

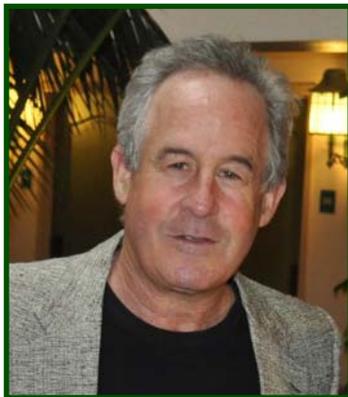


**California Association of Recreation & Park Districts**

# Communicator

**June 2014**

**President's Message**



By Rick Sloan

It is my pleasure to now serve as the President of CARPD and I look forward to accomplishing great things together in the coming year. This was my 6<sup>th</sup> Annual Spring Awards Conference attended and I enjoyed it just as much if not more than the first. It was wonderful seeing everyone again and meeting new first time attendees. Although some of the faces have changed, all-in-all our family is in tact. Our reputation of the "Little Conference that Could" came through in flying colors.

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This year's conference was one of our best ever. Our attendance was up from a year ago. We had representatives from 24 Districts and our scholarship money raised from our raffle (\$2,133.00) was an increase from last years total. The only complaint I heard was not everyone won at the casinos. My hats off to our Executive Director, Pat Cabulagan, and his staff at CAPRI for all their hard work making this conference a success.

## Quick Links:

This years scholarship award winners were Dr. Aleta Wallace from Western Gateway Recreation and Park District and Matt Young from Tehachapi Valley Recreation and Park District. Matt came into our Board

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CARPD Website!**

[CARPD website](#)

[CAPRI website](#)

Reaction and Park District. Matt came into our Board Meeting on Sunday morning to personally thank us and tell us he thought it was the “Best Conference in California”. And who can blame him. We offered a great deal of pertinent information in a two-day conference with an intimate crowd of familiar faces eager to share their knowledge and experience with all our member attendees. The Board Member and District Administrator Round Tables were packed full of helpful information for all that attended. Don’t forget to send back your evaluation surveys so we can start planning next year’s conference. We’re looking at possible locations such as Napa, Monterey, Palm Springs or possibly back in beautiful Lake Tahoe.

With the 2014 conference off the radar we now can take a deep breath and start looking at the upcoming year. Our Legislative Advocate, Ralph Heim is on board for another year to keep us up to date with our Assembly and Senate Bills, our Board of Directors are geared up to bring as much needed support to our members as possible and our man at the helm, Pat Cabulagan is ready to keep us on track. My goal this year is to find ways to help our organization communicate better with all it’s members, bringing more needed and helpful information to all. Thanks again for being a member and supporting our organization.

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## Legislative Update



By Ralph Heim

### CARPD LEGISLATIVE REPORT

#### **House of Origin Bills Deadline Approaches :**

May 30<sup>th</sup> is the deadline to pass house of origin bills and as of May 27<sup>th</sup>, both houses have literally hundreds of bills to consider prior to that deadline.

#### **State Budget Passage Also Faces Deadline :**

June 15<sup>th</sup> is the Legislature’s deadline to pass the 2014-15 state budget and barring a few last minute unexpected issues, betting is the Legislature will meet the June 15<sup>th</sup> deadline.

**Legislation of Interest :** In advance of the May 30<sup>th</sup> house of origin deadline, presented below are a number of measures of interest to CARPD:

**\*Assembly Bill 2040 (Garcia) Public Officials Compensation:** Prior to May 23<sup>rd</sup> amendments, AB 2040 proposed to require local agencies to report their required annual compensation of its specified

public officials, including the name of each reportable official. The May 23<sup>rd</sup> amendments struck that requirement and, as amended, AB 2040 would require local agencies required to submit annual compensation information to the State Controller, and that maintains an Internet Web site to post the annual compensation information of its public officials that is posted on the Controller's Government Compensation in California Web site. Finally, the bill would require the State Controller and local agencies to consult regarding the reporting requirements for the disclosure of compensation information.

**\*Assembly Bill 2471 (Frazier) Public Contracts: Change Orders:** Also amended on May 23<sup>rd</sup>, AB 2471, as amended, would still require a public agency when awarding a public works contract to the lowest bidder and with authority thereunder to order changes or additions, to issue a change order promptly and in no event later than 60 days after the extra work is performed and the original contractor has submitted reasonable documentation to support the request for a change order. Should a change order be subject to approval of the governing body of a public agency, but the governing body is not scheduled to meet in the 60 days following the performance of the extra work (change order) and reasonable documentation to support the request for a change order for extra work has been submitted, the public entity shall have 3 days following the next scheduled meeting of the governing body to issue a change order for the extra work performed. Finally, the bill still contains the prejudgment interest provision on any amount for which the public entity fails to issue a change order or fails to pay in accordance with the bill's provisions at 7% per annum.

**\*Assembly Bill 2644 (Nazarian) Toilet Facilities:** On the good news front, AB 2644 was held under submission in the Assembly Appropriations Committee and is dead for the remainder of the session. This was the bill that proposed to require toilet facilities, both for public and specific private facilities, to contain a waste receptacle, unless doing so would violate the Americans with Disabilities Act (ADA).

**\*Senate Bill 443 (Walters) Organized Camps:** Introduced last year, SB 443 is a confusing and complex measure by defining "organized resident camp" and "organized day camp" within the definition of the term "organized camp." Last year, Senator Walters accepted amendments that were intended to exempt such camps under the organization and control of local

cal public agencies, but given the confusing structure of the measure, that exemption is less than clear. CARPD is working closely with CPRS and others to craft a clear, straight forward exemption and we are hopeful that exemption will be added in the Assembly Policy Committee.

**\*Senate Bill 935 (Leno) Minimum Wage:** Senate Bill 935 proposes to increase the state's minimum wage as follows: (1) on or after 1/1/15, to \$11 per hour; (2) on or after 1/1/16, to \$12 per hour; and, (3) on or after 1/1/17, to \$13 per hour. The bill also contains an automatic adjustment annually thereafter based on the rate of inflation the prior year.

**\*Senate Bill 1086 (De Leon) The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2014:** The Senate Appropriations Committee on May 23<sup>rd</sup> moved SB 1086 to the Senate Floor as a "work-in-progress." The bill was amended to add an urgency clause and intent language for placement on the 11/4/14, statewide ballot.

**\*Senate Bill 1358 (Wolk and Lara) Building Standards: Baby Diaper Changing Stations:** This measure would require the Building Standards Commission, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2015, to adopt, approve, codify, and publish *mandatory* building standards for the installation of baby diaper changing accommodations in restroom facilities in places of public accommodation. These building standards shall apply to newly constructed restrooms and to renovated restrooms for which the renovation requires a building permit and the value of the renovation to the restroom exceeds \$10,000.

**The Remainder of the 2013-14 Calendar :** Assuming the state budget is adopted, the Summer Recess starts on July 3<sup>rd</sup>, with legislators returning to Sacramento on August 4<sup>th</sup>. This year's Final Recess is August 31<sup>st</sup>, leaving only the months of June and August to complete the 2013-14 Session. The Governor has until September 30<sup>th</sup> to sign or veto bills passed before September 1<sup>st</sup> and in the Governor's possession on or after September 1. The 2013-14 Session officially adjourns Sine Die at midnight November 30<sup>th</sup>, with the 2015-16 Session commencing at midnight, December 1, 2014.

# with Wireless Cell Sites



By Nigel Paxton (Sunkay Associates)

Cell sites are clearly here to stay, and the movement by wireless carriers like Verizon, AT&T, Sprint, and T-Mobile to 4G technology has created *two potential revenue opportunities* for Districts. The first opportunity relates to existing cell sites, the second to new cell sites.

If a District currently has a cell site on its property, chances are high that the carrier will need to upgrade that site. Current leases often need to be amended to reflect the additional space requested, new antenna arrays, etc. Carriers will usually try to “push this amendment through” by downplaying its importance to the District, e.g., “we’re just expanding coverage for the community and going to take down a few extra feet. We’ll increase the rent by \$\_\_ if you sign...” Signing off without a thorough understanding of implications, however, can be problematic. One, new language is often inserted into this amendment that may appear innocuous, but can have potential repercussions. For example, agreeing to a Right of First Refusal clause from the Carrier may hinder a District’s desire in the future to sell this non-guaranteed wireless rent to third party investors (a “lease prepayment”). Second, since most wireless leases were originally negotiated without assistance by a wireless expert, many leases contain below-market rents. Site upgrades offer Districts a unique, one-time opportunity to *renegotiate key terms* that are more favorable to the District.

If a District seeks new cell site revenues, understanding the importance of “speed to market” for Carriers is essential. Since Carriers are under tremendous pressure to meet growing consumer demand for better service, they need to identify and build sites as quickly as possible. Simply being responsive to active Carrier inquiries and/or *proactively marketing* District properties to Carriers are two ways to improve chances for capturing revenues.

Carriers are “coming to town” to (a) *construct new sites* to fill coverage gaps and (b) *relocate existing sites* that can no longer support new technology. These sites are worth hundreds of thousands of dollars in cash for a District, yet many Districts inadvertently create barriers to capturing these revenues. Many Districts, for example, do not respond quickly enough when approached by a Carrier and then are

simply passed over to another candidate near-by...along with the new revenue! If the District does not have the internal resources to manage the project, quickly let the Carrier know you're interested, then consider engaging a firm that specializes in this industry that can assist. Be sure the firm does not charge retainers as there is no guarantee the site will actually get located on District property (but being unresponsive guarantees it won't!). Another possible solution is to be proactive. Work with a specialized firm that can "present" your District's in a favorable light to multiple Carriers, providing them with a qualified list of prospective properties upon which a new site might be located. Although the Carrier will ultimately decide if your site meets their network requirements, being proactive has its advantages. If the Carrier needs coverage in that area and knows that a new lease will be expedited and that landlord has reasonable rent expectations, the chances of capturing this new revenue increase.

It is important that Districts looking to drive new revenues with wireless cell sites understand what is happening in today's market. Both cell site upgrades and new site placements can both provide significant financial opportunities for Districts.

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## **CARPD Board Vacancy**



The CARPD Nominations Committee is seeking candidates for the vacant position of CARPD Board of Directors – Board of Directors position (Odd # Year through May 2015).

Since 1958, the California Association of Recreation & Park Districts (CARPD) has been dedicated to improving the quality and efficiency of recreation and park districts. CARPD is an organization representing special recreation and park districts throughout California. Involvement in CARPD is accomplished through the active participation of agency board and staff members.

The board of directors is made up of representatives from member park districts and meets four times per year (July, October, January and March) as well as at the annual conference in April/May.

The Board is composed of :

- Current President
- President Elect
- Past President

- Treasurer/Chief Financial Officer
- Secretary
- Four Directors representing Board members from member agencies (two elected every even year and two elected every odd year for two-year terms).
- Two Administrators representing General Managers from member agencies (one elected every even year and one elected every odd year for two-year terms)

The Board sets policy and direction for CARPD as well as getting involved with several different board committees.

Any interested candidates should submit to CARPD a letter of interest, forward a brief bio, and copy of a board resolution supporting such nomination by July 9, 2014. Materials should be sent to:

**CARPD**

**Attn.: Pat Cabulagan, Executive Director**

**6341 Auburn Blvd., Suite A**

**Citrus Heights, CA 95621**

If you have any questions, please feel free to call Pat Cabulagan at (916) 722-5550. We thank you for your participation and support of CARPD.

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Questions or Comments? Email us at [pcabulagan@capri-jpa.org](mailto:pcabulagan@capri-jpa.org) or call (916) 722-5550  
6341 Auburn Blvd, Suite A, Citrus Heights, CA 95621