

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

WEDNESDAY, MARCH 20, AT 1:00 PM

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

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

1.0 CALL TO ORDER

Holbrook _____ 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 February 20, 2019 Program,
Personnel, Policy, Fee & Legal Review Committee Meeting**

Recommendation: Review and approve minutes.

4.2 Approval of Legal Bills from February, 2019

Recommendation: Review and approve legal bills.

Discussion Item:

1. Naming of Parks and Public Facilities.
2. ARD Legal Expenses Analysis.
3. ARD Legal Counsel, 2019.

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

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

- Review the District Transparency Checklist - ongoing.

ADJOURNMENT

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

3-15-19
Date

1:10 P.M.
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, February 20, 2019 at 1:00 p.m.
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 1:01 p.m.

ROLL CALL

Director Ainsleigh was present, Director Holbrook was absent.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

Item 4.4 was moved to after item 4.1

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 January 23, 2019 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The minutes from the January 23, 2019 Program, Personnel, Policy, Fee & Legal Review Committee meeting were reviewed and approved by Director Ainsleigh.

Item 4.4

Facilities and Fields Fee Increases

Representatives from Auburn Little League attended the meeting to address field fee increases.

Jamie Baldwin of Auburn Little League feels that the fields are not in playable condition and that a field fee increase is not warranted right now. Families cannot afford the increase, children will lose out.

ARD is aware that we need to address the field conditions.

Director Ainsleigh forwarded this item to the Board of Directors with the recommendation to allow the field fees to remain the same until ARD can show some improvement on the fields.

4.2 ARD Legal Counsel, 2019

Director Ainsleigh moved this item to the March, 2019 Program, Personnel, Policy, Fee & Legal Review Committee.

4.3 Amending ARD Ordinance #1

This item was reviewed by Director Ainsleigh with his recommendation to revise item R. Prohibited Presence taking out the words tent, camp, and lodge. Director Ainsleigh forwarded this item to the Board of Directors with the recommendation to have a first reading of the proposed amendments at the February 28, 2019 Board meeting and to set it for hearing at the March 28, 2019 Board of Directors meeting.

Item 4.4, Facilities and Fields Fee Increases was moved to before item 4.2.

4.5 Approval of Legal Bills from January, 2019

Director Ainsleigh reviewed and approved the legal bills.

Discussion Item:

1. Permanent Restraining Order against Matthew Rhines – Director Ainsleigh recommended sending this item to the Board of Directors with his request for the Board to authorize Director Ainsleigh to pursue a permanent restraining order against Matthew Rhines.

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

None.

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

Review the District Transparency Checklist – ongoing.

ADJOURNED

As there was no further business, the meeting was adjourned at 2:07 p.m.

Board Secretary

Date

Discussion Item #1. Cover sheet – Naming of Parks and Public Facilities

**Auburn Area Recreation and Park District (ARD) Program, Policy, Fee and Legal Review Committee
March, 2019**

The Issue

Shall the Auburn Area Recreation and Park District (ARD) review and possibly modify its policy on how parks and public facilities are named? This item was requested for review at the February 28, 2019 Board of Directors meeting.

Background

ARD's current policy on naming parks and public facilities is as follows:

XVI. Naming Public Facilities

During the master-planning phase and/or prior to Board approving final plans and specifications on any park or public building, an open period of approximately two weeks will be announced giving individuals, staff and the Board an opportunity to suggest names for the facility.

A press release will be sent out notifying the public, and interested individuals could submit the appropriate form giving staff some information regarding the suggested name. Names should be submitted to the District Administrator.

Staff, along with an established committee or selection committee, will review all names and prioritize and recommend a name for finalization by the Board of Directors. The Board would receive all names submitted along with the staff/committee evaluation.

Land or gifts with deed restrictions may not follow these guidelines.

Names must be in accordance to District policy as noted.

A. Parks:

1. Name to reflect geographical location, historical references or feature of park, or significant or unusual natural features.
2. Named after a significant individual(s).

B. Buildings:

1. Name to reflect the services provided in facility.
2. Name to reflect geographical location.
3. Named after significant individual(s).

C. Criteria for naming a facility after an individual:

1. Individual must have made a significant contribution to the facility by:
 - a. Donation of land or large financial contribution to the facility.
 - b. Contributed substantially and improved the quality of life in the Auburn Area Recreation and Park District (Area 5). This could relate to involvement with parks and recreation or other public agency.

1. Each public facility or place within parks, such as ball fields, groves, walkways, trails and buildings could be named after selected individuals in their honor as desired and appropriate.

D. Criteria for creating non-living memorials in an individual's name:

1. The memorial should be a non-living, low maintenance improvement, which should serve a purpose to the District, for example, a bench with a plaque. All costs of the improvement shall be the responsibility of the donor. The donor may submit information and recommendation to the District Administrator regarding relevant history of the person to be memorialized, type of improvement desired and verbiage requested. Final decisions regarding the improvement, including, but not limited to, materials, equipment, location and labor will be made by the District.

E. Criteria for Memorial Tree plantings

1. Memorial Trees may be planted in District Parks as approved by the District. A plaque no larger than 5" x 7" can be requested to be placed by the base of a memorial tree on a case by case basis. All costs for the tree planting, including a plaque, shall be the responsibility of the donor. Final decisions regarding the tree species, location and labor will be made by the District.

Park and facility naming policies from other agencies are attached.

Recommendation for the Policy Committee

Review and discuss.

The naming policies from the other agencies included with this agenda item have similar requirements as ARD. One suggested addition to ARD's requirements is to spell out what committee will review the proposed names for recommendation to the full board.

Fiscal Impact

N/A

Attachments

Naming policy: City of Lake Elsinore

Naming policy: Sonoma County Regional Parks

Naming policy: City of Galt

Naming policy: City of Roseville

CITY OF LAKE ELSINORE, CALIFORNIA

COUNCIL POLICY MANUAL

SUBJECT: Naming of Public Facilities; Policy No. 400-10
Memorial Tree Plantings Effective Date: 6/14/94
Revised: 9/12/06
Page No. 1 of 2

POLICY

The Council considers it desirable that appropriate names be selected for parks and other public recreational facilities, including beaches. Further, the Council desires to provide for the planting of memorial trees in accordance herewith. The following guidelines shall serve as policy on these matters.

Parks and Public Facilities

- A. Suggestions for naming new or existing parks or public facilities shall be reviewed by the Community Services Department with a recommendation being transmitted to the City Council for approval.
- B. New or existing park or public facilities names can be chosen from, but not limited to, the following categories:
 - 1. Streets or schools bordering park
 - 2. Topography
 - 3. Theme
 - 4. Common names already in place for the area
 - 5. Persons of distinction who have contributed to or positively influenced the City and who, in the Council's determination, are deserving of such recognition
- C. Facility rooms or site amenities may be dedicated in honor of persons if done as part of a capital/fundraising campaign and with the approval of the City Council.

Regional Parks Department. Names for Parks will be determined and approved as part of the master plan process for a new park.

III. PROCEDURE

- A. Public participation in naming parks and facilities is encouraged, especially from those individuals or groups that may have been influential in the acquisition of the property.
- B. Names will be assigned to new properties as soon as possible after acquisition.
- C. Names that have a long-established use in reference to an area of the park or the park itself are the most easily established and adopted.
- D. Names that are derogatory or highly offensive to a particular racial or ethnic group, gender, or religious group may not be used; regardless of whether or not they are well established.
- E. Names shall not be overly long, clumsily constructed, or overly difficult to pronounce and/or spell.
- F. Commemorative names may be more suitable for features within a park than the park itself due to the fact that a commemorative name may not provide any clues to park users as to the park location and features.
- G. Ideally, names will contain the following attributes:
 - i. Provide a sense of location
 - ii. Park names that provide information about what can be expected at the park

II.) FACILITY NAMING POLICY

A) Naming, Renaming of Park or Recreation Facilities or Features

Overview

The use of names based upon distinguishing characteristics, location, or historical usage, is a long-standing practice for the official naming of public sites and facilities. At the national level, naming of federal sites is overseen by the U.S Board on Geographic Names. Among the key factors considered by the Board is use of names based on established, historical, and local usage. Not surprisingly, many agencies have adopted policies that are generally similar to those of the Board on Geographic Names, and which give priority to names based on geography, location, historical usage, and distinguishing characteristics.

At the same time, it is recognized that individuals and community organizations periodically wish to honor individuals or groups by naming park or recreation assets after them. The policy outlined below was developed to accommodate the desire for commemorative naming, where warranted, while still supporting the primary community values.

Policy

- It is the policy of the City to name park or recreation facilities in a manner that will provide an easy and recognizable reference for the City's customers. Therefore, first priority in naming facilities shall be given to geographical location.
- The geographic location may be based on the identification of the facility with a specific place, neighborhood, major street, or regional area of the City.
- Facilities may also be named based on distinguishing, prominent, natural or geological features. This may be used in conjunction with a geographical location, for example, Three Rivers Peak.
- Names in common or historical usage have a secondary priority.
- Names that honor a person who has made a distinct and significant contribution to the City of Gilroy will be considered in accordance with the Commemorative Naming Policy.
- Naming that is done in exchange for major contributions will be considered in accordance with the Park or Recreation Facility Sponsorship Policy.
- Conditions of property donation or deed shall be honored regarding name of facility, although a geographic or characteristic name is preferred.
- Names that are similar to existing park or recreation facilities or properties in the Gilroy area should be avoided in order to minimize confusion.
- Property type and intended use may be designated in the name.
- Park or recreation facilities named after an individual should include the geographic, natural, or geological features as part of the name, i.e. Debell-Uvas Park Preserve

B) Commemorative Dedications and Names

Overview

The selection of commemorative names must be done in a manner that insures that there is broad based support for the naming and general acknowledgement that the contributions of the individual being honored are extraordinary, above and beyond the norm, and unique in quantity and quality of service. Extreme care and diligence must be exercised in the application of this policy to insure that the selection of honorees will withstand the test of time.

If the selection of individuals for commemorative naming or dedication is felt to be inconsistent or biased, then it could become a divisive force in the community and make future decisions on naming difficult and shrouded in controversy. It is the goal of this policy, therefore, to provide consistency in the evaluation of dedication and naming requests and to insure that this honor is bestowed to individuals in an equitable manner and based on common criteria. The dedication or commemorative naming of park or recreation facilities or features will be considered with the following guidelines:

Guidelines:

- Names or dedications that commemorate or may be construed to commemorate living persons will not be considered, except at the discretion of the City Council.
- The person being honored must be deceased at least five years before a commemorative dedication or naming proposal will be considered.
- The individual/organization must have demonstrated outstanding achievements, contributions to the community, and enrichment of the City. The contribution of the person being honored must have been uncompensated, extraordinary, significant, and unique, setting this individual apart from others who contributed to the community. This may be evident by documented history such as articles in newspapers recognizing the individual's contributions or previously received recognitions and awards.
- The person being honored by the dedication or naming should have had a direct and long term association with the feature or facility.
 - Early or long-time settler –20 or more years
 - Developer of the designated feature
 - Restorer or maintainer of the feature
 - Donor of the land to the City of Gilroy
 - Person who played a large part in protecting the land or feature for public benefit
 - Person who played a large part in providing community services through the feature or facility
- Contribution to the community was through our park or recreation system or programs.
- Contributions to the park or recreation system were sustained over a long period of time.

- The named resource is pertinent to, or representative of, the individual's contribution.
- The proposal to commemorate an individual should contain evidence of broad based local support for the proposed name and its application, such as letters, editorials, and petitions.
- The costs of plaques, monuments, and replacement of signs resulting from, or done in conjunction with the dedication or commemorative naming will be borne by the individual, group, or organization sponsoring the request

C) Procedure to Request the Dedication, Naming or Renaming of Park or Recreation Facility

1. New Park or Recreation Facilities:

Naming of new Community Services facilities will be done through a community outreach process that provides opportunity for Gilroy's residents to provide suggestions and input. Citizens may suggest the commemorative naming of a new park through this process.

- a) Whenever possible, the naming of a new facility should occur in conjunction with the Master Plan process for that facility
- b) The City will publicize the naming opportunity broadly including posting on the Channel 17, the City's Web page, and in local newspapers. The opportunity to name the facility will also be discussed during the community meetings for design of the facility.
- c) Nominations for names will be submitted to Community Services Director on the Park Naming Nomination form
- d) The Director and staff will review the nominations for compliance with the City's Park Naming Policy
- e) Nominations that are found to be in compliance with the Park Naming Policy will be forwarded to Park and Recreation Commission for review and recommendation
- f) The Parks and Recreation Commission will make a recommendation to Council based on their review of the nominations.
- g) The recommended name will be forwarded to the City Council for their review and consideration. This may be done in conjunction with the approval of the facility Master Plan. Approval, modification, or denial of the proposed name is within the sole discretion of the City Council.

2. Re-naming of Existing Facilities and Features for Memorial/Commemorative purposes

- a) Applicant will complete the Commemorative Naming Application and submit to the Director of Community Services.
- b) Application shall include documentation of contributions of the person being honored
- c) Application shall include letters of support, articles, and similar documents which demonstrate broad based community support for re-naming
- d) The Director and staff will review the Commemorative Naming Application and determine if complies with the City's Park or Recreation Facility Naming Policy.

- e) If the application is found to be consistent with the City's policy, it will be forwarded to the Parks and Recreations Commission for their review
- f) Applications that are determined by the Director to be incomplete, without sufficient documentation, or otherwise inconsistent with the City's policy will be returned to the applicant with a letter explaining the reasons for rejection. The applicant may resubmit the name request with new or additional information that brings the request into compliance with the City's policy.
- g) The Director of Community Services will submit the commemorative re-naming request to the Parks and Recreation Commission for their review.
- h) The Parks and Recreation Commission will make a recommendation to Council based on their review of the application.
- i) The recommended name will be forwarded to the City Council for their review and consideration.
- j) All decisions with respect to facility naming will be at the sole discretion of the City Council, which may choose not to grant any naming rights or recognitions for facility or feature of a facility. Approval, modification, or denial of the proposed name is within the sole discretion of the City Council.



Park Naming Process

Parks, Recreation & Libraries

On January 18, 2017, City Council approved changes to the park naming process. These changes apply to parks and facilities within parks only. The naming process for City buildings and other City facilities remains unchanged.

Annual Advertisement Period

On the first working day in July, a press release would be sent out notifying the public and interested individuals that name suggestions are being sought for new parks and new facilities within parks under construction during that fiscal year period (July 1 to June 30). This suggestion period is open for three weeks. Names should be submitted to the City Clerk and forwarded to appropriate staff.

Annual List

The names received during this open advertisement period would be compiled into a list with the following provisions:

1. The list will be maintained as "active" for a one (1) year period and will be reviewed for name considerations for park projects and facilities within parks scheduled for construction during the same time period of the advertisement;
2. The Park Naming Subcommittee maintains the right to select a name appropriate for the park based on geographical location, such as street names, subdivision name, or adjacent school name;
3. A name suggestion cannot be submitted more than three consecutive years;
4. The Park Naming Subcommittee maintains the right to select a name not on the "active" list due to special circumstances, such as historical significance; the passing of an active contributor(s) to the community; or other.

Criteria for Naming a Park Facility

Names must:

1. reflect geographical location;
2. reflect significant natural features;
3. honor a significant individual (See below)

Individuals must have made a significant contribution to the Roseville community, including, but not limited to:

- A - Donation of land or large financial contribution to a specific facility;
- B - Contributed substantially and improved the quality of life in Roseville. This could relate to involvement with Parks and Recreation or other volunteer community involvement activities towards the betterment of life in Roseville.
- C - Died or disabled in the line of duty as part of City service.

Naming of new parks or recreation facilities should also consider:

- Including "Roseville" for regional or city-wide parks and recreation facilities;
- Avoidance of duplication of surnames in order to ease confusion of sites and locations for the general public;

The Subcommittee reserves the right to consider exceptions due to extraordinary circumstances which inspire vision and civic engagement. Exceptions can be made when the actions or contributions of an individual not normally meeting the established criteria are so significant and profound that this person deserves consideration.

Each park or facility within a park, such as ball-playing fields, groves of trees, walkways, trails and buildings, or special rooms in a building could be named after selected individuals in their honor as desired and as appropriate.

It is noted that the City of Roseville is grateful for the sacrifices of our fallen soldiers and veterans who served our country. With limited parks and recreation facilities available, it is difficult to place a higher value or honor of one life over another. Therefore, honoring our fallen soldiers and veterans shall be directed to existing veteran-related programs within the City.

Roseville

Additionally, re-naming of an existing park due to costs, potential loss of neighborhood identity and other considerations shall be discouraged. The City Council reserves the right to consider park sites, not associated with a specific individual(s), to add onto an existing established park name due to special circumstances. In such cases, the original park name shall not be replaced. Under these special circumstances, community contributions towards the offset of costs incurred to change signage shall be a component of the approval process. To ensure geographically named parks remain a part of the process, an effort shall be made to balance the naming of parks in the range of 20% of the parks within the park system inventory shall be geographically based at any given time.

Selection Process

The Park Naming subcommittee is made up of the three officers of the Parks and Recreation Commission; the Mayor and one City Council member.

1. The Subcommittee shall review all names and recommend a short list of up to three name for each new park or recreation facility scheduled for construction during the same fiscal year;
2. he short list of selected names shall be reviewed by the Parks and Recreation Commission for consideration at a formal meeting;
3. Thereafter, the Parks and Recreation Commission shall forward the short list of recommendations to the City Council for formal approval. The Commission may elect to recommend a name per park or facility for Council consideration along with the short list; All l names submitted during the submission period shall be forwarded to the City Council with the recommendations. This shall include the "active list" of names from the previous year;
4. Potential namesakes will be contacted by Staff prior to the Parks & Recreation Commission meeting



Suggested Name For a Park or Facility Within a Park

Suggested Name _____
*(Print or type the suggested name **exactly** how you would like it to read)*

Park Preference: Any park site _____ *(Specify park)*

of years as a Roseville Resident _____

Reason for Suggestion *(Must be completed for further consideration):*

Attach a second sheet if necessary.

Attachment included

Name _____
(of individual submitting request)

Address _____

Phone Number/Email Address _____

Please submit this form to the City Clerk's office for name consideration. All names must be in accordance with the established City criteria. Submit one name per form.

FOR CITY USE ONLY:

For FY _____ Has this name been submitted before? Yes No
 If yes, when? _____

Subcommittee Review Comments:

Discussion Item #2. Cover sheet – ARD Legal Expenses Analysis

Auburn Area Recreation and Park District Policy, Program and Fee Committee Meeting March, 2019

The Issue

An analysis of how the Auburn Area Recreation and Park District spends its money in relation to legal costs. The Policy Committee requested this review.

Background

Staff was asked to provide a basic analysis of ARD legal spending as part of the consideration into whether the District should go out with an RFP for legal services.

A three-year review of legal bills (December, 2015 – December, 2018) showed the following:

HR	Misc.	Mt. Vern	Vet. Park	Bike Park	TOTAL
\$16,694	\$919	\$6,464	\$456	\$144	\$24,677

HR = 67.65%

Staff also reached out to several Sacramento area Recreation and Park Districts to inquire about their legal expenses. The agencies were asked the following questions:

- 1) What have your legal expenses been for each of the past couple of years?
- 2) How much of those expenses were related to HR/employee issues (just an estimate)?
- 3) What is your annual budget?
- 4) Do you use someone other than your attorney for HR issues?

Three agencies replied:

<u>Agency</u>	<u>Avg. legal exp</u>	<u>Avg. HR exp</u>	<u>Agency budget</u>	<u>Legal %</u>	<u>HR %</u>	<u>HR by others?</u>
ARD	\$7,916	\$5,564	5.1 million	.0015%	.001%	Sometimes
North Highlands	<\$10,000	\$0	2.1 million	.0048%	0%	
Rio Linda Elverta	\$19,250	\$2,750	1.3 million	.0148%	.0021%	
Arden Park	\$7,000	\$0	800k	.008%	0%	Yes

Recommendation for the Policy Committee

Review and provide direction.

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
\$4,533	\$12,552

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

Attachments

None

Discussion Item #3. Cover sheet – ARD Legal Counsel, 2019

Auburn Area Recreation and Park District Policy, Program and Fee Committee Meeting January, 2019; February, 2019; March, 2019

The Issue

Shall the Auburn Area Recreation and Park District (ARD) re-address the performance of its current 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 and May, 2016.

Recommendation for the Policy Committee

Review and provide direction.

Staff recommends staying with Cole Huber.

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
\$4,533	\$12,552

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

Attachments

DRAFT Request for Proposal (RFP) for Legal Services



**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

Date

**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 **DATE** 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 **DATE**. 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 the Board of Director's meeting on DATE at 6pm.** The meeting will take place at the Canyon View Community Center (471 Maidu Dr., Auburn).

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 43,000 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 17/18 were \$5.1 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 the Board of Director's meeting on **DATE** at 6pm. The meeting will take place at the Canyon View Community Center (471 Maidu Dr., Auburn).

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
- * Thorough 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, fax number, 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.