Statewide Park Development and Community Revitalization Program (SPP) Grant Round 4 (2018/2019)	120,000.00	Grant consultant produced the draft narrative and staff compiled and wrote the rest of the grant application. The application was submitted on March 11th and the request is for \$2,389,125. If the grant is successful, ARD is committing \$1,037,952 (\$445,000 Park Dedication Fees, \$177,952 Per Capita Grant, \$415,000 Mount Vernon Park Sale Proceeds) to the overall project cost of \$3,427,077. District should find out if application was successful early to mid summer.		2020/2021	

24 Acres Site Construction Documents	110,000.00	Construction documents for the site which will be started immediately if the District gets the grant.	SUMMER/FALL 2021
Dry Creek Playground Replacement	177,000.00	If the 24 Acres Grant application is not successful these 177K Per Capita Grant funds will be put towards replacing this playground.	SPRING 2022
Pickleball Court Crack Repairs	4,500.00	Staff to obtain fresh quotes for the work in the coming months in order to assign proper budget amount.	SUMMER 2021
CVCC			
Bike Park - Construction (2015/2016)	200,000.00	Bike park bridge and trail watering system projects are currently out for informal bids with work to begin shortly thereafter. Sean Allen of Eagle Fence is set to begin building the Ph. 2 area boundary fence. District is paying for all materials on the fence project except the donated lumber and ATA is paying for the labor. Additional clean "capping soil" is expected to be delivered to the Ph. 2 area in the coming weeks with Bike Park Designer Randy Spangler beginning the jump area/skills loop work in the next month or two.	ONGOING
Maidu Drive Repair (2018/2019)	0.00	In March the Bureau announced to the District that they will be re-paving the distressed section of Maidu Drive. The work will apparently take place this summer and be done prior to October. A relatively straightforward project the work should only take a week or so.	SUMMER 2021
ADA Door Improvements	5,000.00	Automatic door hardware needs to be installed.	SPRING 2022
PLACER HILLS PARK			
Parking Lot Repairs	30,000.00	Project had been postponed but staff has drawings already prepared and ready for Placer County permitting and then putting out to formal bid.	SPRING 2022
MULTI-PARK ITEMS			
Energy Efficient Upgrades	2,131,500.00	Multiple energy efficiency upgrade projects going on at park sites. Centrica is prime contractor and staff is assisting with scope review and other items.	ONGOING 2021
Fiscal Year Projects Total:	3,021,200.00		

Item 7.1 Cover sheet – ARD Legal Counsel, 2021

Auburn Area Recreation and Park District Policy, Program and Fee Committee Meeting January, 2021; Board of Directors meeting January, 2021; Policy Committee April, 2021

The Issue

Shall the Auburn Area Recreation and Park District (ARD) review RFPs and contract with a new law firm for legal counsel?

Background

District Policy, Section VI, Policy on Authorization for Legal Services, states the following:

- D. Policy to Re-Address Performance of Legal Counsel. The District will re-address performance of the contracted Legal Counsel every two years. If services and fees are not found to be in accordance with the Legal Services Agreement as signed by the District Administrator and Legal Counsel, the District may seek new counsel.

ARD's current legal counsel is Cole Huber. Cole Huber has been with ARD since August of 2016. ARD's main contact at Cole Huber, Ron Scholar, has worked with the District since 2006.

ARD staff sent out a Request For Proposal (RFP) for new legal counsel in 2016. After review, the District decided to switch from Kronick, Moskovitz, Tiedemann and Girard (KMTG) to Cole Huber.

The ARD Board of Directors readdressed the performance of KMTG in July, 2012 and June, 2014, May, 2016 and January, 2019. The ARD Board considered whether or not to go out to RFP in March of 2019, however that motion did not pass.

The ARD Board voted to go out RFP at the January, 2021 Board of Directors meeting. Staff prepared an RFP and sent it to over 40 law firms. Six firms replied. Staff has put together a matrix of the firms that replied, their relevant experience and fees.

Recommendation for the Board of Directors

The Program, Personnel, Policy, Fee and Legal Review Committee recommended asking the following firms to make a presentation at the April 29, 2021 Board meeting:

BKS (Bartkiewicz, Kronick & Shanahan)

BBK (Best, Best and Krieger)

Cole Huber

The Committee stated that it had a slight preference for Cole Huber.

Staff is using CAPRI free attorney Patti Eyres much more frequently now, and recommends staying with Cota Cole as ARD's attorney of record. As of 11/30/20, ARD had only spent \$1,340 in legal expenses (2/3 of the Fiscal Year).

Alternatives Available

1. Send this item back to the May, 2021 Policy Meeting for further review.

Fiscal Impact

There is no projected fiscal impact to perform this review.

The following is a chart of ARD's legal costs for the past 11 Fiscal Years:

FY 06/07	FY 07/08	FY 08/09 *	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
\$30,652	\$24,824	\$1,363	\$20,131	\$13,475	\$7,710	\$6,648	\$8,421	\$15,301	\$6,693

FY 16/17	FY 17/18	FY 18/19	FY 19/20
\$4,533	\$12,552	\$8,634	\$14,908

*Note: ARD moved its Fiscal Year Calendar in 2009/2010, resulting in a 9-month Fiscal Year.

Attachments

Matrix of responses

ARD's RFP for legal services

RFP responses from recommended firms

Firm	P&R exp.	Sp. Dist. Exp	H.R.	Contracts	CEQA	Fees - Primary*	Fees - Associate	References
Atkinson	x	x	x	x	x	\$325 - \$345	\$235 - \$285	x
BKS	x	x	x	x	x	\$290	\$215	x
BB&K	x	x	x	x	x	\$230 - \$300		x
Cole Huber	x	x	x	x	x	\$250	\$220	x
Kronick	x	x	x	x	x	\$310	\$275 - \$310	x
LCW	x	x	x	x		\$380	\$220 - \$290	x

* Primary attorney is who we would be working with most of the time

Atkinson = Atkinson, Andelson, Loya, Ruud & Romo, Sacramento

BKS = Bartkiewicz, Kronick & Shanahan, Sacramento

BBK = Best, Best and Krieger, Sacramento

Cole Huber = Cole Huber, Roseville

Kronick = Kronick, Moskovitz, Tiedemann & Girard, Sacramento

LCW = Liebert, Cassidy, Whitmore, Sacramento



**Auburn Area Recreation and Park District
471 Maidu Drive Ste. 200
Auburn, CA 95603**

(530) 885-8461 Extension 102

Request for Proposal for Legal Services

PROPOSALS DUE BY

March 26, 2021

**471 Maidu Drive, Ste. 200
Auburn, CA 95603**

For further information, please contact:

Pat Larson
Administrator's Assistant
(503) 885-8461 x102
Fax: (530) 885-0703
plarson@auburnrec.com

Auburn Area Recreation and Park District

Request for Proposal for Legal Services

I. INTRODUCTION

A. General Information

The Auburn Area Recreation and Park District (the District) is requesting proposals from qualified legal firms to represent the District as general legal counsel. The desired firm must have a comprehensive knowledge of all aspects of law, however, when reviewing proposals, the District's evaluation will be weighted based on the following ranking of experience and knowledge:

- 1) Parks and Recreation agencies issues and trends
- 2) Special District laws, regulations and codes
- 3) California Codes
- 4) Human Resources
- 5) Public agency laws, regulation and issues
- 6) Contracts and contract codes
- 7) CEQA and related environmental law

The desired firm will not represent, conduct business or have an agreement with any organization that does business with the District.

The District reserves the right to reject any or all proposals submitted.

Review Process. During the evaluation process the District reserves the right to request additional information.

Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the District and the firm selected.

Three copies of proposals and one unbound copy of the proposal are due to the Auburn Area Recreation & Park District by no later than **March 26th, 2021 at 4pm**. Proposals should be addressed to:

Auburn Area Recreation and Park District
Attn: Legal RFP
471 Maidu Dr. Ste. 200
Auburn, CA 95603

It is anticipated the selection of a firm will be completed by April 30, 2021. The Auburn Recreation District Legal Review Committee will review all applicants and recommend certain firms for interviews by the Board of Directors. **Selected firms will be expected to attend (in person or virtually) the Board of Director's meeting on April 29th at 6pm.** The meeting will take place at the Canyon View Community Center (471 Maidu Dr., Auburn) The District will also be providing an option to attend via Zoom.

II. NATURE OF SERVICES REQUIRED

A. Scope of Work to be performed

This RFP has been prepared with the philosophy that the legal firm selected will be a full-service legal firm. This is expected to include, but not be limited to providing legal opinions, representing the district in legal matters, assisting with Parks and Recreation matters, Special District issues, human resources and personnel matters, reviewing documents and contracts as requested and responding to the District in a timely manner, generally considered to be one business day.

The performance period for the contract between the District and the chosen firm is one year, with an annual review by the District. The contract may be terminated by the District or firm upon written notice to the other party.

The chosen firm will submit monthly invoices to the District for review by the District's Legal Review Committee. The chosen firm should allow 4 – 6 weeks for payment.

III. DESCRIPTION OF THE DISTRICT

A. Name and Telephone Number of Principal Contact:

The principal contact with the District will be the District Administrator. The District Administrator can be reached at (530) 885-8461 Extension 102.

B. Background Information:

Auburn Area Recreation and Park District was established in 1948. The District is approximately 100 square miles serving a population of approximately 45,000 with 11 major parks and facilities, 3 child care centers and 2 large undeveloped areas. The District employs approximately 40 – 90 staff, depending on the time of year. The District's expenses for FY 19/20 were \$5.7 million, including Capital Improvement Projects.

IV. SELECTION PROCESS AND CRITERIA

A. Selection Process

The District will evaluate the proposal including related experience of the firm. Cost will be considered, however, this will not be the sole selection criteria. The Board of Directors will make the final determination on awarding the contract.

All proposals received by the deadline will be reviewed by the District for content, completeness, experience and qualifications. The Auburn Recreation District Legal Review Committee will review all applicants and recommend certain firms for interviews by the Board of Directors. Selected firms will be expected to attend (in person or virtually) the Board of Director's meeting on April 29th at 6pm. The meeting will take place at the Canyon View Community Center (471 Maidu Dr., Auburn) The District will also be providing an option to attend via Zoom.

The District reserves the right to select the firm which, in its sole judgment, best meets the needs of the District.

B. Selection Criteria

Proposals submitted in response to this RFP will be evaluated on the following criteria. The successful firm will demonstrate through its proposal that it has carefully studied the District's expectations as stated in this RFP. The proposal and presentation of past experience must demonstrate to the District that the firm has the professional capability and competency to be a full service legal firm who will provide legal representation for the District.

Selection criteria includes:

- * Previous experience with Parks and Recreation agencies
- * Knowledge of Special District's unique status within the State
- * Complete familiarity with the California Resources Code including the Brown Act
- * Well rounded knowledge of human resource laws and requirements
- * Experience representing Public Agencies
- * Through knowledge of contract law, including Public Works contracts and implementation
- * CEQA knowledge and experience
- * Cost of services
- * Responsiveness to the RFP

C. District Rights and Options

The District, at its sole discretion, reserves the following rights:

1. To determine which respondents, if any, shall be included on a short list of semi-finalists based on the criteria set forth in the RFP.
2. To reject any, or all information received pursuant to this RFP.
3. To supplement, amend, substitute or otherwise modify this RFP at any time by means of written addendum.
4. To cancel this RFP with or without the substitution of another RFP or prequalification process.
5. To request additional information.
6. To verify the qualifications and experience of each respondent.
7. To require one or more respondents to supplement, clarify or provide additional information in order for the District to evaluate RFPs submitted.
8. To hire multiple firms to perform the necessary duties and range of services if it is determined to be in the best interests of the District.
9. To use any techniques or concepts included in the submitted RFP regardless of firm's selection.
10. To waive any minor defect or technicality in any RFP received.

V. PROPOSAL REQUIREMENTS

It is the desire of the District to receive accurate and easily comparable information on all interested firms. We have structured this RFP process in a way which allows for variation in proposals while asking all respondents to provide needed basic information. The process should not get in the way of your proposal and we do not expect flashy or very lengthy proposals. Proposals should be, but are not required to be, presented in an 8.5" x 11" size.

Further, we ask that the proposal be prepared and submitted by the individual attorney or teams of attorneys who will be directly involved with the District's legal needs. We respect senior partners but very much, however we want to meet with the attorneys with whom we may work on a long-term basis. We ask that the individual or individuals who will have the greatest day to day dealings with the

District be identified and serve as the firm's representative during the selection process.

The proposal should include the following information to be considered:

1. Cover Letter/Letter of Interest

Indicate name of the attorney who will serve as contact for your firm and be the District's primary contact. Please state firm name, address of office submitting proposal (also include address of main firm office if proposal is submitted by a branch office), telephone number, pertinent emails and type of firm (e.g., corporation, partnership, proprietorship).

Please provide Three (3) copies and one unbound copy of proposal. Proposals should be addressed to:

Auburn Area Recreation and Park District
Attn: Legal RFP
471 Maidu Dr. Ste. 200
Auburn, CA 95603

2. Firm Organization/Credentials/Professional Experience

Please provide a brief description of your firm including number of years in business, professional experience with parks and recreation agencies, specifically Special Districts, types of legal services provided, and the number of employees in the firm.

3. Project Team

Identify the following key members of the legal firm and state their experience and qualifications:

- * Principal/Partner in charge
- * Attorneys who will be working directly with the District
- * Associates

4. Firm Resources and relevant clients

Please describe any special strengths your firm has to offer that are not elsewhere stated in your proposal.

5. Financial/Insurance

Provide a rate sheet detailing your firm's proposed rates and fees for this contract if you receive the award and comparative fees which you charge other organizations.

Indicate amount of professional liability insurance coverage.

The District will not be responsible for expenses incurred in preparing and submitting this proposal.

6. Client References

Please list at least four recent (past five years) clients for whom your firm has provided full service legal services. Please include a contact person's name, telephone number.

7. Transmittal Letter

A signed letter of transmittal briefly stating the proposer's understanding of the work to be done, the commitment to perform the work within the time period and a statement that the proposal is a firm and irrevocable offer for 60 days.

8. License to Practice in California

An affirmative statement should be included that the firm and all assigned key professional staff are properly licensed to practice in California.

Response to Request for Qualifications and Proposal

District General Counsel

Auburn Area Recreation and Park District

Response by:

**Bartkiewicz, Kronick & Shanahan
a Professional Corporation**



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A Professional Corporation
www.bkslawfirm.com

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BARTKIEWICZ, KRONICK & SHANAHAN

A Professional Corporation
1011 Twenty-Second Street
Sacramento, California 95816-4907
Tel. (916) 446-4254
www.bkslawfirm.com

March 24, 2021

Auburn Area Recreation and Park District
Attn: Legal RFP
471 Maidu Dr. Ste. 200
Auburn, CA 95603

Re: Proposal for District General Counsel Services for Auburn Area Recreation
and Park District

Dear Legal Review Committee:

The attorneys at Bartkiewicz, Kronick & Shanahan (BKS) are pleased to submit this proposal for District General Counsel Services to the Auburn Area Recreation and Park District (ARD).

Our proposed BKS team of Joshua Horowitz, Christine Dugger and I have extensive experience advising California special districts. We offer:

- Skill as attorneys for over 30 special district and public agency clients; and
- Value through efficient billing, use of technology to reduce costs, and discounted hourly rates for public agency clients like ARD.

Thank you for the opportunity to submit this proposal. The firm and I commit to perform the work requested in the time period required by ARD. This proposal is a firm and irrevocable offer good for 60 days. We hope to have an opportunity to speak with the ARD Board of Directors and staff further about how we can help the District. If you have any questions about this proposal, I can be reached at (916) 717-7278 or air@bkslawfirm.com.

Sincerely,



Andrew J. Ramos

Response to Request for Qualifications and Proposal

District General Counsel Services for Auburn Area Recreation and Park District

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1.0 SCOPE OF WORK

BKS proposes to provide full-service general counsel legal services to ARD on an ongoing basis. We anticipate these services would include:

- providing comprehensive legal advice to ARD regarding general California public agency law, including the Brown Act, California Public Records Act, conflict of interest laws, public contracting, fees and assessments, and other areas of law of impact to ARD;
- advising ARD regarding natural resources and environmental law, including the California Environmental Quality Act and the National Environmental Protection Act;
- attending meetings of the Board of Directors, Board Committees, and other meetings or public hearings, as requested by ARD;
- providing strategic advice regarding relationships, transactions, and other matters, with other public and private entities, as requested;
- preparing and reviewing contracts, legal memoranda, ordinances and resolutions and other legal documents for ARD;
- investigating any claims and complaints against ARD;
- representing ARD in litigation; and,
- advising the ARD Board of Directors and staff on other legal matters as requested.

The proposed BKS team members are Andrew Ramos, Joshua Horowitz, and Christine Dugger. Their collective qualifications are described below and individually in section 3.0. Andrew would have primary responsibility for providing legal services to ARD. He would be available for in-person and virtual meetings whenever required by ARD. Joshua would serve as the designated backup attorney. Both will be supported by Christine. Other BKS attorneys would be available to them and ARD as needed.



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2.0 FIRM BACKGROUND AND QUALIFICATIONS

2.1 FIRM BACKGROUND

Since 1989, BKS has specialized in providing comprehensive legal services to local government agencies. We currently represent over 30 special district and public agency clients in California, including several parks and recreation districts and community services districts. Currently, we provide counsel services to the North Highlands Recreation and Park District, Fair Oaks Recreation and Park District, Templeton Community Services District, and Lockeford Community Services District. A more comprehensive list of current public agency clients is included in section 5.0 below.

BKS attorneys pride themselves on being part of a collaborative team with the officials, staff and consultants of our public agency clients. We are proud of our history of long-standing relationships with our clients; in fact, we continue to represent agencies that have been BKS clients since the firm opened.

The firm's office is in Sacramento, California. The firm employs five principal attorneys, one senior-level of counsel attorney, and two associate attorneys. All BKS attorneys are admitted to practice in the State of California and are in good standing with the California Bar. BKS has two staff members that serve in administrative support roles.

2.2 STATEMENT OF QUALIFICATIONS: ABILITY TO PROVIDE COMPREHENSIVE LEGAL SERVICES

The following sections describe how the proposed BKS team is qualified to handle all of the legal matters described in the Request for Proposal, including.

A. Public Agency Law – Andrew, Joshua, and Christine provide public agency law services to firm clients on a daily basis, including counsel and advice on Brown Act and Political Reform Act issues.

B. Environmental Law - Andrew and Joshua regularly represent public agency clients in matters involving CEQA, NEPA, state and federal Endangered Species Acts and state and federal water quality law. Regarding environmental review, Andrew and Joshua have advised public agency clients on compliance with CEQA and NEPA, including drafting, reviewing and commenting on Environmental Impact Reports and Addenda, Negative Declarations and Notices of Exemption, as well as development of district CEQA policies and procedures.

C. Public Records Act – Providing guidance on the Public Records Act and document retention laws is a core subject for BKS. Andrew, Joshua, and Christine provide guidance on these issues, including assisting clients with responding to requests, on a daily basis.



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D. Taxes and Fees, Proposition 218, and Assessments – BKS attorneys regularly counsel public agency clients on Proposition 218 and related issues, including assessment districts. Andrew and Joshua have represented several clients in litigation over rate issues and they have worked with public and private clients in setting rates. BKS attorney Richard Shanahan advised Pajaro Valley Water Management Agency in its development of a groundwater assessment that the Court of Appeal upheld in litigation. (See *Griffith v. Pajaro Valley Water Management Agency* (2013) 220 Cal.App.4th 586.)

E. Public Financing – Andrew, Joshua, and Christine have assisted clients in grant and loan agreements involving USDA, State Water Board, Department of Water Resources and other agencies. We regularly assist clients with development and administration of subrecipient agreements in connection with grant agreements.

F. Public Works and Construction Law, Contracts, and Claims – The firm's team has substantial experience in public works projects, including all legal aspects of planning, design, bidding, contracting, permitting, land and rights-of-way acquisition, construction documents, construction management, operation and maintenance of all types of public works projects such as hydroelectric projects, water diversion, storage, delivery and treatment projects, sewage collection, treatment and disposal projects, street improvement projects and administrative facilities. Recently, Andrew provided primary legal counsel for the Templeton Community Services District's East Side Force Main Project, the largest public works project in the district's history.

G. Contracts and Transactions – Contract drafting and negotiation are core subjects for BKS. We provide this service to clients on a daily basis. Andrew, Joshua, and Richard Shanahan are the authors and maintainers of BKS's long and short form public works contracts which are in use at more than a dozen California public agencies.

H. Labor and Employment – The firm team regularly advises clients regarding labor and human resources issues, including employee discipline and termination, reviewing and drafting of personnel manuals, and most recently, advising on emerging COVID-19 workplace regulations, employer paid leave obligations, and public health guidance.

I. Land Use and Development – Andrew and Joshua regularly advise clients regarding connection charges, development agreements, reimbursement agreements, and other development-related issues unique to special districts.

J. Eminent Domain – Andrew has a thorough understanding of eminent domain and real property law matters having worked at a boutique real estate law firm prior to BKS. Andrew has assisted public agency clients with negotiating, preparing and perfecting easements and access rights for major projects, including the condemnation of such rights. Christine is likewise well-versed in real property law, particularly with respect to real estate contracts.



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K. Litigation – Andrew and Joshua have both represented BKS clients in litigation regarding public works, employment law, and water issues. They also supervise special litigation counsel when hiring specialized counsel is within the public agency's best interest.

L. Insurance, Liability and Tort Claims – The firm team regularly advises clients regarding reviewing and responding to claims under the Government Claims Act. Andrew, Joshua, and Christine also assist clients with prevailing wage matters and construction claim resolution under the Public Contract Code.

2.3 FIRM RESOURCES AND OTHER RELEVANT INFORMATION

BKS is sensitive to the cost-management issues that its public agency clients face. BKS provides competitive rates appropriate for public agencies, and our attorneys work to contain legal costs by ensuring that cases are appropriately staffed and redundant efforts are avoided. To ensure appropriate staffing, BKS generally does not rely on extensive research and writing by junior attorneys. To the extent that junior attorneys are required to work on research assignments for a client, an experienced principal attorney works closely with the junior attorney to ensure that the work is focused and conducted efficiently. The principal attorney staffs and directs each project to make sure that work can be coordinated easily and the attorneys on the team are not undertaking duplicative efforts.

Because BKS has a long history of representing public agencies, the firm is able to rely on past experience and extensive research developed over many years. Our team approach in serving clients also means that an attorney with expertise on a particular issue would be the attorney called upon to assist the client in resolving that issue. We find this approach allows us to provide the best client experience in the most timely and cost-effective manner possible.

Often there are projects and issues where our clients' interests are aligned; one way BKS contains legal costs for our clients is by asking clients if they would like BKS to split its hours spent on the common issue amongst the group of aligned clients, which results in a substantial cost savings to each client. For example, on a matter where four clients have agreed to split the cost of BKS's work, each of the four clients is only billed for one-quarter of the time worked by BKS attorneys on all issues for which the clients share a common interest. Each client is then billed separately for time worked on issues that pertain only to that client, but the split-billing method still results in substantial savings to the clients overall since the vast majority of the work is performed on matters of common interest.

Finally, BKS attorneys ensure that costs are contained by taking personal responsibility to review the invoices generated and make sure they are all reasonable and fair to their clients. As the lead counsel for ARD, Andrew will supervise the work performed for ARD to assure quality control and cost-effectiveness; he will personally review all billing entries before any invoice is generated for ARD and will ensure that all time billed is appropriately charged.



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3.0 PROPOSED TEAM

3.1 ANDREW J. RAMOS

Andrew has practiced law since 2009. Since he joined BKS in 2012, his practice has been focused on advising and representing clients in legal matters concerning all facets of public agency law. His background in contracts, real property and construction law has been helpful to clients who manage small and large special districts alike.

Andrew's legal practice spans the state. Andrew serves as general counsel to Blue Lake Springs Mutual Water Company in Calaveras County, Lockeford Community Services District in San Joaquin County, and Wyandotte Creek Groundwater Sustainability Agency in Butte County. Close to ARD, Andrew works with Midway Heights County Water District, Meadow Vista County Water District, and Christian Valley Park Community Services District. He is also assistant general counsel to many other BKS public agency clients, most of which are special districts like ARD.

Andrew's representative matters include:

- Providing daily counsel to BKS public agency clients regarding the Brown Act, Public Records Act, Political Reform Act, contract, real property and general public agency law issues.
- Representing public agencies in the preparation and defense of environmental documents, including negative declarations and environmental impact reports.
- Litigating matters for public agency clients involving public works, eminent domain, labor and employment, contracts, and real property.
- Assisting clients with proper rate-setting under Proposition 218 and other laws, including the defense of rates in court, along with providing advice on myriad other public finance matters.

3.2 JOSHUA HOROWITZ

Joshua Horowitz has been an attorney for over 22 years and is a BKS senior principal. Joshua's practice focuses primarily on advising public agency clients on a variety of issues, including the following: conflict of interest, ethics and Brown Act/Public Records Act compliance; Proposition 218 and related public finance, and development and user fees; real property transactions; CalPERS pension and other employee benefits and employment matters; public works project development and construction; elections; utility enterprise operations; government claims and insurance coverage; contracting and grant funding; power production; utility service obligations and operations; water rights and water transfers; SGMA implementation and compliance; and local government organization and reorganization.



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Joshua is general counsel to Amador Water Agency, Mammoth Community Water Agency, and Sacramento Suburban Water District and provides daily counsel to these and other public agency clients on Brown Act, California Public Records Act, and Political Reform Act issues. He also serves as assistant general counsel to many of the firm's public agency clients. In addition, Joshua has represented the firm's public agency clients in administrative and civil litigation concerning tax and rate collection, property disputes, water-right disputes, and contract validation.

3.3 CHRISTINE DUGGER

Christine Dugger is an associate with the firm. She advises clients on a variety of public law issues impacting local government, special districts and public officials. Christine's practice includes advising clients on conflicts of interest, elections and redistricting, agency obligations under the Brown Act and the Public Records Act, and the obligations of public officials under the Political Reform Act.

Christine is also experienced with public works contracting and advises clients on competitive bidding and prevailing wage requirements, ensuring clients can achieve their public works project goals efficiently and in compliance with the complex laws governing such projects. In addition, Christine's practice has expanded to include advising public agency clients on labor and employment issues, most recently with regard to the impacts of COVID-19 emergency workplace regulations. Christine prides herself on her ability to navigate emerging and dynamic statutory and regulatory obligations and provide efficient solutions for BKS clients.

Christine's professional background in government affairs and politics positions her to provide strategic advice on a variety of legislative matters facing special districts. She is also well versed in statutory construction from her time spent working for the Legislature and as a lobbyist, and is regularly asked to draft ordinances and resolutions for BKS clients. This background is especially helpful to special district clients when engaged in ballot measure work to ensure districts are able to effectively educate the public without crossing over into impermissible advocacy work.

Prior to joining the firm, Christine practiced political law at Olson Remcho, formerly Olson, Hagel & Fishburn. Her practice involved advising public officials, candidates, and political action committees on their obligations under the Political Reform Act and representing clients in matters before the Fair Political Practices Commission. She

Christine received her J.D. from McGeorge School of Law. She also holds an MBA from Sacramento State University and received her B.A. in Political Science from San Diego State University.



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ANDREW J. RAMOS

Shareholder, Bartkiewicz, Kronick & Shanahan, PC
California Bar No. 267313

Andrew has practiced law since 2009. Since he joined BKS in 2013, his practice has focused on advising and representing clients in legal matters concerning water rights, water supplies, water infrastructure and public agency law issues. His background in contracts, real property and construction law has been helpful to public and private clients alike.

EDUCATION

J.D., University of California, Davis School of Law, 2009. Order of the Coif. Member, *UC Davis Law Review*. Witkin Awards for achievement in Land Use, Complex Litigation, and Environmental Practice courses

B.A., University of California, Davis, 2004. Phi Beta Kappa

HONORS

2019 Northern California Rising Star (Super Lawyers)

Top Verdict of 2018 - Jury Verdict in *Steinbeck Vineyards #1, LLC, et al. v. San Luis Obispo County, et al.* (Daily Recorder)

PUBLICATIONS AND PRESENTATIONS

"Virtual Water Agency Board Meetings During COVID-19", Panelist, Webinars for the Association of California Water Agencies and California Association of Sanitation Agencies (2020)

"The Fundamentals and Questions of Groundwater Rights: Rights in Augmented Groundwater Recharge," Association of California Water Agencies, panelist (2017).

"The View from the Foxhole: What is Happening on the Ground Under and in Reaction to SGMA," Association of California Water Agencies, panelist (2016).

"Appellate Confirmation of State Water Board Administrative Jurisdiction to Prevent Illegal or Unreasonable Water Diversion and Use: Young, Millview and Light," *Environmental Law News*, State Bar of California (2015).

"Understanding California Surface Water and Groundwater Rights," *California Water Law and Regulations*, presenter, HalfMoon Education, Inc. (2015).



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JOSHUA M. HOROWITZ

Mr. Horowitz has been an attorney since 1996. He received his undergraduate degree with honors from Middlebury College, Middlebury, Vermont. He received his law degree from the University of California, Davis King Hall School of Law and was a recipient of the Martin Luther King, Jr. Public Service Award. Mr. Horowitz is Bartkiewicz, Kronick & Shanahan's managing partner.

Mr. Horowitz's practice focuses primarily on advising public agency clients on a variety of issues, including: water rights and water transfers; Proposition 218 and related public finance, development and user fee matters; SGMA implementation and compliance; conflict of interest, ethics and Brown Act/Public Records Act compliance; real property transactions; public works project development and construction; elections, utility enterprise operations; government claims and insurance coverage; contracting and grant funding; utility service obligations and operations; and local government organization and reorganization.

Mr. Horowitz serves as General Counsel to a number of special districts, including urban water and wastewater agencies and agricultural water suppliers. Mr. Horowitz also serves as an assistant counsel to other public agency clients. Mr. Horowitz has represented the firm's public agency clients in administrative and civil litigation concerning water rate and elections challenges, tax and rate collection, property disputes, water-right disputes, and contract validation.

Mr. Horowitz's practice has included the following specific projects:

- Advising water and wastewater agency clients on Proposition 218 rate increase proceedings, including working with rate consultants to produce defensible rate studies, preparing rate increase notices, and advising governing bodies and management on rate approvals and responding to challenges to proposed rates.
- Representing a public agency client in litigation challenging a proposed referendum to roll back a new water rate structure, which ultimately resulted in a new legal precedent confirming that a referendum cannot be used to challenge an agency's adoption of new water rates.
- Representing a countywide water agency in administrative proceedings and litigation challenging a proposed initiative to tax water transfer revenues.
- Advising clients on SGMA implementation and compliance, including GSA formation and basin boundary adjustments.
- Participating as co-drafter of the Sites Reservoir joint powers agreement.
- Advising an irrigation district and a county water district on multiple cross-Delta water transfers.
- Advising a client on forming a new California water district.
- Advising a City on its water rights and service obligations related to the proposed annexation of a major new development project.
- Advising various public agencies in the issuance and closing of over \$575 million in debt issuances to finance capital facilities projects.



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- Advising a county water district during its consolidation with a neighboring county water district under the Cortese-Knox-Herzberg Local Government Reorganization Act of 2000 and providing continuing counsel to the consolidated district.
- Advising an irrigation district on all aspects of providing a water supply to a proposed 3,500-unit residential development including: (1) determining whether to provide retail treated water service to the development; (2) issuing will-serve letters; (3) negotiating a funding agreement; (4) preparing and executing a public outreach strategy; and (5) assisting in the preparation of a SB 610 water supply assessment.
- Advising a community services district on the formation of community facilities districts to finance a wastewater treatment facilities expansion and negotiating annexation, mainline extension and reimbursement and bond refunding agreements with the developers to ensure that they pay the full, fair share of the district's costs of facilities to serve their developments.
- Negotiating on behalf of a county water agency, which was Pacific Gas & Electric's largest contact hydroelectric generator, for PG&E's assumption of the generation contract in its 2001 bankruptcy proceedings.

Mr. Horowitz also has been active in professional and legislative matters, including:

- Co-author of the revised *Guidelines for Conduct and AB 1234 Compliance – A Primer for Public Agency Officials* published by the Association of California Water Agencies.
- Co-designing ACWA's AB 1234 ethics training program and conducting ethics training seminars for ACWA in the northern California area.
- Reviewing and editing the League of California Cities' *Open and Public IV: A User's Guide to the Ralph M. Brown Act*.
- Assisting in drafting and updating the ACWA handbook on Proposition 218 compliance issues.
- Presenting on SGMA, drought, public agency governance, and district consolidation issues.

Before joining BKS in 2000, Mr. Horowitz practiced at Bardellini, Straw & Cavin in San Ramon, California, specializing in real property litigation and transactions. In 1997, Mr. Horowitz served as law clerk to the Honorable Elaine M. Watters of the Sonoma County Superior Court. During law school, Mr. Horowitz interned in the Chief Counsel's Office of the California Department of Water Resources, assisting staff counsel on various issues including water rights, supply and quality, endangered species, and dam operations. Before practicing law, Mr. Horowitz worked for over eleven years in agribusiness management with a major multi-national exporting company.

Mr. Horowitz is a member of the State and Sacramento County Bar Associations and is admitted to practice in all state courts and the United States Court of Appeals for the Ninth Circuit and the United States District Courts for the Eastern and Northern Districts of California.



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CHRISTINE M. DUGGER

**Associate Attorney, Bartkiewicz, Kronick & Shanahan, PC
California Bar No. 317120**

Christine is an associate with BKS and has practiced law since 2017. She advises clients on a variety of public law issues impacting local government, special districts and public officials.

Prior to becoming an attorney, Christine spent many years as a government affairs professional, working for both the Legislature and as a lobbyist for a statewide business trade association. Christine's practice is focused on providing general counsel services to public agency clients.

EDUCATION

J.D., University of the Pacific, McGeorge School of Law, 2016, with distinction. Dean's Honor List and Traynor Society for Academic Honors. Member and Staff Writer, *California Initiative Review*. Witkin Awards for Legal Writing & Research.

MBA, California State University, Sacramento, 2011.

B.A., Political Science, San Diego State University, 2005.

HONORS

2005-2006 Jesse M. Unruh Assembly Fellow

PUBLICATIONS AND PRESENTATIONS

"Education vs. Advocacy", Panelist, Association of California Water Agencies' 2020 Continuing Legal Education Workshop Series. (2020)

"Measure L: Sacramento Checks and Balances Act of 2014." *California Initiative Review*: Vol. 2014, Article 2. (2014)



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4.0 FINANCIAL MATTERS

4.1 COMPENSATION AND REIMBURSEMENT RATES

Hourly Rates:

Principal I (Mr. Horowitz):	\$325 per hour
Principal II (Mr. Ramos):	\$290 per hour
Associate II (Ms. Dugger):	\$215 per hour

Travel is billed at the attorney's normal hourly rate, but BKS is willing to consider alternatives if ARD believes another arrangement could meet its needs.

BKS will send ARD monthly statements. Cost reimbursements would include all necessary and actual costs and expenses incurred by BKS, including: long distance telephone charges; facsimile mail (at \$.20/page for incoming, and actual long distance telephone charge for outgoing); messenger and other delivery fees; postage; photocopying (at \$.20/page black and white and \$.30 for color); parking; mileage (at the then-current IRS rate); computer-assisted research charges, travel costs and other out-of-pocket expenses incurred by BKS. BKS will itemize all costs incurred on each monthly statement.

BKS offers discounted rates to public agencies such as ARD, and the quoted hourly rates above reflects those discounted rates. We offer lower rates to public agencies such as ARD in recognition of the public function that they perform and because of our firm's successful history representing such clients.

4.2 INSURANCE

BKS carries professional liability insurance with coverage limits exceeding the minimum mandatory limits.



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5.0 LIST OF PUBLIC AGENCY CLIENTS

Alameda County Water District	Rancho Murieta Community Services District
Amador Water Agency	Regional Water Authority (Sacramento)
Browns Valley Irrigation District	Roseville, City of
Buena Vista Water Storage District	Sacramento, City of
Christian Valley Park Community Services District	Sacramento Suburban Water District
Coastside County Water District	Sacramento-Yolo Mosquito & Vector Control District
Fair Oaks Recreation and Park District	San Juan Water District
Folsom, City of	Santa Cruz, City of
Hilton Creek Community Services District	Sonoma County
James Irrigation District	Sonoma County Water Agency
Kirkwood Meadows Public Utility District	Stanislaus Regional Water Authority
Lee Vining Public Utility District	Starlite Community Services District
Lincoln, City of	Templeton Community Services District
Linda County Water District	Tahoe-Truckee Sanitation Agency
Lockeford Community Services District	University of California
Mammoth Community Water District	Vector Control Joint Powers Agency
Marin-Sonoma Mosquito and Vector Control District	Volcano Community Services District
Meadow Vista County Water District	Westside Water District
Midway Heights County Water District	Wheatland, City of
Napa County	Willits, City of
North Highlands Recreation and Park District	Woodland-Davis Clean Water Agency
North Yuba Water District	Wyandotte Creek Groundwater Sustainability Agency
Orland-Artois Water District	Yolo County Flood Control & Water Conservation District
Pajaro Valley Water Management Agency	Yuba County Water Agency



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6.0 CLIENT REFERENCES

1. **Jeff Britz, General Manager**
Templeton Community Services District
420 Crocker Street, Templeton, CA 93465
(805) 434-4900
jbriltz@templetoncsd.org
2. **Robert Maginnis, President**
Blue Lake Springs Mutual Water Company
1011 Blagen Road, Arnold, CA 95223
(510) 483-7965
irishgarda@gmail.com
3. **Brian Lockwood, General Manager**
Pajaro Valley Water Management Agency
36 Brennan Street
Watsonville, CA 95076
(831) 722-9292
lockwood@pvwater.org
4. **Paul Gosselin, Manager**
Wyandotte Creek GSA
308 Nelson Avenue
Oroville, CA 95965
(530) 552-3591
PGosselin@buttecounty.net



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BEST BEST & KRIEGER
ATTORNEYS AT LAW

www.BBKlaw.com

Proposal to Provide **Legal Services**

Presented to:

Auburn Area Recreation and Park District

March 26, 2021

INDIAN WELLS

IRVINE

LOS ANGELES

MANHATTAN BEACH

ONTARIO

RIVERSIDE

SACRAMENTO

SAN DIEGO

WALNUT CREEK

WASHINGTON, D.C.

Joanna Gin
500 Capitol Mall, Suite 1700
Sacramento, CA 95814
(916) 551-2857
joanna.gin@bbklaw.com

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I. COVER LETTER/LETTER OF INTEREST

March 24, 2021

OVERNIGHT DELIVERY

Auburn Area Recreation and Park District
471 Maidu Dr. Ste. 200
Auburn, CA 95603

Re: Response to Request for Proposal for Legal Services

Dear Board of Directors:

On behalf of Best Best & Krieger LLP (BB&K), I am pleased to present this proposal in response to the Auburn Area Recreation and Park District's (District) request for proposals (RFP) for legal services. BB&K has one of California's most extensive practices in providing legal services to a multitude of public agencies, including park and recreation districts, and other governmental entities. Serving more than 800 public agencies nationally, BB&K is uniquely qualified to provide the highest quality legal representation to the District.

BB&K is a limited liability partnership established in Riverside, California in 1891 that has been in business for 130 years. BB&K's main office remains in Riverside:

Best Best & Krieger LLP
3390 University Avenue, 5th Floor
PO Box 1028
Riverside, CA 92502

Phone: (951) 686-1450
Fax: (951) 686-3083
www.BBKLaw.com

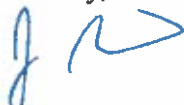
I, Josh Nelson, will be your primary contact during the proposal evaluation period. The District may contact me for any clarification or to request additional information:

Joshua Nelson
Best Best & Krieger LLP
500 Capitol Mall Street, Suite 1700
Sacramento, CA 95814

Phone: (916) 551-2859
Fax: (916) 325-4010
Email: joshua.nelson@bbklaw.com

The attached proposal is a firm offer to enter into a contract with the District according to the terms of your RFP. We look forward to discussing our qualifications with the District in more detail. We also welcome the opportunity to meet in person to discuss our capabilities and readiness to provide the legal services requested by the District.

Sincerely,



Joshua Nelson
of BEST BEST & KRIEGER LLP

Best Best & Krieger LLP