

NOVEMBER 2015

COMMUNICATOR

PRESIDENT'S MESSAGE



I hope everyone enjoyed their summer. Well it's time to hang up the summer clothes and pull out your winter ones. The weather gurus are expecting an El Niño winter so that means a few things. When I think of rain, the Engineer in me thinks of drainage and erosion control, it's time to dust off all those acronyms such as, SWPPP's (Storm Water Pollution Prevention Plans), your WQMP's (Water Quality Management Plans) as well as your BMP's (Best Management Principals) out, i.e. sandbags, silt screens, and plastic. When it comes to erosion control, a few bucks up front can save hundreds, if not thousands of dollars later on. You know the old adage; an ounce of prevention is worth a pound of cure.

Also, with all the rain we are to receive, many outdoor activities will need to be rescheduled. It's time to get creative with indoor activities to keep our community active and healthy. Indoor Pickleball, Wiffle ball, Dodgeball, are a few activities that can be implemented this winter. Adding time for indoor walking to our facility would allow everyone to continue to work towards



their healthy goals. Us drylanders will have more of a challenge this year.

It is my pleasure to welcome Tim Barry from Livermore Area Recreation and Park District as the CARPD appointee to the CAPRI Board. Tim of Directors brings many years of experience and will be a great addition. His predecessor, Sam

Goeppe, was instrumental in getting us to where we are at today. Sam was there as a founding member during CAPRI's formation and we are deeply honored to have his support and guidance all of these years.

Lastly we are starting preparations for next year's conference. We have had such a great success at Lake Tahoe that we have decided to go back again. We're working on the programs for the conference now. If there is a topic you will like to discuss at the conference, please let the CARPD office know so we can try to include it in this year's or future years conference topics. Pat Cabulagan and staff are working on getting a fantastic keynote speaker, no pressure Pat, so next year's conference is looking to be the best ever.

I hope everyone has a great fall and holiday season.

Be safe,
Frank Gorman, President
CARPD



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LEGISLATIVE UPDATE

Governor Brown Completes Signing/Vetoing Legislation with Hours to Spare

Midnight, October 11th, was Governor Brown's deadline to sign or veto hundreds of bills the Legislature sent to him during the final weeks of the first year of the 2015/16 Legislative Session, which ended September 11th. He completed his work shortly before noon and in the end, signed 808 bills, vetoing 133.

In a number of his signing or veto messages, Governor Brown signaled he remains cautious about the State's fiscal recovery by vetoing numerous bills he argued would place on-going pressure on the State's General Fund for new or increased programmatic spending.

Additionally, Governor Brown complained that Proposition 218 placed too many restrictions on water agencies proposing new or modified conservation water rate proposals and indicated he would dialogue with legislators and other interested stakeholders to gauge if Proposition 218 could be modified to address the water rate issue. Any changes must, of course, be approved by a statewide vote and arguing Proposition 218 should be amended to make it somewhat easier for water agencies to increase rates and/or restrictions will be an exceedingly difficult argument to make to voters. Clearly, other local agencies will argue that Proposition 218 should be less burdensome for all local government, not just water agencies. Should be a fascinating debate.

Governor's Action on Key CARPD Legislation

Since previous legislative reports have provided the status of numerous bills of importance to CARPD, below we

will list only those bills that were most recently acted upon by Governor Brown.

Assembly Bill 10 (Gatto): Related to specific increased thresholds at which public officials have a disqualifying financial interest in sources of income from \$500 to \$1,000, and investments in business entities from \$2,000 to \$5,000, and in interests in real property from \$2,000 to \$10,000.

Status: Vetoed.



Assembly Bill 161 (Chau): Relating to "athletic trainers," AB 161 proposed to make it unlawful for an individual to hold him/herself out as an athletic trainer, unless he/she meets all the new definitional provisions contained in the bill. **Status: Vetoed.**

Assembly Bill 169 (Maienschein): Would, if a local agency maintains an Internet Resource, including, but not limited to an Internet Web site, Internet Web page, or Internet Web portal, which the local agency describes or titles as "open data," and the local agency voluntarily posts a public record on that Internet Resource, requires the local agency to post the public record in an open format that meets specified requirements, including that the format is able to be retrieved, downloaded, indexed, and

searched by a commonly used Internet search application. **Status: Signed.**

Assembly Bill 313 (Atkins): This is the enhanced infrastructure financing district proposed by Assembly Speaker Atkins. Sets forth the procedures for creating a district and for special districts, permits participation but only on an opt-in basis and protects special district incremental property tax revenues unless a district opt-in. **Status: Signed.**

Assembly Bill 552 (O'Donnell): Provides that a public works contract entered into on or after January 1, 2016, that contains a clause expressly requiring a contractor to be responsible for delay damages is not enforceable unless the delay damages have been liquidated to a set amount and identified in the public works contract. **Status: Signed.**

Assembly Bill 665 (Frazier): This bill proposed, based on a number of court cases, to provide the State fully occupies virtually all hunting and fishing and that the Department of Fish and Wildlife is the only agency that may adopt or promulgate regulations relating to hunting or fishing on any lands or waters within the State. Given the broad definitions in the bill, a number of CARPD members would be impacted. **Status: Has become a 2-year bill.**

Assembly Bill 883 (Low): Bill proposed to prohibit a state or local agency from posting a job advertisement or announcement that specifically states that current or former public employees are disqualified from eligibility and would also prohibit asking about a candidate's current or former status as a public employee until the employer determines the applicant meets the minimum employment requirements. **Status: Vetoed.**

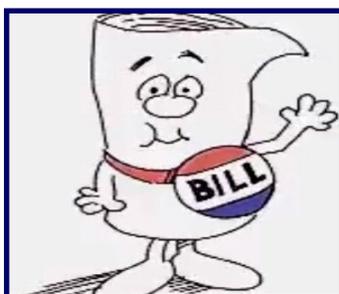
LEGISLATIVE UPDATE (CONT.)

Assembly Bill 974 (Bloom): A redevelopment bill CARPD opposed, AB 974 proposed, for affordable housing purposes, certain bond proceeds deemed unavailable by the Department of Finance, to be utilized, impacting some recreation and park districts' incremental property tax revenues. **Status: Became a 2-year bill.**

Senate Bill 3 (Leno): Relating to increasing the minimum wage and reported last month (but worth repeating), SB 3 became a 2-year bill after Senator Leno announced he wanted to work with the Legislative Analyst's Office to ensure the increase, and the timing of the increase, is the most appropriate and helpful to those benefiting from an increase. Most likely to be one or more increase proposals on the November 2016 statewide ballot.

Senate Bill 204 (Pavley): Would require the Director of the State Department of Parks and Recreation to

promote and regulate the use of the State Park System in a manner that conserves the scenery, natural and historic resources, and wildlife in the individual units of the system for the enjoyment of future generations. Contains other recommendations developed by the Parks Forward Commission. **Status: Signed.**



Senate Bill 272 (Hertzberg): Would require all local agencies, in implementing the California Public Records Act, to create a catalog of enterprise systems, as defined, to make the catalog publicly available upon request in the office of the person or officer designated by the local agency's

governing body, and to post the catalog on the local agency's Internet Web site. **Status: Signed.**

Senate Constitutional Amendment No. 5 (Hancock): This is the split-roll property tax constitutional amendment that, if passed with a 2/3rds vote in the Legislature, would appear on the November 2016 ballot. The measure was not set for hearing this year but, as of this writing, there are at least two split-roll initiatives in play and both are likely to qualify. Recently, Governor Brown expressed his opposition to a split-roll property tax system, and if he chooses to campaign against whichever initiatives qualify for November 2016, he could impact the outcome. Stay tuned.

Also, the CARPD Legislative Committee met on October 23rd for their final meeting of the year to critique this year's legislative session and discuss priority issues for the Association to address in 2016.

By Ralph Heim

CARPD CONFERENCE SCHOLARSHIP

Two individuals (Board Member, General Manager, Assistant General Manager or Chief Administrative Officer) will be selected from Recreation and Park Districts to attend the 2016 CARPD Spring Conference on May 19-21, at no cost (registration and hotel accommodations) thanks to the support of the attendees at the 2015 CARPD Spring Conference who purchased raffle tickets in support of the CARPD Scholarship fund.

A third individual (Board Member, General Manager, Assistant General Manager or Chief Administrative Officer) will be selected from Recreation and Park Districts to attend the 2016 CARPD Spring conference with registration paid for by CARPD.

The scholarship will be awarded to first time attendees. The Conference Committee will be looking at individuals who are from Districts who have not attended or Districts who rarely attend due to budget constraints. Also, first time attendees from a District who regularly attend the conference but due to budget constraints limit who/how many can attend from the District.

Send an email/fax with subject line/ Title, 2016 CARPD Spring Conference Scholarship; include your contact information and an essay of no more than 300 words addressing why you should be selected to receive the scholarship for the 2016 CARPD conference and how the conference will

benefit you and your District. All entries must be submitted to Pat Cabulagan, Executive Director at pcabulagan@capri-jpa.org or fax to 916-722-5715 by February 13, 2016.



By Pat Cabulagan



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2016 CARPD SPRING CONFERENCE

Mark Your Calendars!!!

The 2016 California Association for Recreation and Park Districts (CARPD) conference is scheduled for May 19-21, 2016 at the Lake Tahoe Resort Hotel in South Lake Tahoe, CA.

The conference will tentatively feature information on Water/drought; Effect and strategy of minimum wage increase; Legalities of foundations on 501c3; Liability Exposures; Employment Law Liability; Park Rangers armed & unarmed; State park grant writing; Partnership and collaborations.

As in year's past, we will be having our Awards of Distinction ceremony on Saturday, May 21th. Start planning now to submit your applications for the following awards: **Large Districts:** Outstanding District, Outstanding New Facility, Outstanding Renovated Facility. **Small District:** Outstanding District, Outstanding Renovated Facility. **Individual/Group Awards:** Outstanding Technology, Social Media and Marketing, Outstanding Environmental Program, Outstanding Innovative Program, Outstanding Volunteer, Outstanding Professional, Outstanding Community Organization, and the **Jim Meredith Award**. We look forward to seeing all the wonderful and creative activities/programs our Districts are providing to their communities.

We are looking forward to providing a very informative and entertaining conference to the Recreation and Park Districts.

Please mark your calendars and plan on attending the 2016 CARPD Conference!

By Pat Cabulagan

