



Communicator

April 2013

President's Message



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By Mike Limbaugh

Glass Half Full

Spring has sprung and it looks as if there is calm and tranquility in Sacramento and throughout the Golden State. Ah but let us not be lured into that self comfort. Remember the good old days of ERAF, spiraling out of control budgets, impeachments, and all kinds of bad news surrounding the elected leadership of our great State. Sure would be nice if for at least a few months Californians remember we are fortunate to live in such a diverse, progressive, and awesome environment, some would say the best place on the planet. Let's exhibit our great recreation opportunities, mention the numerous higher institutions of learning, highlight the intercity and rural programs helping our young people, a food supplier second to none, a gigantic transportation system moving more today than anywhere on the planet, cutting edge businesses with new technology and products, and a feeling that our financial house has a chance to be in order; yes it is time to say our glass is at least half full. The real test will be perpetuating this ideal.

Special Districts have been a large part of California's government for a number of years. Developed to provide the residents of our State with better service and more focus on special needs such as parks and recreation, water, bugs, fire, etc. Part of the success story of governance in California is a result of these special districts; so congratulations to the special districts of California in keeping that glass filled. It was interesting to note that the State budget experts have now predicted a billion dollars in surplus by 2016, my how it seems history repeats itself. As for Park and Rec Special Districts, remember to let your elected State Reps know about us, and how we maintained our budgets! IT'S IMPORTANT.

CARPD is holding this year's annual conference in South Lake Tahoe. May 16-18 are the dates, which this year comes direct on the heels of Leg Day at the Capitol. The Conference offers great informational classes, provocative and informative speakers, and an opportunity for sharing and learning with Park and Rec. folks for all of our member agencies.

This year is only 3 months old and we already have a lack a rain, drones coming, and (oh who would have guessed) CalPERS exec's in court. Ok, sounds like April and May 2013 are going to be busy months making sure that we are spending time keeping that glass half full with the usual spirited Special District service and commitment. Have a great summer! And continue to keep Special Districts at least HALF FULL.

Legislative Report

By Ralph Heim

April 2013 Legislative Update

On April 1st, the Legislature returned from Spring Recess and now the real fun and games begin. May 3rd is the deadline for fiscal bills to pass their respective policy committees; the first in a series of committee and floor deadlines facing hundreds of bills.

State Revenues Up for Second Month

As reported by the Department of Finance and State Controller, January's revenues were approximately \$5 billion above estimates. Most fiscal experts are not certain as to the cause of this significant increase in January revenues or if the trend will continue.

Well, the trend for February did, in fact, continue. The Department of Finance and the State Controller reported February revenues ahead of estimates by approximately \$4 billion. Most now believe the increase in high-wage earners income taxes as contained in the Governor's Proposition 30 passed by the voters last November is the reason as those higher income tax brackets were retroactive to January, 2012; and it appears many of the tax payers subject to the higher rates prepaid those amounts subject to 2012. The revenue estimates for March are due out shortly and we will know at that time if March revenues have stabilized or continued to increase.

Legislation Assembly Bill 5(Ammiano): Relating to homelessness, AB 5 would enact the Homeless Person's Bill of Rights and Fairness Act and provides that *no person's rights, privileges, or access the public services may be denied or abridged because he/she is homeless, has a low income, or suffers from a mental illness or physical disability*. Assembly Bill 5 is so comprehensive in its application, the provisions clearly could require public and private facilities to remain open 24-hours to accommodate a homeless person, including facilities owned and operated by recreation and park districts. The bill is set for hearing on April 9th and we understand the author will be proposing amendments either before or during the hearing. CARPD is currently opposed to AB 5 and will review the author's amendments to determine if they remove their opposition;

Assembly Bill 25(Campos): Relating to social media, AB 25 would prohibit a public employer (identical provisions enacted last year for private employers) from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media. CARPD is in Support of AB 25;

Assembly Bill 265(Gatto): Relating to limited liability for local agencies that own/operate dog parks. Assembly Member Gatto added special districts recently and, with that amendment, CARPD supports AB 65. On April 2nd, the Assembly Judiciary Committee passed AB 65 unanimously;

Assembly Bill 465(Maienschein): This bill would require the Department of Justice to provide a summary criminal history information to the director of a community youth athletics program, or his/her designee, for the purposes of screening volunteers or hired coaches and would prohibit a person from having access to minors as a coach or volunteer until the community youth athletics program has received and reviewed the summary criminal history information. The bill would further state that performing the required background check does not remove or limit the liability of a mandated reporter;

Assembly Bill 738(Harkey): This bill would provide that a public entity or an employee of a public entity acting within his/her official capacity is not liable for an injury caused to a person riding a bicycle while traveling on a roadway, if the public entity has provided a bike lane on that roadway;

Assembly Bill 741(Brown): This bill proposed to shift county and special districts property tax increment to specified low property tax cities. The author has announced that AB 741 is now a 2-year bill and will not be considered this year;

Assembly Bill 792(Mullin): Relating to the Brown Act, AB 792 would, if a local agency is unable to post an agenda or notice on its Internet Website because of software or hardware impairment beyond the local agency's reasonable control, would require the local agency to post the agenda or notice immediately upon resolution of the technological problems. Further, the bill would provide that the delay in posting, or the failure to post, the agenda or notice would not preclude a local agency from conducting the meeting or taking action on items of business, provided the local agency has complied with all other relevant requirements;

Assembly Bill 1181(Gray): This bill would require local agencies to give reasonable time off, without loss of compensation or other benefits, to public agency employee representatives, when they are testifying or representing the employee organization in proceedings before the Public Employment Relations Board in matter relating to a charge filed by the employee organization against the public agency, or when they are testifying or representing the employee organization in other employment relations matters. The bill would further require the employee organization being represented to provide reasonable notification to the employer requesting the leave of absence;

Assembly Bill 1235(Gordon): Would require that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, all local agency officials, except a member whose term of office ends before January 1, 2015, in local agency service as of January 1, 2014, or thereafter receive training in financial management. The bill also provides that if any entity develops criteria for the financial management training, then the State Treasurer's office and the State Controller's office shall be consulted regarding any proposed course content;

Assembly Bill 1325(Speaker Perez): Relates to extending the court imposed punishment for vandalism, currently community service not to exceed 300 hours over a period one year to 240 days, to extend the period of time a person has to complete his/her imposed hours of community service from 240 days to one year;

Senate Constitutional Amendment No. 11 (Hancock): Proposes to reduce the local vote to impose a special tax from two-thirds to 55%. As with all constitutional amendments, SCA No. 11 requires a two-thirds vote in each house of the Legislature to reach a statewide ballot.

Special District Legislative Days



Special District Legislative Days: Register Now!

The California Association for Parks and Recreation Indemnity is a proud Partner of the 2013 Special Districts Legislative Days (SDLD), scheduled for May 14-15 at the Sacramento Convention Center. This year's theme "Strength in Numbers: Adding Value to Communities" will focus on evolving threats to special district revenue as well as emerging opportunities.

Top 5 Reasons Why You Should Attend:

- Efforts underway in Sacramento could significantly impact special district revenue sources, including property tax allocations, voter thresholds for green taxes and new funding opportunities for "green" projects and programs.
- Governor Jerry Brown has expressed interest in reforming California's most important environmental quality law, the California Environmental Quality Act (CEQA), potentially leading to major changes in how districts build infrastructure.
- Hear directly from California State Controller John Chiang on the latest financial auditing and compensation reporting regulations heading your way.
- Interactive roundtable discussions with our partners and experts will allow you to learn about industry-specific issues—such as implementation of the substantial reforms to public employee pensions last year.
- Pre-arranged legislative visits and a hosted reception enable you to build relationships with your state legislators and their Capitol staff.

Attendees can also look forward to hosted legislative reception and pre-arranged legislative visits in the Capitol. This is a great opportunity to let your Senator and Assembly Member know what is important to special districts and, specifically, your district. In order to reserve enough time for scheduling, **please register by April 29** to guarantee your spot in these visits. **Register now to secure your spot at SDLD.**

Visit www.csda.net/sddl to register and view updated conference agenda.

2013 CARPD Conference

By Pat Cabulagan

Click here for the 2013 Conference Schedule

There is still time to register for this year's 2013 California Association of Recreation and Park Districts (CARPD) conference which is scheduled for May 16-18, 2013 at the Lake Tahoe Resort Hotel (aka Embassy Suites Lake Tahoe) in South Lake Tahoe, CA. Please take note of the change in hotel name. This will not affect your hotel reservations; however, if you have any problems, please feel free to call CARPD and we will get it straightened out.

Some of the conference topics will include: Legislation; Effects of Obamacare on Public Entities; Armed Ranger Liability; Board Norms and Guidelines; Solar World, Solar Power; Viability of Play-scapes; Maximizing Revenue; Cell Tower Leasing; Gang Violence Recognition; and Employment Law Issues. We also have a Brad Bonar, our keynote speaker, who is a magician, comedian and motivational speaker and will use all three skills to entertain and educate us at the conference. Members can obtain the conference registration form at the CARPD website, www.carpd.net along with the updated conference schedule.

We look forward to seeing everyone at the 2013 CARPD Conference in South Lake Tahoe, California. We believe it will be a very educational and enjoyable conference.

General Manager Email Broadcast

By Pat Cabulagan

CARPD has started a new General Manager Broadcast E-mails service for our member districts. A number of Districts have expressed their interest in having CARPD facilitate a statewide e-mail broadcast for General Managers and a broadcast for Board members requesting information. This service is available to all of our Districts and simply consists of the District sending in an e-mail with the question and/or request for information or assistance on a particular subject matter, problem, or interest. You can send the emails to Tara Tappan at CARPD and she will send out the broadcast e-mail to all of our CARPD Districts asking that anyone with the needed information respond back directly to the requesting District. The entire group can also be copied with your response so that the information can be shared with all of the districts.

This service has now been in place since February and we have found it to be a valuable tool in the sharing of information between Districts. In order for this service to be successful, we need our member Districts to participate in the program/service and answer the questions/requests for assistance when possible. The greater the participation the more valuable the service becomes.

Again, anyone interested in asking Districts questions, requesting assistance, or needing referral information on any topic of interest, please send your e-mail request to Tara Tappan at tappan@capri-jpa.org and she will coordinate forwarding them to our group of managers and/or Districts.

New Tehachapi District Manager

Taken from an article by Matthew Martz, Tehachapi News

We would like to welcome Matt J. Young to CARPD!

The Tehachapi Valley Recreation and Parks District on Friday, March 22 appointed Matt J. Young as its new District Manager, filling a nearly nine-month vacancy.

Prior to joining the district, Young, a native of San Bernardino was serving as Assistant Director of Recreation at Seattle University and has a Master of Science degree in Recreation and Park Administration from Eastern Kentucky University. He is also a professional member of the National Recreation and Park Association and the National Intramural-Recreational Sports Association.

In an email to the Tehachapi News, Young expressed his excitement and said he was looking forward to the opportunity to serve a pivotal role in promoting lifetime wellness and a strong sense of communal belonging through enhanced and inclusive recreation and leisure experiences.

Young is expected to join the staff on April 11, 2013 at a starting annual salary of \$76,500. He will spend through the end of April working alongside Interim District Manager Debbie Williams to make the transition.