

**AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE
PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA**
WEDNESDAY, FEBRUARY 17, 2021, 1:00 PM
CANYON VIEW COMMUNITY CENTER, FOOTHILL ROOM
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).

Due to the current COVID-19 crisis, the public will not be allowed to physically attend the meeting. The public may participate in the meeting through Zoom. The link for this meeting is <https://zoom.us/j/96293318275>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 962 9331 8275 to participate.

People using the Zoom website will be able to see and hear the Committee, and the Committee will be able to hear the public. The Committee 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

Holbrook _____ Ainsleigh _____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

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

4.0 BUSINESS

4.1 Approval of Minutes from the January 20, 2021 Program, Personnel, Policy, Fee & Legal Review Committee Meeting (Pages 3 – 4)

Recommendation: Review and approve minutes.

4.2 Letter Supporting Hwy 49 Bridge Debris Removal Project (Pages 5 – 7)

Shall the Auburn Area Recreation and Park District (ARD) send a letter to our local legislators supporting the project to remove the steel and concrete wreckage of the former State Route (SR) 49 Bridge from the North Fork American River?

4.3 Letter Supporting AB 361: Declared Emergencies and Brown Act Requirements (Pages 8 – 9)

Shall the Auburn Area Recreation and Park District (ARD) send a letter to our local legislators supporting Assembly Bill 361 (Rivas), which would allow local agencies to continue to provide critical public services to their communities during declared emergencies?

4.4 Approval of Legal Bills

Recommendation: Review and approval of legal bills.

4.5 Discussion items:

1. Review of Policies and Ordinances: Cameras, Parking and Signage – see attachment. **(Pages 10 – 14)**
2. Review of Policies Regarding Rental of Facilities – see attachment. **(Pages 15 – 16)**
3. Review of Policies Regarding Donations to ARD – see attachment. **(Pages 17 – 18)**

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

None.

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNMENT

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

2-12-21
Date

10:15 AM
Time

P. Larson
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes
of the Program, Personnel, Policy, Fee & Legal Review Committee Meeting
Wednesday, January 20, 2021 at 1:00 PM
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 1:06 p.m.

ROLL CALL

Directors Holbrook and Ainsleigh were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by the Committee.

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

None.

4.0 BUSINESS

4.1 Approval of Minutes from the December 9, 2020 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The minutes from the December 9, 2020 Program, Personnel, Policy, Fee & Legal Review Committee meeting were reviewed and approved by the Committee.

4.2 Resolution Number 2021-01: Supporting Auburn Endurance Events as the Official State 100 Mile Endurance Events

Directors Holbrook and Ainsleigh reviewed Resolution Number 2021-01: Supporting Auburn Endurance Events as the Official State 100 Mile Endurance Events and forwarded it to the Board of Directors for review and adoption.

4.3 District Policy Proposed Amendment – Purchasing Limits

Directors Holbrook and Ainsleigh reviewed and approved the District Policy Proposed Amendment – Purchasing Limits and forwarded it to the Board of Directors for review and approval.

4.4 ARD Legal Counsel, 2021

The Committee recommended sending new Requests for Proposals for ARD legal counsel to the Board of Directors for their consideration.

4.5 Approval of Legal Bills – legal bills were approved.

4.6 Discussion Items: None..

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

Director Holbrook would like to review ARD policies on camera use (not data storage), parking policies, signage and ordinances.

Director Ainsleigh requested authorization from ARD to ask for tree donations from Green Acres. This item will be discussed at the Board meeting.

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 1:33 p.m.

Board Secretary

Date

Item 4.2 Cover sheet – Letter Supporting Hwy 49 Bridge Debris Removal Project

Auburn Area Recreation and Park District Policy Committee meeting February, 2021

The Issue

Shall the Auburn Area Recreation and Park District (ARD) send a letter to our local legislators supporting the project to remove the steel and concrete wreckage of the former State Route (SR) 49 Bridge from the North Fork American River?

Background

The debris in the North Fork American River, below, Auburn, was deposited in December 1964, when the partially completed Hell Hole Dam failed, releasing a wall of water that swept downstream and caused the SR 49 Bridge to be washed away. Shortly after the bridge collapsed, Auburn Dam was authorized to be constructed three miles downstream, which would have resulted in the debris resting at the bottom of a reservoir hundreds of feet deep. Hence a decision, reasonable at the time, was made by Caltrans not to remove the hazardous debris.

Now 56 years later, Auburn Dam has not been built and there are no plans to resume its construction. In the meantime, the Auburn State Recreation Area (SRA) has become an enormously popular recreational destination, visited by more than one million people annually and continuing to attract more visitors every year. The most popular part of Auburn SRA is the Confluence area, which includes the stretch of river where the bridge debris lies. The continued presence of this hazardous material constitutes a danger to the safety of the many park visitors who hike, swim, and boat in its vicinity.

Recommendation for the Policy Committee

Review and send a positive recommendation to the Board to approve this letter.

Fiscal Impact

There is no fiscal impact to send the letter

Attachments

- Proposed letter supporting the project to remove the steel and concrete wreckage of the former State Route (SR) 49 Bridge from the North Fork American River

February 25, 2021

Senator Brian Dahle
State Capitol, Room 2054
Sacramento, CA 95814-4900

Assemblymember Frank Bigelow
State Capitol, Room 4158
P.O. Box 942849
Sacramento, CA 94249-0005

Assemblymember Megan Dahle
State Capitol, Room 4208
P.O. Box 942849
Sacramento, CA 94249-0001

Re: State Route 49 Bridge Debris Removal Project

Dear Legislators:

The Auburn Area Recreation and Park District wishes to express its strong support for the project to remove the steel and concrete wreckage of the former State Route (SR) 49 Bridge from the North Fork American River. The bridge debris, located just downstream of the rebuilt SR 49 bridge within the Auburn State Recreation Area ("Auburn SRA"), constitutes a public safety hazard that needs to be eliminated.

The debris was deposited in the river in December 1964, when the partially completed Hell Hole Dam failed, releasing a wall of water that swept downstream and caused the SR 49 Bridge to be washed away. Shortly after the bridge collapsed, Auburn Dam was authorized to be constructed three miles downstream, which would have resulted in the debris resting at the bottom of a reservoir hundreds of feet deep. Hence a decision, reasonable at the time, was made by Caltrans not to remove the hazardous debris.

Now 56 years later, Auburn Dam has not been built and there are no plans to resume its construction. In the meantime Auburn SRA has become an enormously popular recreational destination, visited by more than one million people annually and continuing to attract more visitors every year. The most popular part of Auburn SRA is the Confluence area, which includes the stretch of river where the bridge debris lies. The continued presence of this hazardous material constitutes a danger to the safety of the many park visitors who hike, swim, and boat in its vicinity.

Auburn SRA is a tremendous asset to the Auburn area and surrounding Placer County, enhancing the quality of life for Auburn and Placer residents, and boosting the Auburn and Placer economy. We believe it is of vital importance that the hazardous bridge debris that endangers the safety of those visitors be removed as soon as possible.

Sincerely,

Dr. Gordon Ainsleigh, D.C.
Chairperson, Auburn Area Recreation and Park District

cc:

Toks Omishakin, Director
California Department of Transportation
P.O. Box 942873
Sacramento, CA 94276-0001

Amarjeet S. Benipal, District 3 Director
California Department of Transportation
703 B Street
Marysville, CA 95601

Item 4.3 Cover sheet – Letter Supporting AB 361: Declared Emergencies and Brown Act Requirements

Auburn Area Recreation and Park District Policy Committee February, 2021

The Issue

Shall the Auburn Area Recreation and Park District (ARD) send a letter to our local legislators supporting Assembly Bill 361 (Rivas), which would allow local agencies to continue to provide critical public services to their communities during declared emergencies?

Background

CSDA is sponsoring legislation, Assembly Bill 361 (Rivas), which would allow local agencies to continue to provide critical public services to their communities during declared emergencies.

If passed by the Legislature, Assembly Bill 361 (Rivas), would allow the following:

- While maintaining transparency and public access, local agencies would be able to meet remotely during a declared state of emergency or a declared local emergency
- While agencies would still be required to post agendas and meeting information, agencies would not be required to post meeting notices and/or agendas in physical locations when remotely meeting during an emergency
- While the public must continue to have access to the remote meeting and provided the ability to make public comment, agencies would not be required to make all remote meeting sites accessible to the public, nor include the remote location details in the meeting notice or agenda during a declared state of emergency or a declared local emergency
- Additionally, agency board members would not be required to be at remote sites within the territorial bounds of the agency during a declared state of emergency or a declared local emergency

CSDA is requesting that its members send in letters of support for this measure. A support letter from ARD is attached.

Recommendation for the Policy Committee

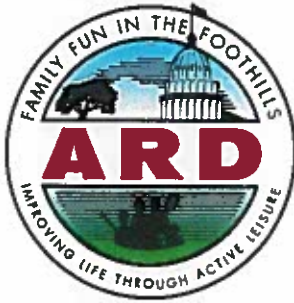
Review and recommend approving letter supporting AB 361. Send this recommendation to the Board.

Fiscal Impact

There is no fiscal impact to send the letter

Attachments

Letter supporting AB 361



AUBURN AREA RECREATION AND PARK DISTRICT

February 25, 2021

Assembly Member Robert Rivas
California State Assembly
State Capitol, Room 5158
Sacramento, CA 95814

RE: Assembly Bill 361 (Rivas) – Support [As Introduced]

Dear Assembly Member Rivas:

The Auburn Area Recreation and Park District is pleased to support your Assembly Bill 361, related to the Ralph M. Brown Act ("the Brown Act"). Our District provides park and recreation services to 45,000 residents in the greater Auburn area.

In light of a stay-at-home order and the need to keep individuals physically distanced from one another, Governor Newsom issued a number of subsequent executive orders (N-25-20, N-29-20, N-35-20) modifying the requirements of the Brown Act. AB 361 seeks to codify several provisions from within the executive orders.

AB 361 would allow local agencies to safely meet remotely during an emergency. The changes to law included in AB 361 are what have allowed local agencies to continue to operate while also complying with important public health directives issued by officials during the COVID-19 pandemic; by enshrining these provisions in statute, this bill ensures that local agencies would continue to be able to remain safe in future emergencies that threaten public health.

AB 361 will include important safeguards that ensure public agency transparency and public access. For a public agency to utilize these provisions to meet remotely, a local agency must meet subsequent or concurrent to a proclaimed state of emergency or declared local emergency, and declare that the nature of the emergency would prevent them from safely meeting in-person. This bill would specifically prohibit local agencies from requiring members of the public to submit their comments in advance, guaranteeing that the public has the opportunity to observe and offer comment during the meeting.

For these reasons, the Auburn Area Recreation and Park District is pleased to support Assembly Bill 361 (Rivas). Please feel free to contact us if you have any questions.

Sincerely,

Dr. H. Gordon Ainsleigh, D.C.

CC: The Honorable Frank Bigelow
The Honorable Brian Dahle
California Special Districts Association [advocacy@csda.net]

Discussion Item #1. Cover sheet – Review of Policies and Ordinances: Cameras, Parking and Signage

Auburn Recreation District Policy Committee meeting February, 2021

The Issue

A review of ARD policies and ordinances on cameras, parking and signage. Director Holbrook requested this review.

Background

ARD has several policies and ordinances regarding cameras, parking and signage. These policies have been compiled in the attached document.

Recommendation for the Policy Committee

Review and provide direction.

Fiscal Impact

N/A

Attachments

ARD policies and ordinances regarding cameras, parking and signage.

Auburn Area Recreation and Park District

Policies and Ordinances regarding cameras, parking and signage

District Policy

XXXIII. Use of Surveillance Equipment at District Parks and Facilities

A. Surveillance Equipment Policies

The District reserves the right to install and maintain surveillance equipment, including cameras, on a temporary or permanent basis. Use of surveillance equipment will be permitted with the following conditions and limitations:

1. Surveillance equipment will only be used for specific management and business reasons, such as security, monitoring and protection from vandalism, misuse, abuse and theft.
2. Given the open and public nature of the District's facilities and services, filming and/or recording may be done at any time in a 24-hour period because individuals may be present at all hours of the day and night; however, the District may or may not monitor the system continually.
3. Surveillance equipment shall never monitor the inside of locker rooms, changing rooms and restrooms.
4. District staff may consult with law enforcement to discuss and review the efficacy of placing surveillance equipment in parks or facilities.
5. The proposed design and operation of surveillance equipment should minimize unintended and unnecessary privacy intrusion.
6. Information and data recorded by surveillance equipment will be destroyed following the procedures of CA Government Code 53160. In general, video recordings will be maintained for one year.
7. Recording equipment must be located in a strictly controlled access area. Only authorized personnel shall have access to the controlled access area and the recording equipment. The District Administrator and or his/her designee shall determine authorized personnel.
8. The District may approve access to a surveillance record if required for the purpose of law enforcement or by court order.
9. The District shall post signs, visible to employees and members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds that video surveillance may be in use.

B. Definitions

Surveillance equipment refers to any device that can record the actions of park and facility users, either through still frame photography or video recording devices. Surveillance equipment does not include audio recording devices.

XXI. Use of Outdoor Fields and Facilities

B. Field Use Policies for User Groups:

9. **Parking** is allowed only in designated areas.

XII. Sponsorship Signs

A. **Sponsorship Signs.** Any local organization wishing to place sponsorship signs on ARD facilities must conform to requirements of ARD Ordinance 1. **1.1**

In addition, any signs to be placed on athletic fields must be placed in a manner to be considered safe and appropriate by the district Administrator or designee. Sponsorship signs may be placed at any other ARD facilities.

XVII. ARD Project Notification Policy

In an effort to keep the public informed about upcoming projects, the Auburn Area Recreation and Park District has adopted the following policies regarding notification.

C. Notification may take many different forms, including, but not limited to, the following:

1. **Project sign:** The sign should be posted after conceptual work on the project has been done. This would generally allow for the sign to be posted for at least one month prior to any Board votes. All signs shall contain a brief description of the project, bullet points of details regarding the project, when the Board plans to vote on the project and who to contact about the project.

ARD Ordinance #1

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

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

H. Public use roads. The provisions of the California Vehicle Code shall be applicable in all parks upon any roadway, avenue or place which is publicly maintained and open to the use of the public for vehicular travel. Violations shall be enforced and prosecuted in accordance with the provisions thereof. Appropriate signs shall be posted advising of any additional vehicular travel restrictions in force and shall be enforced in accordance with governing law.

R. Prohibited presence. No person shall be present in any park after dusk or before dawn or at times otherwise posted, except when lawfully in attendance at an event or authorized rental permitting such, or participating in an approved activity at a lit facility. All activities at lit facilities must obey Section BB. (Amended 3/28/19)

V. Posting of handbills, advertising. It is unlawful for any person to distribute, cause to be distributed, or suffer, allow or permit the distribution of any handbill, dodger, circular, booklet, card, pamphlet, sheet or written or printed notice advertising any commodity, article, merchandise, business activity, person or thing in or upon any park, grounds or recreation center, or to post or affix, cause to be posted or affixed or permit to be posted or affixed to any tree, shrub, plant, fence, building, structure, monument, wall, tablet, apparatus, bridge, post, hole, bench, gate or other physical object with any park, grounds or recreation center any handbill, dodger, circular, booklet, card, pamphlet, sheet or written or printed notice

advertising any commodity, article, merchandise, business, person, thing or activity unless written permission is obtained from the District Administrator.

Discussion Item # 2. Cover sheet – Review of Policies Regarding Rental of Facilities

Auburn Recreation District Policy Committee meeting February, 2021

The Issue

A review of ARD policies regarding the rental of facilities.

Background

Questions arose at the January, 2021 Board of Directors meeting about an arrangement made with instructors wanting to use the Bike Park for the purpose of teaching Mountain Bike Riding Classes.

ARD has several policies regarding the rental of facilities:

XXI. Use of Outdoor Fields and Facilities

A. Field use policies for private renters:

1. All renters must adhere to the Field Availability Policy.
2. The District reserves the right to cancel any event with or without advance notice. District functions take priority in all cases. Renter will schedule fields from the master schedule with the Customer Service Office.
3. Fields will be assigned on a first come, first served basis, except for historic/regular User Groups (ex. Little League use of baseball fields in the spring).
4. A renter may contract with the District to prepare fields for an event for additional fees, to be paid in full prior to field preparation.
5. Fields are expected to be left in the same condition that they were found in. A fee for additional maintenance work required by the District to bring the field(s) back to acceptable playing condition may be charged to the responsible party. Future reservations will not be permitted until this fee is paid. Deposits may be required.
6. The District reserves the right to deny any rental request for the use of fields. Complaints or problems related to a specific customer's use will be taken into consideration when a rental application is submitted for use of fields.
7. Rained out reservations may be rescheduled or fees refunded if requested the first working day after the rain out.
8. A strict 11:00 curfew will be enforced for all week night and weekend play, unless prior authorization is obtained by Special Permit.

9. No person or commercial enterprise may use a District park or facility for financial gain unless authorized by Special Permit or they are running a District sanctioned class or activity. Associated rental fees may be charged.

D. **Field Fees & Proceedings:**

1. Fees: Refer to established Schedule of Fees as approved by Board of Directors.
2. Procedure:
 - a. Reservation of fields may be made up to 1 (one) year in advance.
 - b. Fields are available for single use rentals for a minimum rental time of two hours.

- E. **Facility & Field Rental Fees.** All fees are payable in full at the time of the reservation. No permit will be issued to rent District facilities and/or fields until all outstanding bills are paid in full or payment arrangements are made with written approval of the District Administrator or designee.

For any season, User Groups must pay in advance according to their submitted reservation schedule for the entire season. Payment arrangements may be made with prior written approval of the District Administrator or designee to issue the permit for the season with an agreed upon payment schedule. In all cases, full payment must be made by the start of the User Group's season. If payment is not received by the due date, the District has the right to revoke the existing permit. In the event of potential revocation, a written notice will be sent to the contact person of record with the District. The District will charge a 1 ½ % per month late fee on all accounts receivable paid 30 days or more after the due date, assessed on a daily basis.

Recommendation for the Policy Committee

Review and provide direction.

The instructors wanting to use the Bike Park for lessons will be working through the standard ARD rental procedure process.

Fiscal Impact

N/A

Attachments

None

Discussion Item # 3. Cover sheet – Review of Policies Regarding Donations to ARD

Auburn Recreation District Policy Committee meeting February, 2021

The Issue

A review of ARD policies regarding donations to the Auburn Area Recreation and Park District.

Background

ARD created a policy to recognize major donations. That policy is attached.

Recommendation for the Policy Committee

Review and provide direction.

Fiscal Impact

N/A

Attachments

ARD Major Donor/Volunteer/Sponsor Recognition Policy and Procedures

XLIII. Major Donor/Volunteer/Sponsor Recognition Policy and Procedures

The purpose of this policy and related procedures is to recognize major donations of time and money to the District. The District recognizes that its operations and service to the community would be greatly enhanced by the assistance of these individuals and companies. As such, the District wishes to acknowledge their important contributions.

Monetary donations and sponsorships

The District will recognize monetary donations at the following levels:

Bronze level: \$1,000 - \$4,999

Silver level: \$5,000 – 9,999

Gold level: \$10,000+

In regards to this policy, monetary donations received as part of a sponsorship will be reduced by 25%. This reduction is in place to recognize some of the benefits of the sponsorship, including advertising on District media and acknowledgment at events.

The District will endeavor to provide a fair-market estimate of donations of goods, such as alcohol or materials used at an event or in District operations.

All recipients of the ARD Friend of Recreation Award shall be recognized with an acorn.

Volunteers

The District will recognize those individuals who have donated substantial volunteer time or materials to the District. The determination of “substantial” will be made by the Board of Directors based on recommendations from the community, staff or other Board members. A minimum of 500 volunteer hours (estimated) is required.

Recognition procedures

Donors in the above mentioned categories will be recognized on the District’s “Donor Tree”, located at Recreation Park. The monetary donors will be recognized with inscribed tree leaves in the corresponding colors, and volunteer donors will be recognized with green leaves or acorns.

Donors will also be recognized by a suitable certificate from the Board of Directors and personally at a Board meeting, whenever possible.