

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

**10:00 AM**

**THURSDAY, MAY 28, 2020**

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](mailto: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/98007246802> The public can use this link and/or call 1 669 900 6833 Webinar ID: 980 0724 6802 to participate.

People using the Zoom website will be able to see and hear the ARD Board, and the ARD 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 1:30pm. 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.

The Auburn Area Recreation and Park District appreciates your patience and understanding as we work through this new method of holding a public meeting.

**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**

Holbrook \_\_\_\_ Gray \_\_\_\_ Ainsleigh \_\_\_\_ Ferris \_\_\_\_ Lynch \_\_\_\_

**2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS**

None.

**3.0 AGENDA REVIEW, CHANGES, AND APPROVAL**

Motion by \_\_\_\_\_ Second by \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**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 April 30, 2020 – Pages 6 - 12**

Review and approval of Minutes of the Board of Directors from April 30, 2020

\_\_\_\_\_ **5.2 Review of Cash Requirements for April, 2020 (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.

\_\_\_\_\_ **5.3 Review and Approval of Financials for March, 2020 (Standing Finance Committee) – Pages 16 - 12**

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

\_\_\_\_\_ **5.4 Resolution Number 2020-17: Notice of Completion, Auburn Bike Park (Acquisition & Development Committee) – Pages 22 – 24**

This item was reviewed and approved by the Acquisition & Development Committee and forwarded to the Consent Calendar for review and adoption.

\_\_\_\_\_ **5.5 Resolution Number 2020-18: Transfer to ARD Contingency Fund (Standing Finance Committee) – Pages 25 – 25A**

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

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**6.0 ADMINISTRATOR’S AND DEPARTMENTAL REPORTS**

Please see board reports, fee waiver log, vandalism reports, and project activity report under item 6.0.  
– **Pages 26 – 49**

**7.0 UNFINISHED BUSINESS**

**7.1 Resolution Number 2020-15: Atwood III Intention to Levy Continued Assessments, Preliminary Approval of Engineer’s Report for FY 20/21 (Acquisition & Development Committee) – Pages 50 – 82**

This item was reviewed and approved by the Acquisition & Development Committee and forwarded to the Board for review and adoption.

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**7.2 Fiscal Year Project List and Five-Year Plan Update post COVID-19 (Acquisition & Development Committee) – Pages 83 – 87**

This item was reviewed and approved by the Acquisition & Development Committee and forwarded to the Board for review and approval.

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**8.0 NEW BUSINESS**

**8.1 2020/2021 Obsolescence List – Pages 88 - 94**

Shall the Auburn Area Recreation and Park District ARD approve the updated and discussed Five-Year Obsolescence List based on the new 2020/2021 Budget?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

**8.2 Resolution Number 2020-16 Final Budget FY 20/21 (Standing Finance Agenda) –  
Pages 95 - 125**

Shall the Auburn Area Recreation and Park District (ARD) adopt the Final Budget for Fiscal Year 2020/2021?

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to \_\_\_\_\_

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Holbrook \_\_\_\_\_ Gray \_\_\_\_\_ Ainsleigh \_\_\_\_\_ Ferris \_\_\_\_\_ Lynch \_\_\_\_\_

**Roll Call Vote**

\_\_\_\_\_ **9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS**

County Mitigation Fund, current balance \$487,738. – **Page 126**

1.

\_\_\_\_\_ **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**

1 Correspondence to ARD from Sutter Auburn Faith Hospital Foundation for a donation of face masks. – **Pages 127 - 128**

\_\_\_\_\_ **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 Conference with Labor Negotiators (Government Code, section 54956.95, subd. (f), 54957.6)**

**Agency Designated Representatives: Kahl Muscott, District Administrator; Veona Galbraith, Administrative Services Manager**

**Employee Organization: IOUE, Stationary Engineers Local 39**

**13.2 Public Employee Discipline/Dismissal/Release (Gov. Code Section 54954.5, subd. (e), 54957.)**

**13.3 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:

5-22-20  
Date

2:20 pm  
Time

P. Larson  
Clerk to the Board

**SECTION: 5.0**

**ITEM: 5.1 REVIEW AND APPROVAL OF MINUTES OF THE  
BOARD OF DIRECTORS FROM APRIL 30, 2020**

**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, April 30, 2020, 4:30 p.m.**

**Board Members**

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

**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 Services Manager  
Mike Scheele, Landscape Architect/Project Manager

**1.0 CALL TO ORDER**

The Meeting of the Board of Directors was called to order at 4:37 p.m. by Chairman Holbrook.

**2.0 INTRODUCTIONS, PRESENTATIONS AND ANNOUNCEMENTS**

Dane Wadle, CSDA Senior Public Affairs Coordinator gave a presentation about CSDA's actions during the crisis.

**3.0 AGENDA REVIEW, CHANGES AND APPROVAL**

A motion was made by Director Gray and seconded by Director Ferris to approve the agenda as written.

**Roll Call Vote**

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

5 – 0 Motion carries

**4.0 PUBLIC COMMENT**

None.

**5.0 CONSENT ITEMS**

- 5.1 Review and Approval of Minutes of the Board of Directors Meeting from February 27, 2020, Minutes of the Special Meeting of the Board of Directors from March 18, 2020 and Minutes of the Special Meeting of the Board of Directors from April 13, 2020**
- 5.2 Review of Cash Requirements for February, 2020 (Standing Finance Committee)**
- 5.3 Review and Approval of Financials for February, 2020 (Standing Finance Committee)**
- 5.4 Review and Approval of Financials for March, 2020 (Standing Finance Committee)**
- 5.5 Shall the Auburn Area Recreation and Park District (ARD) approve changes to the Youth Services Manager job description? (Program, Personnel, Policy, Fee & Legal Review Committee)**
- 5.6 Resolution Number 2020-13: OES Agent Designation**
- 5.7 Resolution Number 2020-14: OES Project Assurances Agreement**

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

**Roll Call Vote**

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

None.

## **8.0 NEW BUSINESS**

### **8.1 Amending the Board Procedures and Responsibilities Manual – Elections of Officers and Other Minor Edits (Program, Personnel, Policy, Fee & Legal Review Committee)**

A motion was made by Director Ainsleigh and seconded by Director Lynch to approve the Board Procedures and Responsibilities Manual amendments using alternative language #1.

#### **Roll Call Vote**

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

1 - 4 Motion did not carry.

A motion was made by Director Lynch and seconded by Director Ferris to approve the Board Procedures and Responsibilities Manual amendments as written with modifications.

#### **Roll Call Vote**

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

3 - 2 Motion carries.

### **8.2 Resolution Number 2020-12: Energy Savings Performance Contract Investment Grade Audit (Acquisition & Development Committee)**

A motion was made by Director Ainsleigh and seconded by Director Lynch to authorize SmattWatt Energy, Inc. to proceed with a budget neutral energy savings Investment Grade Audit.

#### **Roll Call Vote**

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

5 - 0 Motion carries.

**8.3 Letter to Placer County Regarding Funding the Hidden Falls Regional Park Trail Expansion Project (Program, Personnel, Policy, Fee & Legal Review Committee)**

A motion was made by Director Ainsleigh and seconded by Director Ferris to approve a letter to be sent to Placer County Regarding Funding the Hidden Falls Regional Park Trail Expansion Project at the point that they delineate the cost for the project.

**Roll Call Vote**

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

5 - 0 Motion carries.

**8.4 Park, Building, Structure, Amenity and Facility Closure Policy (Program, Personnel, Policy, Fee & Legal Review Committee)**

A motion was made by Director Lynch and seconded by Director Ferris to approve the proposed Park, Building, Structure, Amenity and Facility Closure Policy.

**Roll Call Vote**

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

5 -0 Motion carries.

**8.5 Resolution Number 2020-08: James Ball Field Renovation Project Notice of Completion (Acquisition & Development Committee)**

A motion was made by Director Gray and seconded by Director Ainsleigh to adopt Resolution Number 2020-08 accepting the subject project improvement for public use and authorize staff to file a Notice of Completion.

**Roll Call Vote**

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

5 - 0 Motion carries.

**8.6 Letter to Governor Newsom Requesting Exemption from State Orders**

A motion was made by Director Holbrook and seconded by Director Ainsleigh to send a letter to Governor Newsom requesting exemption from State COVID-19 requirements, working instead with the Placer County Health Officer.

**Roll Call Vote**

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

2 - 3 Motion did not carry.

**9.0 ITEMS FOR DISCUSSION AND INFORMATIONAL ITEMS**

1. Review and discussion of the FY 20/21 Project List and 5-Year CIP, post COVID – the Board discussed this item and sent it back to the Acquisition & Develop Committee for further discussion.
2. Review and discussion of the Obsolescence List – the Board discussed the Obsolescence List and forwarded to it the May 2020 Board of Directors meeting.
3. Review and discussion of the Fiscal Year 2020/20221 Final Budget post COVID – the Board reviewed and discussed the Fiscal Year 2020/2021 Final Budget and forwarded it to the Standing Finance Committee for further discussion.
4. Review of contingency increased on the James Field Project – the Board reviewed and discussed this item and provided direction.

**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 – The Board went into Closed Session at 6:00 p.m.**

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

**Title: District Administrator**

**13.2 Conference with Labor Negotiators (Government Code, section 54956.95, subd. (f), 54957.6)**

Agency Designated Representatives: Kahl Muscott, District Administrator;

Veona Galbraith, Administrative Services Manager

**14.0 OPEN SESSION – The Board came back into Open Session at 6:15 p.m. There was no reportable action.**

**ADJOURNMENT - As there was no further business, the meeting was adjourned at 6:15 p.m. by Chairman Holbrook.**

\_\_\_\_\_  
Board Secretary

\_\_\_\_\_  
Date

**SECTION: 5.0**

**ITEM: 5.2 REVIEW OF CASH REQUIREMENTS FOR  
APRIL, 2020**

**DESCRIPTION: ACCOUNTS PAYABLE**

**INFORMATION: SEE ATTACHED INFORMATION**

**STAFF  
RECOMMENDATION: THIS ITEM WAS REVIEWED BY THE STANDING  
FINANCE COMMITTEE AND FORWARDED TO  
THE BOARD OF DIRECTORS FOR REVIEW AND  
APPROVAL**

**FISCAL IMPACT: \$113,377.92**

Auburn Rec & Park  
 VENDOR CHECK REGISTER REPORT  
 Payables Management

Ranges: From: To:  
 Check Number First Last  
 Vendor ID First Last  
 Vendor Name First Last  
 Check Date 4/1/2020 To: 4/30/2020  
 Checkbook ID COMM 1ST COMM 1ST

Sorted By: Check Date

\* Voided Checks

Check Number	Vendor ID	Vendor Check Name	Check Date	Checkbook ID	Audit Trail Code	Amount
20049	CO042	Court-Ordered Debt Collections	4/6/2020	COMM 1ST	PMCHK00002642	\$95.00
20050	HO056	Humana Dental Ins. Co	4/6/2020	COMM 1ST	PMCHK00002642	\$2,404.99
20051	S1007	Stationary Engineers, Local 39	4/6/2020	COMM 1ST	PMCHK00002642	\$408.05
20052	T1000	Transamerica Life Insurance	4/6/2020	COMM 1ST	PMCHK00002642	\$460.00
20053	TEMPA	Auburn 20-30 Club	4/6/2020	COMM 1ST	PMCHK00002642	\$216.75
20054	TEMPB	William Becker	4/6/2020	COMM 1ST	PMCHK00002642	\$35.00
20055	TEMPC	Gregory Cirillo	4/6/2020	COMM 1ST	PMCHK00002642	\$98.00
20056	TEMPE	Erika DeMos	4/6/2020	COMM 1ST	PMCHK00002642	\$49.00
20057	TEMPE	Kala Evans	4/6/2020	COMM 1ST	PMCHK00002642	\$50.00
20058	TEMPE	Cheyenne Green	4/6/2020	COMM 1ST	PMCHK00002642	\$90.00
20059	TEMPH	Steven Henrikson	4/6/2020	COMM 1ST	PMCHK00002642	\$130.00
20060	TEMPK	Iona Kellison	4/6/2020	COMM 1ST	PMCHK00002642	\$90.00
20061	TEMPL	Paige Lain	4/6/2020	COMM 1ST	PMCHK00002642	\$56.00
20062	TEMPH	Amy McCord	4/6/2020	COMM 1ST	PMCHK00002642	\$385.00
20063	TEMPN	Paul Nicholas	4/6/2020	COMM 1ST	PMCHK00002642	\$90.00
20064	TEMPP	Sharelle Patterson	4/6/2020	COMM 1ST	PMCHK00002642	\$98.00
20065	TEMPP	Javier Quintero	4/6/2020	COMM 1ST	PMCHK00002642	\$130.00
20066	TEMPP	Robin Soares	4/6/2020	COMM 1ST	PMCHK00002642	\$100.00
20067	TEMPT	Elisa Taylor	4/6/2020	COMM 1ST	PMCHK00002642	\$276.00
20068	TEMPW	Kim Waltz	4/6/2020	COMM 1ST	PMCHK00002642	\$110.00
20069	TEMPY	Justine Young	4/6/2020	COMM 1ST	PMCHK00002642	\$120.00
20070	U0033	United States Treasury	4/6/2020	COMM 1ST	PMCHK00002642	\$75.00
20071	CO072	CIT Technology Fin. Serv., Inc	4/10/2020	COMM 1ST	PMCHK00002643	\$470.75
20072	CO111	Cal.net	4/10/2020	COMM 1ST	PMCHK00002643	\$66.90
20073	CO113	Cooks Portable Toilets & Septi	4/10/2020	COMM 1ST	PMCHK00002643	\$1,598.00
20074	MO071	Mission Protection Systems Inc	4/10/2020	COMM 1ST	PMCHK00002643	\$189.00
20075	NO048	Normac, Inc.	4/10/2020	COMM 1ST	PMCHK00002643	\$15,313.78
20076	TEMPA	Auburn Moose Lodge	4/10/2020	COMM 1ST	PMCHK00002643	\$130.00
20077	TEMPB	Kristen Brown	4/10/2020	COMM 1ST	PMCHK00002643	\$46.00
20078	TEMPE	Robert Dennon	4/10/2020	COMM 1ST	PMCHK00002643	\$40.00
20079	TEMPF	Joshua Flynt	4/10/2020	COMM 1ST	PMCHK00002643	\$65.00
20080	TEMPP	Candy Glass	4/10/2020	COMM 1ST	PMCHK00002643	\$30.00
20081	TEMPH	Robin Hagen	4/10/2020	COMM 1ST	PMCHK00002643	\$79.00
20082	TEMPH	Andrea Martoglio	4/10/2020	COMM 1ST	PMCHK00002643	\$20.00
20083	TEMPR	Nathan Rinne	4/10/2020	COMM 1ST	PMCHK00002643	\$120.00
20084	TEMPS	Timarie Shelton	4/10/2020	COMM 1ST	PMCHK00002643	\$50.00
20085	TEMPW	Kaden Wang	4/10/2020	COMM 1ST	PMCHK00002643	\$35.00
20086	W0044	Wave	4/10/2020	COMM 1ST	PMCHK00002644	\$429.70
20087	AO001	Recology Auburn Placer	4/13/2020	COMM 1ST	PMCHK00002644	\$426.33
20088	AO027	Recology Auburn Placer	4/13/2020	COMM 1ST	PMCHK00002644	\$1,099.26
20089	AO051	Anderson's Sierra Pipe Co.	4/13/2020	COMM 1ST	PMCHK00002644	\$109.22
20090	AO059	ALL Electric Motors	4/13/2020	COMM 1ST	PMCHK00002644	\$597.85
20091	CO061	California Computer Services	4/13/2020	COMM 1ST	PMCHK00002644	\$791.50
20092	DO010	Diamond Pacific	4/13/2020	COMM 1ST	PMCHK00002644	\$155.46
20093	DO025	Dawson Oil Company	4/13/2020	COMM 1ST	PMCHK00002644	\$2,667.99
20094	GO027	Giuliani & Kull - Auburn Inc.	4/13/2020	COMM 1ST	PMCHK00002644	\$1,250.00
20095	MO011	Mallard Creek	4/13/2020	COMM 1ST	PMCHK00002644	\$1,424.32
20096	PO007	Pacific Gas & Electric Company	4/13/2020	COMM 1ST	PMCHK00002644	\$206.10
20097	SO143	SNOA	4/13/2020	COMM 1ST	PMCHK00002644	\$1,536.25
20098	S1003	Sutter Medical Foundation	4/13/2020	COMM 1ST	PMCHK00002644	\$156.00
20099	TO009	Stanley Convergent Security So	4/13/2020	COMM 1ST	PMCHK00002644	\$272.00
20100	WO001	Walker's Office Supplies, Inc.	4/13/2020	COMM 1ST	PMCHK00002644	\$7,204.80
20101	WO003	Warehouse Paint Incorporated	4/13/2020	COMM 1ST	PMCHK00002644	\$41.99
20102	WO010	Waxie Sanitary Supply	4/13/2020	COMM 1ST	PMCHK00002644	\$102.05
20103	CO042	Court-Ordered Debt Collections	4/16/2020	COMM 1ST	PMCHK00002645	\$95.00
20104	PO005	Placer County Water Agency	4/16/2020	COMM 1ST	PMCHK00002645	\$166.64
20105	PO058	Pitney Bowes Credit Corporatio	4/16/2020	COMM 1ST	PMCHK00002645	\$92.29
20106	S1007	Stationary Engineers, Local 39	4/16/2020	COMM 1ST	PMCHK00002645	\$425.33
20107	TEMPA	Eileen Anderson	4/16/2020	COMM 1ST	PMCHK00002645	\$69.00
20108	TEMPB	Kelly Bender	4/16/2020	COMM 1ST	PMCHK00002645	\$30.00
20109	TEMPC	Dawn Cole	4/16/2020	COMM 1ST	PMCHK00002645	\$45.00
20110	TEMPH	Lori Hanson	4/16/2020	COMM 1ST	PMCHK00002645	\$142.90
20111	TEMPK	Kristin Kolster	4/16/2020	COMM 1ST	PMCHK00002645	\$240.00
20112	TEMPM	Tina Mortebo	4/16/2020	COMM 1ST	PMCHK00002645	\$46.00
20113	TEMPP	Andrea Packheiser	4/16/2020	COMM 1ST	PMCHK00002645	\$60.00
20114	TEMPR	Jim Reider	4/16/2020	COMM 1ST	PMCHK00002645	\$30.00
20115	TEMPS	Cynthia Scott	4/16/2020	COMM 1ST	PMCHK00002645	\$30.00

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
20116	U0033	United States Treasury	4/16/2020	COMM 1ST	PHCHK00002645	
20117	W0044	Wave	4/16/2020	COMM 1ST	PHCHK00002645	\$75.00
20118	TEMPA	Megan Anderson	4/16/2020	COMM 1ST	PHCHK00002645	\$1,395.87
20119	TEMPC	Lynne Cross	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20120	TEMPP	Ron Marenco	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20121	TEMPP	Mike Perbetsky	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20122	TEMPP	Sharon Rusconi	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20123	TEMPS	Bill Sikes	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20124	A0013	AT&T	4/16/2020	COMM 1ST	PHCHK00002646	\$30.00
20125	TEMPI	Inspire Charter School	4/16/2020	COMM 1ST	PHCHK00002647	\$128.40
20126	TEMPI	Laurel Mathe	4/16/2020	COMM 1ST	PHCHK00002647	\$70.00
20127	TEMPP	Placer High School Programs	4/16/2020	COMM 1ST	PHCHK00002647	\$79.00
ACH APRIL 15	U0032	UnityFisolutions	4/16/2020	COMM 1ST	PHCHK00002647	\$2,790.60
20128	1099-254	Ralph Kendrick	4/22/2020	COMM 1ST	PHCHK00002648	\$64.70
20129	1099-269	Deborah Lynn	4/22/2020	COMM 1ST	PHCHK00002649	\$77.00
20130	1099-370	Pam Akina	4/22/2020	COMM 1ST	PHCHK00002649	\$234.00
20131	B0073	Belkorp Ag, LLC	4/22/2020	COMM 1ST	PHCHK00002649	\$52.00
20132	D0008	The Davey Tree Expert	4/22/2020	COMM 1ST	PHCHK00002649	\$2,842.12
20133	D0077	Dudek	4/22/2020	COMM 1ST	PHCHK00002649	\$4,995.00
20134	G0045	GSSA	4/22/2020	COMM 1ST	PHCHK00002649	\$2,475.75
20135	P0005	Placer County Water Agency	4/22/2020	COMM 1ST	PHCHK00002649	\$60.00
20136	P0007	Pacific Gas & Electric Company	4/22/2020	COMM 1ST	PHCHK00002649	\$2,407.09
20137	P0058	Pitney Bowes Credit Corporatio	4/22/2020	COMM 1ST	PHCHK00002649	\$10,197.57
20138	R0065	River City Rentals	4/22/2020	COMM 1ST	PHCHK00002649	\$164.45
20139	R0073	Riebes Auto Parts	4/22/2020	COMM 1ST	PHCHK00002649	\$3,240.00
20140	R0078	Rooker's Collision Center, Inc	4/22/2020	COMM 1ST	PHCHK00002649	\$25.72
20141	TEMPP	Kelly Bender	4/22/2020	COMM 1ST	PHCHK00002649	\$5,193.31
20142	U0019	US Bank	4/22/2020	COMM 1ST	PHCHK00002649	\$168.00
20143	A0051	Anderson's Sierra Pipe Co.	4/24/2020	COMM 1ST	PHCHK00002650	\$3,069.16
20144	B0062	BareBones WorkWear	4/24/2020	COMM 1ST	PHCHK00002650	\$59.83
20145	C0104	Campera Propane Service	4/24/2020	COMM 1ST	PHCHK00002650	\$351.69
20146	D0010	Diamond Pacific	4/24/2020	COMM 1ST	PHCHK00002650	\$46.00
20147	D0066	De Lage Lenden Financial Servi	4/24/2020	COMM 1ST	PHCHK00002650	\$33.03
20148	H0002	Harris Industrial Gases	4/24/2020	COMM 1ST	PHCHK00002650	\$332.48
20149	H0056	Humana Dental Ins. Co	4/24/2020	COMM 1ST	PHCHK00002650	\$180.00
20150	H0062	Home Depot Pro	4/24/2020	COMM 1ST	PHCHK00002650	\$2,467.30
20151	K0011	Kaiser Foundation Health Plan,	4/24/2020	COMM 1ST	PHCHK00002650	\$83.16
20152	N0003	Norris Electric, Inc.	4/24/2020	COMM 1ST	PHCHK00002650	\$22,271.05
20153	S0050	Sierra Safety	4/24/2020	COMM 1ST	PHCHK00002650	\$616.26
20154	S0054	Souza's Tire Service	4/24/2020	COMM 1ST	PHCHK00002650	\$388.55
20156	W0001	Walker's Office Supplies, Inc.	4/24/2020	COMM 1ST	PHCHK00002650	\$381.65
20157	TEMPP	Brian Byrnes	4/28/2020	COMM 1ST	PHCHK00002650	\$218.33
20158	TEMPE	Kala Evans	4/28/2020	COMM 1ST	PHCHK00002651	\$168.00
20159	TEMPP	Stan Nelson	4/28/2020	COMM 1ST	PHCHK00002651	\$90.00
20160	TEMPS	Gary Sparling	4/28/2020	COMM 1ST	PHCHK00002651	\$69.00
20164	1099-122	Gordon Ainsleigh	4/30/2020	COMM 1ST	PHCHK00002651	\$69.00
20165	C0121	Cole Huber LLP	4/30/2020	COMM 1ST	PHCHK00002653	\$72.09
20166	P0005	Placer County Water Agency	4/30/2020	COMM 1ST	PHCHK00002654	\$768.00
20167	S0154	Mike Scheele	4/30/2020	COMM 1ST	PHCHK00002654	\$907.06
					PHCHK00002654	\$57.50

Total Checks: 116

Total Amount of Checks: \$113,377.92

**SECTION: 5.0**

**ITEM: 5.3 REVIEW OF FINANCIALS FOR  
MARCH, 2020**

**DESCRIPTION:**

**INFORMATION: SEE ATTACHED INFORMATION**

**STAFF  
RECOMMENDATION: REVIEW AND APPROVE FINANCIALS**



**PROFIT & LOSS**  
**19/20 Approved Budget**

	Approved Budget FY 19-20	% Of Total	Mid-Yr Revision FY 19-20	2020 March ACTUALS	Last Yr March Actuals	2020 YTD ACTUALS	2020 YTD BUDGET	Last Yr YTD ACTUALS
<b>Operating Revenues</b>								
Program Revenue	1,254,440	20%	1,325,160	16,468	92,769	1,290,669	1,325,160	1,244,013
Facility Revenue	178,050	3%	177,577	5,827	5,804	180,838	177,577	166,363
Misc. Revenue	49,790	1%	43,460	830	9,045	43,334	43,460	59,082
Grants & Donations	11,440	0%	57,840	-	39	38,744	57,840	39,247
Interest Income	60,270	1%	68,410	9,983	15,658	76,185	68,410	82,069
Equipment Reserve Transfers	292,700	5%	275,845	-	-	221,580	275,845	128,200
Project Reserve Transfers	632,700	10%	642,225	50,000	-	69,525	642,225	93,612
Tax Revenue	3,233,500	53%	3,308,408	(281)	782	3,454,620	3,308,408	3,275,620
In Kind/Atwood	26,470	0%	22,863	1,203	-	24,725	22,863	23,216
City Mitigation Transfers	175,000	3%	306,600	277,231	-	296,231	306,600	58,800
County/City Mitigation Revenue	242,300	4%	275,300	-	-	275,300	275,300	128,200
<b>Total Operating Revenue</b>	<b>6,156,660</b>	<b>100.00</b>	<b>6,503,688</b>	<b>361,261</b>	<b>124,097</b>	<b>5,971,751</b>	<b>6,503,688</b>	<b>5,298,422</b>
<b>Expenditures</b>								
Program Expense	245,940	4%	257,000	31,508	34,625	260,176	257,000	267,081
Operating & Supplies	390,380	7%	403,173	44,073	40,042	391,170	403,173	355,001
Utilities Expense	213,290	4%	218,180	29,931	54,184	216,734	218,180	238,796
Professional Services	64,840	1%	101,194	4,470	6,546	80,270	101,194	52,782
Building & Grounds Maintenance	486,890	8%	546,097	62,830	44,046	404,167	546,097	396,813
Property Tax Admin.	60,950	1%	61,820	-	35,415	61,818	61,820	93,457
Wages	2,332,460	39%	2,344,510	275,002	274,955	2,320,486	2,344,510	2,244,919
Benefits & Payroll Costs	901,850	15%	922,968	64,299	81,151	842,108	922,968	224,356
Fixed Asset Expense	307,410	5%	327,735	19,412	26,199	268,879	327,735	224,356
Capital Improvement Projects	995,000	17%	1,131,820	71,158	54,861	857,784	1,131,820	668,477
Debt Services	2,000	0%	2,000	-	-	2,016	2,000	1,957
<b>Total Expenditures</b>	<b>6,001,010</b>	<b>100.00</b>	<b>6,316,497</b>	<b>602,683</b>	<b>652,024</b>	<b>5,705,608</b>	<b>6,316,497</b>	<b>4,767,995</b>
<b>Net Revenue Over Expenditures</b>	<b>\$ 155,650</b>	<b>2.53</b>	<b>\$ 187,191</b>	<b>\$ (241,422)</b>	<b>(527,927)</b>	<b>\$266,143</b>	<b>\$187,191</b>	<b>\$530,427</b>

	Total	Total	Total
Annual Contingency Reserve (1-2%)	\$ 450,000	\$ 450,000	\$ 450,000
Annual Equip Replacement Reserve	\$ 676,237	\$ 676,237	\$ 854,762
Future Capital Construction Reserve	\$ 945,573	\$ 945,573	\$ 887,359
Cell Tower Reserves	\$ -	\$ -	\$ 122,459
ADA Reserve	\$ 5,000	\$ 5,000	\$ 20,032
CalPERS unfunded liability reserve	\$ 25,032	\$ 25,032	\$ 20,032
<b>TOTAL RESERVE BALANCES</b>	<b>\$ 2,280,042</b>	<b>\$ 2,280,042</b>	<b>\$ 2,472,012</b>

**Auburn Area Recreation and Park District**  
**Balance Sheet**  
**3/31/2020**

	Current YTD
<b>ASSETS</b>	
<u>Current Assets</u>	
Imprest Fund (Petty Cash)	580.00
First Foundation Bank	135,160.73
Placer County Treasure-General	2,862,823.53
Placer County Treasurer - City Trust	759,883.09
Accounts Receivable	487.95
PCOE Receivables	23,152.00
Prepaid Expenses	24,936.42
Prepaid Liability Expense	22,850.25
Prepaid Workers Comp Insurance	42,766.02
<b>Total Current Assets</b>	<b>3,872,639.99</b>
<u>Fixed Assets</u>	
Fixed Assets: Land	1,970,546.12
Fixed Assets: Structures	12,954,781.49
Fixed Assets: Equipment	1,324,060.29
Fixed Assets: Computer Equipment & Software	150,637.42
Fixed Assets: Vehicles	265,282.64
Fixed Assets: Office Furniture & Rec Equipment	93,838.95
Construction In Progress	1,134,759.35
Less: Accumulated Depreciation	(9,958,827.00)
<b>Total Fixed Assets</b>	<b>7,935,079.26</b>
<b>TOTAL ASSETS</b>	<b>\$11,807,719.25</b>
<b>LIABILITIES AND NET PROFIT</b>	
<u>Current Liabilities</u>	
Prepaid Revenue	40,098.64
Accounts Payable	30,725.59
Gift Certificates	188.00
Compensated Absences	112,677.61
Sales Tax Payable	41.13
Accrued Payroll	135,269.07
Accrued Liabilities	36,933.73
<b>Total Current Liabilities</b>	<b>\$355,913.77</b>
<u>Net Position</u>	
Investments in Fixed Assets	7,935,079.26
RFB: Reserved (City Mitigation)	205,421.09

	Current YTD
GFB: Youth Assistance Fund	22,069.62
General Fund Balance	1,375,983.25
DFB: Annual Equip Replacement Reserv.	676,236.72
DFB: Annual Contingency Reserve	450,000.00
DFB: Reserved for Future Capital Construction	945,573.52
RFB: Arboretum Grant Fund	13,275.73
RFB: Reserved (Atwood)	(13,875.13)
RFB: Atwood III-Equip Repl Fund	5,003.66
DFB: Unfunded Liability - CalPERS	183,200.00
GFB: General Fund (ADA Reserve)	25,031.75
Net Profit (Loss)	(371,193.99)
<b>Total Net Position</b>	<hr/> <b>\$11,451,805.48</b> <hr/>
<b>TOTAL LIABILITY AND NET POSITION</b>	<hr/> <b>\$11,807,719.25</b> <hr/> <hr/>

## Auburn Rec &amp; Park

Profit & Loss - Summary  
4/1/2019 To 3/31/2020

For All Segment1s

For All Segment4s

*Preliminary*

	Current Month	Actual YTD	Budget YTD	Variance	Percent Of Budget
<b>OPERATING REVENUE</b>					
Park & Recreation Services	16,468.30	1,290,668.83	1,325,160.00	(34,491.17)	97.40
Rents & Concessions	5,827.04	180,838.01	177,577.00	3,261.01	101.84
Miscellaneous Revenue	830.40	13,334.14	45,960.00	(2,625.86)	94.29
Grants & Donations	0.00	38,743.89	57,840.00	(19,096.11)	66.99
Interest Income	9,983.00	76,184.63	68,410.00	7,774.63	111.37
Project Revenue - Government	(50,000.00)	225,300.00	275,300.00	(50,000.00)	81.84
Taxes Revenue	922.04	3,479,345.31	3,330,204.00	149,141.31	104.48
<b>TOTAL OPERATING REVENUE</b>	<b>(\$15,969.22)</b>	<b>\$5,334,414.81</b>	<b>\$5,280,451.00</b>	<b>\$53,963.81</b>	<b>101.02%</b>
<b>OTHER FINANCING SOURCES</b>					
<b>TOTAL OTHER FINANCING SOURCES</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>TOTAL REVENUES</b>	<b>(15,969.22)</b>	<b>5,334,414.81</b>	<b>5,280,451.00</b>	<b>53,963.81</b>	<b>101.02</b>
<b>EXPENDITURES</b>					
Program Expenses	31,508.47	260,175.59	256,710.00	3,465.59	101.35
Operations & Supplies Expense	44,072.55	391,170.41	402,633.00	11,462.59	97.15
Utilities Expense	29,930.63	216,734.22	218,180.00	1,445.78	99.34
Legal Expenses	768.00	14,907.66	27,720.00	12,812.34	53.78
Professional Services	3,701.89	65,362.68	73,744.00	8,381.32	88.64
Bldg & Grounds Maintenance	62,830.16	404,167.46	545,907.00	141,739.54	74.04
Property Tax Administration/LAFCO	0.00	61,817.65	61,820.00	2.35	100.00
Salaries Expense	275,002.11	2,320,486.00	2,344,810.00	24,324.00	98.96
Benefits & Payroll Costs	64,298.71	842,108.03	925,188.00	83,079.97	91.02
Fixed Asset Expense	19,411.75	268,878.88	339,735.00	70,856.12	79.14
Capital Improvement Projects	71,158.14	857,784.35	1,141,820.00	284,035.65	75.12

Auburn Rec & Park  
 Profit & Loss - Summary  
 4/1/2019 To 3/31/2020  
 For All Segment1s  
 For All Segment4s

	Current Month	Actual YTD	Budget YTD	Variance	Percent Of Budget
Debt Service	0.00	2,015.87	2,000.00	15.87	100.79
<b>TOTAL EXPENDITURES</b>	\$602,682.41	\$5,705,608.80	\$6,340,267.00	(\$634,658.20)	89.99%
<b>NET REVENUE OVER EXPENDITURES</b>	(\$618,651.63)	(\$371,193.99)	(\$1,059,816.00)	\$688,622.01	35.02%
<b>ADJ. NET REVENUE OVER EXPENDITURES</b>	(\$618,651.63)	(\$371,193.99)	(\$1,059,816.00)	\$688,622.01	35.02%

**Item 5.4 Cover sheet – Resolution #2020-17: Notice of Completion  
ARD Bike Park Phase 1 Project**

Acquisition and Development Committee May 18, 2020; Board of Directors Meeting May 28, 2020

**The Issue**

Shall the Auburn Recreation District Board of Directors authorize and approve Resolution #2020-17, a resolution accepting the subject project improvements for public use and authorize staff to file a Notice of Completion?

**Background**

The ARD Bike Park project was constructed by F. Loduca Co. of Stockton Ca. The final contract amount was \$317,077.69. The contractor has completed the project and the work has been inspected and approved by the District Landscape Architect and staff. Note: this Notice of Completion is for the general contractors work only-trail building work by volunteers is still in process of being completed.

**Recommendation for the A&D board**

Approve Resolution #2020-17 accepting the subject project improvements for public use and authorizing staff to file a Notice of Completion and forward the item to the Board of Directors Consent Calendar.

**Fiscal Impact**

\$92.00 County Recordation Fee

**Attachments**

Resolution #2020-17  
Notice of Completion Document

RESOLUTION NUMBER 2020-17

A RESOLUTION OF THE GOVERNING BOARD OF DIRECTORS OF THE AUBURN AREA RECREATION AND PARK DISTRICT AUTHORIZING STAFF TO FILE A NOTICE OF COMPLETION FOR THE ARD BIKE PARK PHASE I PROJECT

WHEREAS, the Auburn Area Recreation and Park District Board of Directors authorized the ARD Bike Park Phase 1 Project on the 2015/2016 Project List and

WHEREAS, the ARD Bike Park Phase 1 Project has been completed and

WHEREAS, ARD staff have inspected and approved the project

THEREFORE, the Auburn Area Recreation & Park District Board of Directors does hereby resolve the following:

Authorize staff to file a Notice of Completion of said project for recordation by Placer County.

APPROVED, PASSED, AND ADOPTED ON May 28th, 2020 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
Scott Holbrook  
Chairman of the Governing Board

ATTEST:

\_\_\_\_\_  
Clerk to the Governing Board

Recording requested by and  
when recorded return To:  
**Auburn Recreation District**  
**471 Maidu Drive, Ste. 200**  
**Auburn, CA 95603**

SPACE ABOVE FOR RECORDER NOTATION

## NOTICE OF COMPLETION



**NOTICE IS HEREBY GIVEN**, pursuant to California Civil Code Section 3093, that the following contractor: **F. LODUCA CO.** performed and completed, for the Auburn Recreation District, the following contract: **ARD BIKE PARK PHASE 1.**

PROJECT NAME/ADDRESS: ARD Bike Park Phase 1: 471 Maidu Drive Auburn, CA. 95603

CONTRACTOR NAME/ADDRESS: F. Loduca Co.: PO Box 690111, Stockton, CA. 95269

The property is owned by: US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, 7794 Folsom Dam Road, Folsom, CA. 95630

Said work was accepted as complete on: **MAY 6, 2020**

Contract Summary:

Opinion of Probable Construction Cost:	\$306,589.53
Original Contract Sum/Award:	\$282,548.00
Contract Change Orders:	\$34,529.69
Final Contract Cost:	\$317,077.69
Percentage Change From Cost Opinion:	3% over
Percentage Change From Contract Sum:	12% over

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Auburn, California. I declare that the foregoing is true and correct.

---

**KAHL MUSCOTT, DISTRICT ADMINISTRATOR**  
Auburn Recreation District



## **Item 5.5 Cover Sheet – Resolution #2020-18 Moving Residual Funds to the Contingency Fund**

Auburn Area Recreation and Park District Standing Finance Committee May, 2020.

### **The Issue**

Shall the Auburn Area Recreation and Park District approve Resolution #2020 -18 transferring FY 2019/20 surplus/residual funds to the Contingency Fund?

### **Background**

The FY 2019/20 Finances showed a surplus (“residual”) of \$90,000. Typically, year-end surpluses are transferred to a reserve fund.

The ARD Board Procedures and Responsibilities manual states the following:

#### **Section II – Responsibilities and Duties of the Board**

##### **Board Responsibilities**

7. Review, evaluate and approve the following:

H. Recommend budgetary items for fiscal Capital Outlay Budget for new projects

##### **Board Duties**

4. To review, approve and oversee the budget and financial reports

Due to the Covid 19 pandemic, the budgets for 2020-21 and 2021-22 fiscal years are somewhat unknown. The transfer of \$90,000 will help prepare the District for a future that is unsettled.

### **Recommendation for the Standing Finance Committee:**

Staff recommends the Standing Finance Committee approve Resolution #2020-18, transferring \$90,000 to the Contingency Reserve Fund.

### **Alternatives available to the Finance Committee:**

- 1- Transfer \$90,000 to the Future Capital Reserve Fund (Current Balance: \$945,574)
- 2- Transfer \$90,000 to the Equipment Reserves Fund (Current Balance: \$676,237)
- 3- Transfer portions of the \$90,000 to multiple Reserve Funds

### **Fiscal Impact**

Should the residual funds from year end 2019-2020 be transferred into the Contingency reserves, the fund will increase by \$90,000. The current balance is \$450,000. The transfer would bring the balance to \$540,000.

### **Attachments**

Resolution #2020 - 18

RESOLUTION NUMBER 2020 - 18

A RESOLUTION OF THE GOVERNING BOARD OF DIRECTORS OF THE  
AUBURN AREA RECREATION AND PARK DISTRICT APPROVING THE  
TRANSFER OF FUNDS IN THE AMOUNT OF \$148,000.00 FROM THE GENERAL  
FUND TO THE CONTINGENCY RESERVES

WHEREAS, in May of 2020, the Auburn Area Recreation & Park District Board of Directors agreed the residual funds in the amount of \$148,000, from the year end 2019-2020 Financials should be transferred from the General Fund, and;

WHEREAS, \$148,000 to be transferred into the Contingency reserves, and;

THEREFORE, the Auburn Area Recreation and Park District Board of Directors does hereby resolve the following:

That the Auburn Area Recreation and Park District Board of Directors hereby transfers \$148,000.00 from the General Fund to the Contingency Reserves.

APPROVED, PASSED, AND ADOPTED ON May 29, 2020 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

---

Scott R. Holbrook  
Chairman of the Governing Board

ATTEST:

---

Clerk to the Governing Board

**SECTION: 6.0**

**BOARD REPORTS, VANDALISM REPORTS &  
PROJECT ACTIVITY REPORT**

**INFORMATION:**

**SEE ATTACHMENTS**

**Kahl Muscott**  
**District Administrator**  
**Report to the Board of Directors**  
**May, 2020**

- 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

Currently CLOSED, per order of the State/County:

- All buildings
  - Playgrounds
  - Picnic areas
  - Pools
- As reported last month (same for May): I spend time daily reviewing emails, alerts and information from a variety of sources, including CSDA, CARPD/CAPRI, CPRS, and Placer County. Unfortunately, the one thing that is missing from all of these information sources is answers (through no fault of their own).
  - Staff have been working hard on reopening plans. As of the writing of this email, Debbie is working on getting our Day Camp open beginning June 1. Mark is working on getting as many programs and classes ready to go as possible, while carefully considering closures of others. Jesse is working on schedules for cleaning/disinfecting rooms, buildings and offices once they reopen.
  - One staffing change of note: Mark Brunner has graciously offered to step in as the manager for the Youth Services Department during the transition due to Debbie Thomas' retirement. At this point, this is an interim move, however it may become permanent. We

will also be promoting from within a staff member to a Coordinator position to assist Mark. Mark will not be receiving any extra compensation for the interim work.

- Work on the final Bike Park trail (Phase I) is almost complete. Staff and volunteers continue to talk and look at options to fund and complete Phase II.
- The goats for the Maidu area (behind PCWA) will arrive approximately May 24. Sandy Amara and another resident have volunteered to provide water for the goats (saving us \$)
- Catfish were stocked in the Regional Park pond on 5/14. This was an unadvertised stocking (per CADF&W).
- 

**Meetings and events attended/scheduled to attend:**

5/5: CSDA webinar – COVID budgeting

5/5: Rotary

5/12: Rotary

5/15: US Bureau of Reclamation re: CVCC

5/18: CPRS Admin Section meeting

5/18: A&D Committee

5/19: Rotary

5/20: Webinar: Returning to the workplace

5/20: Policy

5/20: Finance

5/21: CSDA webinar: Reopening the workplace

5/22: Bike Park phase 2 meeting

5/26: Rotary

5/29: CARPD Conference

Note: most meetings beginning 3/24 were held remotely/telephonically

## **District Administrator Board Report Addendum**

### **Art in the park proposals and approvals**

**May, 2020**

Several artists have proposed various murals at different locations at Regional Park. The proposals and “thumbnail” sketches of this artwork is attached. All artwork has been approved.

A thank you to Director Holbrook for spearheading this effort.

#### **XXXI. Public art policy**

All proposals for art at ARD parks and facilities will be presented to the District Administrator via the Art at ARD proposal form. The District Administrator and staff will review the proposed artwork and approve the proposal, deny the proposal or request further information. Denied proposals can be appealed to the ARD Board of Directors for review and consideration. Appeals will be made at the next available Board of Director’s meeting.

All reviews of proposed artwork should include a review by law enforcement.

A copy or photos of the approved artwork will be included in the staff report section of the ARD Board of Directors agenda packet. This information should be made available at the next available Board of Director’s meeting.

For the purposes of this policy, art or artwork refers to permanent art (given/donated or loaned) intended to enrich ARD park and facility environments for residents and visitors. Permanent as described in this policy refers to art or artwork that is meant to remain in place for a period of at least 6 months.

Brooke Helmer



# Auburn Area Recreation and Park District ART at ARD PROPOSAL

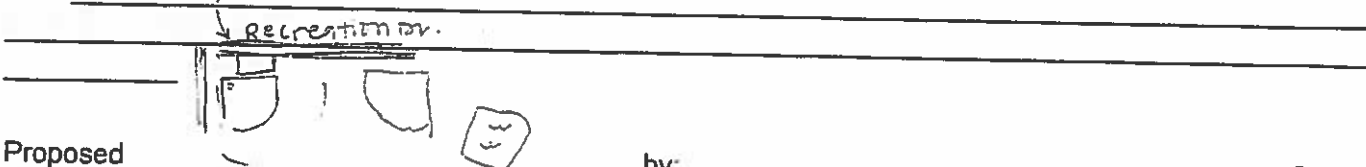
Please complete this application as fully as possible Date 5/12/2020

Art/Project name

Aneda

Is this Art/Project being x given/donated or \_\_\_\_\_ loaned to ARD? If it is being loaned, what the proposed length of time before the Art/Project will be returned to the artist?

Art/Project location (please include a sketch of the location) \_\_\_\_\_ baseball fields building on Recreation Drive



Proposed

Helmer

by:

Brooke

Phone: [REDACTED]

E-Mail:

Address:

Please provide a description of the artwork, including conceptual drawings and/or photographs

orange california poppies on a field of blue

Please provide a statement of reason or purpose of the artwork To provide the community with something representing one of the regions most significant symbols

Are you aware of any reasons that this artwork may be controversial? If so, please explain  
no \_\_\_\_\_



Please describe the materials to be used in the creation of the artwork  
exterior paint/primer, acrylic paint

Please describe the installation procedures for the artwork  
painting the surface

Please describe any special maintenance requirements for the artwork  
none

Please provide some information on your/the artist's background  
I'm an artist local to the area who works at a small business in Auburn. I've done two other murals, both of which has been indoors.

Approximate Art/Project value  
\$300 (?)

Review  
policies

- All proposed art will be reviewed by ARD staff and local law enforcement. Please allow up to 60 days for review.
- Proposals will be approved, denied or sent back for further information.
- Denied proposals can be appealed to the ARD Board of Directors at the next available Board of Director's meeting.

If approved, the artist is responsible for and agrees to the following items and tasks:

- All financial considerations involved with the artwork, including installation, labor and materials. ARD is not prohibited from contributing financially to the artwork or installation thereof.
- Arranging for the development and installation of the artwork as per the approved proposal.
- Signing a donation agreement (if the art is a donation) unconditionally transferring ownership of the artwork, after installation, to the Auburn Area Recreation and Park District.
- Signing a loan agreement (if the art is on

loan).

- Providing all required insurance coverage. The determination of whether insurance coverage is needed will be made by ARD staff.
- Understanding that all artwork is subject to removal should the artwork present a safety hazard, if there have been significant changes in the use, character or design of the site, if the artwork requires extensive maintenance, has a faulty design or workmanship or the artwork has been damaged and the repair is impractical or unfeasible. Significant, adverse public reaction to the artwork may also constitute removal.

I, the undersigned, have read and understand this document. I further understand that the Auburn Area Recreation District Board of Directors, staff and contractors are not responsible for the safety, security and condition of the artwork before, during or after installation at an ARD owned or managed facility.

Brooke Helmer 5/12/2020 \_\_\_\_\_  
Name (Printed) Date



Signature of parent or legal guardian if artist is under 18 years of age



Art/ARD Proposal | "Goose Greeting" Mural  
Old Pump Station; Regional Park

Kaitlin Kahn | [Redacted]  
[Redacted] | [www.kaitlinkahn.com](http://www.kaitlinkahn.com)



# Auburn Area Recreation and Park District ART at ARD PROPOSAL

Please complete this application as fully as possible

Date 05/19/2020

Art/Project name Regional Park; "Goose Greeting" Mural

Is this Art/Project being  given/donated or  loaned to ARD? If it is being loaned, what the proposed length of time before the Art/Project will be returned to the artist? \_\_\_\_\_

Art/Project location (please include a sketch of the location)  
The Old Pump House; Near the Pond; Picture Attached

Proposed by: Kaitlin Kahn  
Phone: [REDACTED] E-Mail: [REDACTED]  
Address: [REDACTED]

Please provide a description of the artwork, including conceptual drawings and/or photographs  
The mural portrays a Canadian Goose and a Domestic Goose, both consistent guests of the Regional Pond, greeting each other. Surrounding them are local black birds. Picture Attached

Please provide a statement of reason or purpose of the artwork  
It's a celebration of the bird life at our pond - an ode to the birds!

Are you aware of any reasons that this artwork may be controversial? If so, please explain  
No

Please describe the materials to be used in the creation of the artwork  
Paint - Acrylic Outside Paint and Paint Pens; Primer; Sealer; Brushes; Rags; Tape

Please describe the installation procedures for the artwork  
The wall will first be cleaned and primed. The flat background will then be painted, then then the final image will be sketched out before being painted over.

Please describe any special maintenance requirements for the artwork  
N/A

Please provide some information on your/the artist's background

I am an illustrator who focuses on animal behavior and fairy tale lore.

I paint in gouache, typically small scale, with graphic design elements. I have painted one mural, but look forward to working on this new challenge!

Approximate Art/Project value \$ 1300

**Review policies**

- All proposed art will be reviewed by ARD staff and local law enforcement. Please allow up to 60 days for review.
- Proposals will be approved, denied or sent back for further information.
- Denied proposals can be appealed to the ARD Board of Directors at the next available Board of Director's meeting.

If approved, the artist is responsible for and agrees to the following items and tasks:

- All financial considerations involved with the artwork, including installation, labor and materials. ARD is not prohibited from contributing financially to the artwork or installation thereof.
- Arranging for the development and installation of the artwork as per the approved proposal.
- Signing a donation agreement (if the art is a donation) unconditionally transferring ownership of the artwork, after installation, to the Auburn Area Recreation and Park District.
- Signing a loan agreement (if the art is on loan).
- Providing all required insurance coverage. The determination of whether insurance coverage is needed will be made by ARD staff.
- Understanding that all artwork is subject to removal should the artwork present a safety hazard, if there have been significant changes in the use, character or design of the site, if the artwork requires extensive maintenance, has a faulty design or workmanship or the artwork has been damaged and the repair is impractical or unfeasible. Significant, adverse public reaction to the artwork may also constitute removal.

I, the undersigned, have read and understand this document. I further understand that the Auburn Area Recreation District Board of Directors, staff and contractors are not responsible for the safety, security and condition of the artwork before, during or after installation at an ARD owned or managed facility.

Kaitlin Kahn

5/19/2020

Name (Printed)

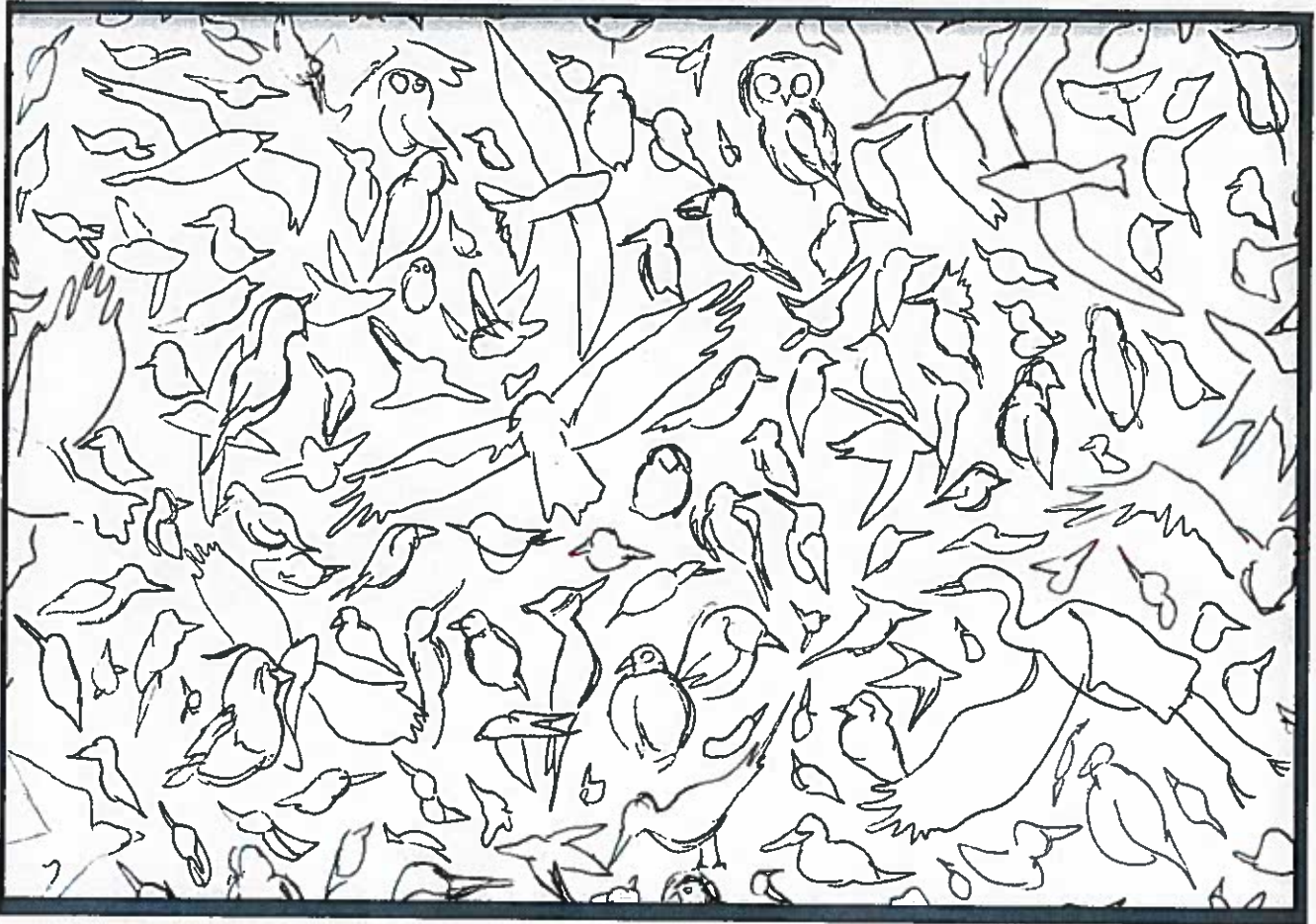
Date

Signature

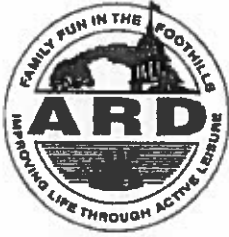


Signature of parent or legal guardian if artist is under 18 years of age

Art in the Park Concept Drawing  
Regional Park - Bathroom Wall (#2)



Brooke Matthews



**Auburn Area Recreation and Park District**  
**ART at ARD PROPOSAL**

Please complete this application as fully as possible

Date 5/2/2020

Art/Project name Art in the Parks - Regional Park Murals

Is this Art/Project being  given/donated or  loaned to ARD? If it is being loaned, what the proposed length of time before the Art/Project will be returned to the artist? \_\_\_\_\_

Art/Project location (please include a sketch of the location)

Regional Park - Bathroom wall #2

Proposed by: Brock Matthews

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Address: \_\_\_\_\_

Please provide a description of the artwork, including conceptual drawings and/or photographs

This mural will be a white background, with black outlines/small details of ~~Western~~ local bird species in Auburn, filling the entire white space.

Please provide a statement of reason or purpose of the artwork

I would like to represent the local bird wildlife of Auburn - a bird sanctuary.

Are you aware of any reasons that this artwork may be controversial? If so, please explain

No.

Please describe the materials to be used in the creation of the artwork

Behr exterior paint & primer

Please describe the installation procedures for the artwork

Wall will be coated in a primer, then painted.

Please describe any special maintenance requirements for the artwork

NA

Please provide some information on your/the artist's background

I am a local artist that specializes in drawn animal portraits. I have had my work displayed in several local & online art shows. I have a BA in Art from Sac State. I have painted several outdoor pieces & large wall pieces.

Approximate Art/Project value \$ 1,000 (however I am volunteering to donate my mural)

Review policies

- All proposed art will be reviewed by ARD staff and local law enforcement. Please allow up to 60 days for review.
- Proposals will be approved, denied or sent back for further information.
- Denied proposals can be appealed to the ARD Board of Directors at the next available Board of Director's meeting.

If approved, the artist is responsible for and agrees to the following items and tasks:

- All financial considerations involved with the artwork, including installation, labor and materials. ARD is not prohibited from contributing financially to the artwork or installation thereof.
- Arranging for the development and installation of the artwork as per the approved proposal.
- Signing a donation agreement (if the art is a donation) unconditionally transferring ownership of the artwork, after installation, to the Auburn Area Recreation and Park District.
- Signing a loan agreement (if the art is on loan).
- Providing all required insurance coverage. The determination of whether insurance coverage is needed will be made by ARD staff.
- Understanding that all artwork is subject to removal should the artwork present a safety hazard, if there have been significant changes in the use, character or design of the site, if the artwork requires extensive maintenance, has a faulty design or workmanship or the artwork has been damaged and the repair is impractical or unfeasible. Significant, adverse public reaction to the artwork may also constitute removal.

I, the undersigned, have read and understand this document. I further understand that the Auburn Area Recreation District Board of Directors, staff and contractors are not responsible for the safety, security and condition of the artwork before, during or after installation at an ARD owned or managed facility.

Brooke Matthews  
Name (Printed)

5/2/2020  
Date

Brooke Matthews  
Signature

\_\_\_\_\_  
Signature of parent or legal guardian if artist is under 18 years of age



**Veona Galbraith**  
**Administrative Services Manager**  
**Report to the Board of Directors**  
**May, 2020**

**End of year Financials**

After the transfers made from the reserves for purchased assets and completed projects, ARD has a net profit for 2019-2020 of \$90,000.

Staff is recommending a transfer of \$90,000 to the Contingency Fund to help fund the budget shortfall for 2020-21.

***Appointments to Notes for April - May:***

- Managing Employees through a Pandemic Webinar
- Numerous weekly appointments with staff, working through the unemployment work share process
- Atwood Budget preparation
- End of Year Financials and preparing Depreciation schedules
- Continuation on 2019-2020 Audit

**Jesse Williams**  
**Facilities & Grounds Manager**  
**Report to the Board of Directors**  
**May, 2020**

**American River Canyon Overlook Park:**

- Installed exclusion devices around the modular to make it impossible for rodents to make their way in.

**Ashford Park:**

- Performed smog check on the #15 truck.
- Replaced a damaged dog waste container.

**Atwood Park:**

- Davey Tree Expert Company performed tree removals.

**Canyon View Community Center**

- Norris Electric performed temporary repair to the corroded conduit in the parking lot.

**Recreation Park:**

- Serviced the #31 truck.
- Continued painting the inside of the gym.
- Installed exclusion devices around the Craft Room to make it impossible for rodents to make their way in.

**Mark Brunner**  
**Recreation Services Manager**  
**Report to the Board of Directors**  
**May, 2020**

**Summer Recreation Guide:** The Summer Recreation Guide was released on May 12 online. The guide was delayed so that staff could adapt to the new rules and regulations put in place due to COVID-19. This summer's guide will also be online through our website. A postcard was mailed out to every home within our District to let the community know where to find this year's guide. The online virtual guide will have more shelf life as it will be updated throughout the summer with up to date program and event information.

**Aquatics Swim Leagues:** Both the VFCAL Synchronized Swim League and VFCAL Swim League have canceled their season due to COVID-19. The teams made the difficult decision based on team's ability to get into the pools, their own District budgets, and the inability to meet the State's limited gathering sizes.

**Lifeguard Certification:** The lifeguard certification courses have been rescheduled for the first weekend in June at Sierra Pool. The courses were originally scheduled for the first weekend in April.

**Aquatics:** Staff is working to ensure that all of our summer aquatics programs will be ready once the pool is allowed to open under the Stage 3 guidelines. This summer the pool will be programed Monday thru Friday with programs that have structure and control. Staff have implemented more lap swims, water aerobics, and swimming lesson classes into the daily pool schedule. All classes will make sure to incorporate the current social distancing guidelines at all times. For now, customers can save their place in line for registration by signing up for the waitlist on our Rec Trac registration software. No official registration will take place until the pool has been given the approval to open.

**Ukulele Festival:** This summer's festival has been canceled due to COVID-19. The payment for the State Theater has been transferred over for the 2021 Ukulele Festival. Next year's Festival will take place on July 30-31, 2021

**Recreation Classes/Camps Open in Stage 2:** The following classes are open for registration and will take place during Stage 2.

- Kids Jewelry Fabrication Camp (hosted off site at Metal Arts Academy)
- Young Rustler's Horse Camp (hosted off site at C Horse Ranch)
- Kids Copper Smithing Camp (hosted off site at Metal Arts Academy)
- Summer Discovery Camps
- Live Oak Waldorf Camps (hosted off site at Live Oak Waldorf)
- Uke Kanikpala (Virtual)
- Beginning Hula for Adults (Virtual)
- Mature Riders (hosted off site at C Horse Ranch)
- Medicare (Virtual Starting in June)
- Write That Book In 9 Weeks (Virtual for now)
- Pilates (Virtual for now)
- Hula for Kids (Virtual for now)

- Intermediate Hula for Kids (Virtual for now)
- Little Cowpokes and The Garden (hosted off site at C Horse Ranch)
- Young Rustlers (hosted off site at C Horse Ranch)
- Internet Drivers Ed
- Beginning Guitar Classes and Ukulele Classes (Virtual for now)
- Faith's Dog Training

Adult Sports: Have been postponed until further notice. Adult Basketball 5 x 5 League and the Adult Basketball Open Gym have been canceled for the summer due to no proper way to social distance participants.

**Debbie Thomas**  
**Youth Services Manager**  
**Report to the Board of Directors**  
**May, 2020**

We are working on opening summer day camp according to the CDC guidelines. We are limited to 10 campers per room and have 3 locations: Rec Park, North Auburn (Auburn El. mods) and South Auburn (Skyridge mods). We have the combined capacity for 90 campers.

Our protocols for camp will include checking temps/health check on arrival each day and ensuring that staff and campers wash hands or use sanitizer regularly. Toys and surfaces will be cleaned after use and all chairs and tables will be sanitized at the end of each day. Staff will wear masks while inside buildings, at drop-off and pick-up, and whenever helping a child within the 6 feet social distancing limit. Children will be educated and reminded daily in regard to social distancing and washing hands. We will follow CDC guidelines, especially if there is an illness at a location.

I am meeting by phone with the AUSD superintendent and the principal of Alta Vista Elementary to discuss the options for the next school year. Mark is included in the meetings and planning for fall since I will be retiring in August.

Most of my staff are returning to work in summer except 3 for reasons due to Covid and another staff person moved out of the area after school was released in March. I am rehiring two summer staff from last year and one or two more new staff.

All field trips have been cancelled and we are saving money where we can, for example, in not purchasing t-shirts this year. We will also not be paying swim fees daily since the pool is closed.

The food program through Placer High School will deliver lunches for all 3 locations through July 24<sup>th</sup>. Any food that we purchase for snacks will be individually wrapped.

**5/21/2020**

**VANDALISM REPORT**

**THERE WAS NO VANDALISM FROM THE MONTH OF APRIL 2020.**

DETAILED TRIAL BALANCE BY PERIOD FOR 2019  
 Auburn Rec & Park  
 General Ledger

Trx Date	Jrnl No.	Orig. Audit Trail	Description	Orig. Master Number	Orig. Master Name	Subtotal By:	Period Segment3	Include:	Posting, Unit	Beginning Balance:	Debit	Credit
3/27/2020	194,191	PMTRX000004177	PaintLiners.3 pkRollersSkatepk	A0628422	Warehouse Paint Incorporated						\$18.76	
3/31/2020	194,460	PMTRX000004178	Smokers Receptacle Wall mount	ULINE 3/17 JW	US Bank						\$250.65	
Entries: 2 Account: 7-000-7754-000												
Grand Totals:										Ending Balance \$4,768.24	Debit \$269.41	Credit \$0.00
Accounts: 1										Ending Balance \$4,768.24	Debit \$269.41	Credit \$0.00
Net Change \$269.41										Ending Balance \$4,768.24	Debit \$269.41	Credit \$0.00
Totals:										Ending Balance \$4,768.24	Debit \$269.41	Credit \$0.00

→ 3/27 → Graffiti - Skatepark sound wall  
 → 3/31 → Smashed the old cigarette container - Overlook

Vandalism Report March 2020

**2/21/2020**

**VANDALISM REPORT**

**THERE WAS NO VANDALISM FOR THE MONTH OF FEBRUARY, 2020.**

1/24/2020

VANDALISM REPORT

VANDALISM	LABOR COSTS	MATERIAL COSTS	
12/6/2019 Rec. Park Women's restroom Stolen items - replaced	\$21.00	\$25.15	
12/6/2019 Rec. Park Women's restroom Broken toilet paper dispenser & sanitary box	\$43.00	\$12.10	
12/20/2019 Meadow Vista Park Graffiti	\$17.00	\$8.14	
Total Labor		\$79.00	
		Total Material	\$45.39

<b>2020/2021 PROJECT ACTIVITY REPORT</b>		<b>UPDATED 05/13/20</b>	
<b>PROJECT</b>	<b>EST. COST</b>	<b>NOTES</b>	<b>EST. COMPLETED</b>
<b>RECREATION PARK</b>			
James Ballfield Renovation Project (2019)	277,086.00	Project complete. Notice of Completion approved by ARD Board April 30. Notice of completion has been forwarded to Placer County Clerks office for recordation. With the baseball season interrupted by the shutdown, there is an opportunity to get an early start on the previously-planned conversion of the outfield ryegrass to hybrid bermuda. Staff will proceed with producing bid documents for this and seek preliminary pricing asap. Project award however will be dependent on Board approval at the 5/28 Board meeting.	FEBRUARY 2020
Recreation Park South Parking Lot Accessible Parking Stall Project (2019)	15,000.00	Project Completed. Simpson & Simpson Inc. did a nice job.	JULY 2019
<b>PLACER HILLS POOL</b>			
Parking Lot Renovation (2016/2017)	30,000.00	Staff has retained the services of a Civil Engineer to prepare a topographic survey of the parking lot and to produce construction documents to eliminate the drainage problem, repair the asphalt, re-stripe the lot and accessible parking stalls. This will involve construction of a concrete valley gutter running the length of the parking lot to allow water to drain at minimal slope. Plans are completed and will involve obtaining an Encroachment Permit from Placer County as half of the work area is in the county right of way. Staff has sent the drawings out for preliminary contractor pricing. Project is proposed to be put on hold due to the Coronavirus shutdown.	TBD 2020
<b>REGIONAL PARK</b>			
New Playground (130k) and new ADA path of travel (40K) (2017/2018)	170,000.00	ADA Parking and path of travel project has been completed.	AUGUST 2019
Irrigation Pump Replacement (2017/2018)	160,000.00	New pump is installed and working well. Project is finally completed!	JULY 2019
<b>OVERLOOK PARK</b>			
Restroom ADA Upgrades (2018/2019)	35,000.00	Previously described architect was too busy to assist as planned but staff obtained the services of an ADA compliance consultant who agreed to do an evaluation of the restrooms on a pro-bono basis. After the evaluation it was determined that the upgrades were minimal in nature and can be done in-house instead of putting the project out to bid as planned.	TBD 2020



<p><b>24 ACRE PROPERTY</b></p> <p>Statewide Park Development and Community Revitalization Program Grant (2018/2019)</p>	<p>190,000.00</p>	<p>Staff will be pursuing the next round of grant funding for the property next spring and all 5 required public meetings have taken place with staff obtaining input on the current master plan drawing. Staff released the RFQ to design firms for Master Plan Refinement, CEQA Process and Construction Drawings in mid-December. The District received statements from DUDEK Auburn, Ca., Helix Environmental Planning Folsom, Ca. and Design Workshop South Lake Tahoe, Ca. After analysis and ranking by staff review committee, DUDEK was chosen as the highest ranked. Staff received the preliminary proposal from Dudek the week of March 16th and it exceeded the budget available. Dudek was asked to re-propose with some scope reduction options and the options were received the following week. Staff is recommending to the Board that the project be put on hold due to the shutdown.</p>	<p>TBD 2020</p>
<p><b>CVCC</b></p>			
<p>Bike Park - Design, CEQA, NEPA etc. (2014/2015)</p>	<p>100,000.00</p>	<p>The signed FONSI (Finding Of No Significant Impact) from the USBOR was finally received July 2nd 2018.</p>	<p>JULY 2018</p>
<p>Bike Park - Construction (2015/2016)</p>	<p>320,000.00</p>	<p>Randy Spangler and other volunteers continue to produce significant and impressive trail construction, brush clearing, berm stabilizing and safety work. Trail work should be completed this month. District-prepared temporary rules and directional signage have been installed and are being continually updated and amended as needed. Contractor construction and punchlist work has been finished. A Notice of Completion (NOC) will be prepared for Board approval at the May 28th meeting. After Board approval the NOC will be sent to Placer County for recordation. Date of Bike Park "soft opening" (no crowds, banners, ribbon cutting) was Monday, May 3rd. Staff have been responding to neighbor concerns including posting signage at the intersection of Portland and Pacific Aves. to direct bikers to use Pleasant Ave. instead of the Canal Trail and getting curbs painted red both sides of street at Pump track to reduce congestion and allow emergency vehicle access.</p>	<p>MAY 2020</p>
<p>Maidu Drive Repair (2018/2019)</p>	<p>25,000.00</p>	<p>Bureau of Reclamation has corresponded with the District a couple times over the past two weeks giving indication that there may be some progress being made on the road repair. It appears they are approaching it as a "remove and replace" scope of paving work instead of the more modest "patch and overlay" process the District got them cost estimates for last year. <b>No updates on the road project from BOR since early February 2020</b></p>	<p>TBD</p>
<p><b>MEADOW VISTA PARK</b></p>			

Parking Lot Re-seal/Re-Stripe (2018/2019)	10,000.00	Parking lot maintenance project is proposed to be pushed out to next fiscal year.	MARCH 2020
<b>MULTI-PARK ITEMS</b>			
Streambed Alteration Agreement (2016/2017)	44,000.00	The Draft Vegetative Management Plan IS/MND (Initial Study/Mitigated Negative Declaration) was accepted by the Board in December 2018 and the Agreement is now in place.	Agreement in place, project on-going
Carry over projects from 2018/2019 list in YELLOW			
<b>Fiscal Year Projects Total:</b>	<b>1,084,000.00</b>		

**Item 7.1 Cover sheet – Resolution #2020-15 Atwood III FY 20/21  
Intention to Levy Assessments; Engineer’s Report; Notice of  
Hearing**

**Auburn Area Recreation and Park District Acquisition and Development Meeting May 2020; Board of Director’s meeting May 28, 2020**

**THE ISSUE**

Shall the Auburn Area Recreation and Park District Board approve Resolution #2020-15, a resolution that would declare the Board’s intention to levy the continued assessments for fiscal year 2020-21, preliminarily approve of the Engineer’s Report for the Atwood Ranch III Landscaping and Lighting Assessment District, and provide for the notice of a public hearing on June 25, 2020 regarding levying the continued annual assessments for fiscal year 2020-21?

**BACKGROUND**

In 2004, after gaining property owner ballot support, the benefit assessments were first established to provide funding the installation, maintenance and servicing of landscaping, park and recreation facilities in the Auburn Area Recreation and Park District (Atwood Ranch III).

- Balloting Conducted: November-December 2004
- Ballot Results: 100.0 % of the weighted returned ballots were in support of the proposed assessment
- Board Approval of 1<sup>st</sup> Year Assessment Levies: Dec. 16, 2004
- Fiscal Year 2005-06 Approved Rate: \$148.62 per single family equivalent benefit unit (SFE)
- Annual CPI: In each subsequent year, the maximum assessment rate increases by the annual change in the Consumer Price Index, not to exceed 5% per year.
- Fiscal Year 2019-20 Approved Rate: \$176.68 per single family equivalent benefit unit (SFE)
- Fiscal Year 2020-21 Proposed Rate: \$185.54 per single family equivalent benefit unit (SFE)

SCI has reviewed the Assessment District’s compliance with the recent court decisions such as Silicon Valley Taxpayers Association v. Santa Clara County Open Space Authority, Dahms v. Downtown Pomona Property, Bonander v. Town of Tiburon, and Golden Hill Neighborhood Association v. City of San Diego. Some enhancements and revisions to the Engineer’s Report have been made to ensure the District’s assessments are fully compliant with these decisions and the requirements of Proposition 218. These revisions do not modify the underlying assessment methodology or basis for the assessments.

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona (Dahms v. Downtown Pomona Property). On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the court upheld an assessment that was 100% special benefit on the rationale that the services funded by

the assessments, including landscaping maintenance, were directly provided to property in the assessment district. Dahms establishes legal validation for zero or minimal general benefits from assessments that fund services directly provided within the assessment district and implies greater flexibility for assessments than Silicon Valley Taxpayers Association v. Santa Clara County Open Space Authority (2008). As an integral part of the scope of work, SCI will work with District to review the implications of Dahms and other recent or pending court decisions.

## **PROPOSED FY 2020-21 BUDGET, SERVICES & IMPROVEMENTS**

### **2 Year Profit/loss history**

Summary of revenue and total cost	FY 2020-21	FY 2019-20
Revenue	\$26,532	\$25,265
Costs:		
Services	\$20,360	\$19,300
Repayment to General Fund	\$3,000	\$3,000
Incidentals	\$4,578	\$4,300

- **Parks maintained:**
  - a. Maintenance of a neighborhood park and tot lot and adjacent former “natural turf” area within the development area known as Atwood Ranch III
- **Other Services:**
  - a. Maintenance of trails in the wetlands preserve area
  - b. Monitoring of 10.69 acres of wetlands preserve area with associated riparian scrub land, seeps, floodplains and drainage areas to a stormwater detention area
  - c. Reporting once yearly to the Army Corps of Engineers, including biology reports and project management reports. (Additional special visits were required during previous fiscal years.)

## **PROPOSED RATE AND CPI HISTORY**

The assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the “CPI”), with a maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the “Unused CPI” and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment

was levied adjusted annually by the minimum of 1) 5% or 2) the change in the CPI plus any Unused CPI as described above.

Based on the preceding annual adjustments, the maximum possible assessment rate for Fiscal Year 2019-20 was \$215.81 per single family equivalent benefit unit. The annual change in the CPI from December 2018 to December 2019 was 2.45%. Therefore, the maximum authorized assessment rate for Fiscal Year 2020-21 has been increased from \$215.81 to \$221.10 per single family equivalent benefit unit. However, the estimate of cost and budget in the Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$185.54 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate. The total amount of revenues that would be generated by the assessments in fiscal year 2020-21 at the proposed rate of \$185.54 is approximately \$26,532.

In addition, because maintenance needs and requirements may fluctuate over time, in accordance with Proposition 218 the assessments may increase in any given fiscal year up to the maximum allowable rate, even following a year in which a lower rate was assessed.

### **Explanation for Fund Balance Shortfall**

In Fiscal Year 2019-20, the Auburn Area RPD experienced a depletion of the beginning fund balance for the Assessment District, which was caused by the following projects that were undertaken:

- Replacement of previously planted shrubs and bushes that had died
- Repairs to the walking pathway due to root intrusion and uplifting, creating a safety hazard
- Upon notification of a requirement from Cal Fire, defensible space in the nature preserve was increased from 25 feet to 100 feet

These projects resulted in much higher labor and park improvement costs, including equipment rentals, which will have to be repaid over time from the Assessment District to the RPD's General Fund. The necessity to repay the funds borrowed from the General Fund is a major factor requiring the assessment rate increase in Fiscal Year 2020-21.

Notification for the hearing on June 25<sup>th</sup> is done through a public notice in the Auburn Journal.

The following table summarizes the maximum authorized assessment rates and CPI history:

Fiscal Year	Max CPI Allowed	Max Rate allowed
FY 05-06		\$148.62
FY 06-07	1.95%	\$151.51
FY 07-08	3.44%	\$156.73
FY 08-09	3.84%	\$162.74
FY 09-10	0.01%	\$162.76
FY 10-11	2.61%	\$167.01
FY 11-12	1.52%	\$169.55

FY 12-13	2.92%	\$174.50
FY 13-14	2.22%	\$178.37
FY 14-15	2.57%	\$182.96
FY 15-16	2.67%	\$187.84
FY 16-17	3.17%	\$193.80
FY 17-18	3.53%	\$200.64
FY 18-19	2.94%	\$206.54
FY 19-20	4.49%	\$215.81
FY 20-21	2.45%	\$221.10

The following list details the revenues and rates since the first year the assessments were levied.

<b>Fiscal Year</b>	<b>Rate / SFE</b>	<b>Annual Revenues</b>
FY 05-06	\$148.62	\$21,252
FY 06-07	\$148.62	\$21,252
FY 07-08	\$148.62	\$21,252
FY 08-09	\$148.62	\$21,252
FY 09-10	\$148.62	\$21,252
FY 10-11	\$148.62	\$21,252
FY 11-12	\$148.62	\$21,252
FY 12-13	\$148.62	\$21,252
FY 13-14	\$162.72	\$23,269
FY 14-15	\$182.12	\$26,043
FY 15-16	\$182.12	\$26,043
FY 16-17	\$155.10	\$22,179
FY 17-18	\$155.10	\$22,179
FY 18-19	\$168.28	\$24,064
FY 19-20	\$176.68	\$25,265
FY 20-21	\$185.54	\$26,532

### **RECOMMENDATION**

It is the recommendation of ARD staff that the Board approve Resolution #2020-15 of Intention to Continue Assessments for Fiscal Year 2020-21, Preliminarily Approve the Engineer's Report with the staff recommended budget, and Provide for Notice of Hearing on June 25, 2020 for the Atwood Ranch III Landscaping and Lighting Assessment District.

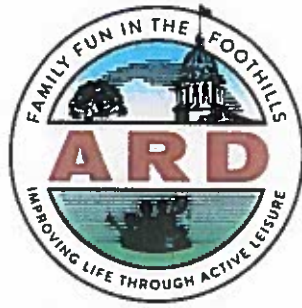
### **FISCAL IMPACT**

The fiscal impacts of the projected budget are spelled out on pages seven through eight of the Engineer's Report.

**ATTACHMENTS**

Atwood III Landscape and Lighting Engineer's Report for FY 20/21

Resolution #2020-15 intention to levy assessments for FY 20/21, preliminarily approving engineers report and providing for notice of hearing for the Atwood Ranch III Landscape and Lighting Assessment District.



# AUBURN AREA RECREATION & PARK DISTRICT

ATWOOD RANCH III LANDSCAPING AND  
LIGHTING ASSESSMENT DISTRICT

## ENGINEER'S REPORT

MAY, 2020

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND  
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

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**AUBURN AREA RECREATION AND PARK DISTRICT**

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Veona Galbraith

**CLERK/SECRETARY OF THE BOARD AND TO THE DISTRICT ADMINISTRATOR**

Pat Larson

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## INTRODUCTION

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### ASSESSMENT BACKGROUND

The Auburn Area Recreation and Park District, Atwood Ranch III Landscaping and Lighting Assessment District (the "Assessment District"), was formed by a mailed ballot proceeding in 2004 to provide funding for the maintenance and improvement of the neighborhood park facilities and wetlands preserve areas adjacent to the properties in the Atwood Ranch III subdivision that forms the Assessment District (the "Improvements"). The Atwood Ranch III subdivision is located south of Atwood Road, generally to the northwest of the intersection of Bean Road and Kemper Road. The subdivision is comprised of 143 single family residences. This Assessment District formation resulted from agreements or conditions of development approval between the Auburn Area Recreation and Park District ("RPD") and the property owner, Morrison Homes, Inc., whereby the RPD and property owner agreed on neighborhood park maintenance to improve the appeal of the community, and maintenance of wetlands preserve areas pursuant to Army Corps of Engineers mandates.

### ASSESSMENT PROCESS

In 2004, the Auburn Area Recreation and Park District Board of Directors (the "Board") conducted an assessment ballot proceeding pursuant to the requirements of Article XIID of the California Constitution ("The Taxpayer's Right to Vote on Taxes Act") and the Landscaping and Lighting Act of 1972. During this ballot proceeding, property owners in the Assessment District were mailed a notice and ballot for the proposed Assessment District. A 45-day period was provided for balloting and a public hearing was conducted on December 16, 2004. After the close of the public input portion of the public hearing, all ballots returned within the 45-day balloting period were tabulated.

The tabulation results determined that the assessment ballots submitted in opposition to the proposed assessments did not exceed the assessment ballots submitted in favor of the assessments (with each ballot weighted by the proportional financial obligation of the property for which the ballot was submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2005-06 and to continue to levy them in future years. The initial, maximum assessment rate balloted and established in Fiscal Year 2005-06 was \$148.62 per single family equivalent benefit unit. The levies were submitted to the Placer County Auditor for inclusion on the property tax rolls for fiscal year 2005-06. The assessments may be continued in future years and may be increased in future years by an annual adjustment tied to the Consumer Price Index for the San Francisco Bay Area as of December of each succeeding year, with the maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and may be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied, adjusted annually by the minimum of 1) 5% or 2) the change in the CPI plus any Unused CPI as described above. Based on the preceding annual

adjustments, the maximum possible assessment rate for Fiscal Year 2019-20 was \$215.81 per single family equivalent benefit unit. The annual change in the CPI from December 2018 to December 2019 was 2.45%. Therefore, the maximum authorized assessment rate for Fiscal Year 2020-21 has been increased from \$215.81 to \$221.10 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$185.54 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate.

### **ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS**

In each subsequent year for which the assessments will be continued, the Board must direct the preparation of an Engineer's Report, budgets and proposed assessments for the upcoming fiscal year. After the Engineer's Report is completed, the Board may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Board by Resolution No. 2020-03 adopted on February 27<sup>th</sup>, 2020.

This Engineer's Report ("Report") was prepared to establish the budget for the continued improvements and services that would be funded by the proposed 2020-21 assessments, determine the benefits received from the assessments and the method of assessment apportionment to lots and parcels within this area. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article"). This Report is the detailed Engineer's Report required by the Article and the report required by Section 22565 of the Act.

Following submittal of this Report to the Board for preliminary approval, the Board may, by Resolution, call for the Public Hearing on the continued assessments for park maintenance and improvements. This hearing is scheduled for June 25<sup>th</sup>, 2020 at 6:00 p.m. After the close of the hearing, the Board may take action to approve the continuation of the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller in June 2020 for inclusion on the property tax roll for Fiscal Year 2020-21.

The maintenance of 10.69 acres of wetlands preserve areas was provided by the developer for the first five years after the Assessment District was formed in Fiscal Year 2005-06. Following that time period, the wetlands preserve areas maintenance services were to be provided by the Auburn Area Recreation and Park District. Maintenance of the wetlands preserve areas is now provided by the Auburn Area RPD.

### **LEGAL ANALYSIS**

#### **PROPOSITION 218**

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. Proposition 218 provides for benefit

assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

#### **SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY**

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

#### **DAHMS V. DOWNTOWN POMONA PROPERTY**

On June 8, 2009, the 4<sup>th</sup> Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

#### **BONANDER V. TOWN OF TIBURON**

On December 31, 2009, the 1<sup>st</sup> District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based on in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

#### **BEUTZ V. COUNTY OF RIVERSIDE**

On May 26, 2010 the 4<sup>th</sup> District Court of Appeals issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

### **GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

### **COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the improvements to be funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District; and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. In addition, the improvements are directly available to and will directly benefit property in the Assessment District; and the improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Services will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the assessments. Moreover, while *Dahms* could be used as the basis for a finding of 0% general benefits, this Engineer's Report establishes a more conservative measure of general benefits.

The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the improvements and proportional special benefit to each property.

**PLANS & SPECIFICATIONS**

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Following is a description of the Services that are provided for the benefit of property in the Assessment District. This Assessment District was created as a condition of development for the corresponding developments. Accordingly, prior to these developments, the level of Service in these areas was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

<b>Final Level of Service</b>	=	<b>Baseline Level of Service (zero, pre-development)</b>	+	<b>Enhanced Level of Service</b>
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The work and improvements ("Improvements") proposed to be undertaken by the Auburn Area Recreation & Park District and the Atwood Ranch III Landscaping and Lighting Assessment District, (the "Assessment District") and the costs thereof paid from the levy of the annual assessments provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. Consistent with the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

Installation, maintenance and servicing of public improvements, including but not limited to, labor, materials, supplies, utilities and equipment, as applicable, for property within the Assessment District that is owned or maintained by the Auburn Area Recreation & Park District. Any plans and specifications for these improvements will be filed with the District Administrator of the Auburn Area Recreation & Park District and are incorporated herein by reference.

As applied herein, "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.



**FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET**

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**ATWOOD RANCH III LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT****DESCRIPTION OF IMPROVEMENTS**

Within the Assessment District, the existing and proposed improvements are generally described as maintenance of a neighborhood park and tot lot within the development area known as Atwood Ranch III, as well as trails in the wetlands preserve area; irrigation and turf of a small grass area adjacent to the tot lot; monitoring of 10.69 acres of wetlands preserve area (located within the area currently known as Lots B and C) with associated riparian scrub land, seeps, floodplains and drainage areas to a stormwater detention area; and reporting once yearly to the Army Corps of Engineers, including biology reports and project management reports.

<sup>1.3</sup> In Fiscal Year 2019-20, the Auburn Area RPD experienced a depletion of the beginning fund balance for the Assessment District, which was caused by the following projects that were undertaken:

- Replacement of previously planted shrubs and bushes that had died
- Repairs to the walking pathway due to root intrusion and uplifting, creating a safety hazard
- Upon notification of a requirement from Cal Fire, defensible space in the nature preserve was increased from 25 feet to 100 feet

These projects resulted in much higher labor and park improvement costs, including equipment rentals, which will have to be repaid over time from the Assessment District to the RPD's General Fund. The necessity to repay the funds borrowed from the General Fund is a major factor requiring the assessment rate increase in Fiscal Year 2020-21.

<sup>2</sup> The item "Equipment Replacement Reserve Balance" refers to funds maintained for future replacement of playground equipment and picnic tables.

**NOTES:**

The maintenance of 10.69 acres of wetlands preserve areas was provided by the developer for the first five years after the Assessment District was formed, beginning in Fiscal Year 2005-06. The wetlands preserve area maintenance is now provided by the Auburn Area RPD.

Beginning in 2012, the Auburn Area RPD, by agreement with the Homeowners' Association, commenced maintenance of additional improvements installed and paid for by the HOA in the former "natural turf" area adjacent to the tot lot, including installation and maintenance of irrigation and turf.

In 2015 the Auburn Area RPD entered into another agreement with the Homeowners' Association to make a one-time contribution of \$2,500 towards further maintenance of the wetlands preserve area, particularly to eliminate issues of stagnant water.

Because maintenance needs and requirements may fluctuate over time, in accordance with Proposition 218 the assessments may increase in any given fiscal year up to the maximum allowable rate, even following a year in which a lower rate was assessed.

## METHOD OF APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of neighborhood park improvements and wetlands preserve areas; and the methodology used to apportion the total assessment to properties within the Atwood Ranch III Landscaping and Lighting Assessment District.

The Atwood Ranch III Landscaping and Lighting Assessment District consists of all Assessor Parcels within the boundaries as defined by the Assessment Diagram included within this Report and the Assessor Parcel Numbers listed within the included Assessment Roll. The method used for apportioning the assessments is based upon the proportional special benefits to be derived by the properties in the Atwood Ranch III Landscaping and Lighting Assessment District, over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

### DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Assessment District's neighborhood parks or wetlands preserve areas, or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

*"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."*

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by

property from maintenance and improvements such as those proposed by the Auburn Area Recreation & Park District and the Atwood Ranch III Landscaping and Lighting Assessment District. These types of special benefit are summarized as follows:

- A. **PROXIMITY TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT.**
- B. **ACCESS TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT.**
- C. **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.**
- D. **EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS.**
- E. **CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED.**

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

*The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).*

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

## **BENEFIT FACTORS**

The special benefits from the Improvements are further detailed below:

### **PROXIMITY TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT**

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the park areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

#### **ACCESS TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT**

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved park areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

#### **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT**

The RPD, by maintaining these park areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

#### **EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS**

In large part because it is cost prohibitive to provide large open land areas on property in the Assessment District, the residential and other benefiting properties in the Assessment District do not have large outdoor areas and green spaces. The park areas within the Assessment District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties with good and close proximity to the Improvements.

#### **CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED**

Typically, the original owner/developer of the property within the Assessment District agreed to the assessments. As parcels were sold, new owners were informed of the assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the assessment. Moreover, in absence of the assessments, the lots within the Assessment District would not have been created. These lots, and the improvements they support, are a special benefit to the property owners.

## GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Atwood Ranch III Landscaping and Lighting Assessment District would be used to fund improvements and increased levels of maintenance to the amenities adjoining the properties in the Assessment District. In absence of the Atwood Ranch III Landscaping and Lighting Assessment District, such improvements would not be provided and the properties would not be subdivided and improved to the same extent. The Assessment District is specifically proposed to provide additional and improved public resources in the Assessment District. The park improvements provided by the Atwood Ranch III Landscaping and Lighting Assessment District increase recreational opportunities to the homes within the Atwood Ranch III development, providing benefit to the development itself and are deemed to be of special benefit. In absence of the assessments, these public resources would not be created and revenues would not be available for their continued maintenance and improvement. Therefore, the assessments solely provide special benefit to property in the Assessment District over and above the general benefits conferred by the general facilities of the Assessment District.

Although these Improvements may be available to the general public at large, the park area within the Assessment District is specifically designed, located and created to provide additional and improved public resources for property inside the Assessment District, and not the public at large. Other properties that are either outside the Assessment District or within the Assessment District and not assessed, do not enjoy the unique proximity, access, views and other special benefit factors described previously. These Improvements are of special benefit to properties located within the Assessment District because they provide a direct advantage to properties in the Assessment District that would not be provided in absence of the Assessments.

There is no widely-accepted or statutory formula for calculating general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. The SVTA vs. SCCOSA decision provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments.

apportionment of the benefits derived by all parcels is on a dwelling unit basis. All improved properties or properties proposed for development are assigned an EDU factor equal to the number of dwelling units developed or planned for the property. The assessments are listed on the Assessment Roll in Appendix A.

#### **APPEALS AND INTERPRETATION**

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the District Administrator or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the District Administrator or her or his designee, may refer their appeal to the Board of Directors of the Auburn Area Recreation & Park District and the decision of the Board of Directors of the Auburn Area Recreation & Park District shall be final.