

**PLEASANT VALLEY RECREATION & PARK DISTRICT  
CITY OF CAMARILLO, CITY HALL COUNCIL CHAMBERS  
601 CARMEN DR., CAMARILLO, CALIFORNIA**

**BOARD OF DIRECTORS  
REGULAR MEETING AGENDA  
October 4, 2017**

**6:00 P.M.**

**REGULAR MEETING**

**NEXT RESOLUTION #580**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. AMENDMENTS TO THE AGENDA -** This is the time and place to change the order of the agenda, delete, or add any agenda item(s) and to remove any consent agenda items for discussion.
- 5. PRESENTATIONS**
  - A. District Highlights
  - B. Foundation
  - C. CGSA
- 6. PUBLIC COMMENT -** In accordance with Government Code Section 54954.3, the Board reserves this time to hear from the public. If you would like to speak about an item on the agenda, we would prefer you complete a Speaker Card, give it to the Clerk of the Board, and wait until it comes up. If you would like to make comments about other areas not on this agenda, in accordance with California law, we will listen, note them, and bring them back up at a later date for discussion. Speakers will be allowed three minutes to address the Board.
- 7. CONSENT AGENDA –** Matters listed under the Consent Agenda are considered routine and shall be acted upon without discussion and by one motion. If discussion is desired the item will be removed from the Consent Agenda for discussion and voted on as a separate item. If no discussion is desired, then the suggested action is for the Chair to request that a motion be made to approve the Consent Agenda.
  - A. Minutes for Regular Meeting of September 7, 2017**  
Approval receives and files minutes.
  - B. Warrants, Accounts Payable & Payroll**  
Approval of District's disbursements dated on or before September 14, 2017.
  - C. Financial Report**  
Monthly unaudited financial reports are presented to the Board for information. Approval receives and files the financial reports for August 31, 2017.

**8. PUBLIC HEARING – A Public Hearing on Ordinance No. 8, Governing the Use of Parks, Recreation Areas and Facilities**

**A. Review Amended Ordinance No. 8, Governing the Use of Parks, Recreation Areas and Facilities**

Approval of the revisions will update Ordinance No. 8. in preparation of its adoption in November 2017.

Suggested Actions: Conduct the Public Hearing, request a MOTION to read the complete Ordinance No. 8 title and to waive further reading; and then consider a MOTION to Approve the introduction and first reading of the District's amended Ordinance No. 8, Governing the Use of Parks, Recreation Areas, and Facilities.

**9. NEW ITEMS-DISCUSSION/ACTION**

**A. Two Year Community Service Group Agreement Between the District and Community Service Groups**

The revised community service group agreement will include updates to rules and compliance requirements.

Suggested Actions: A MOTION to Approve the updated two-year Agreement between the District and Community Service Groups.

**B. Approval of Updated Technology Use Policy**

Approval allows for the inclusion of the Electronic and Telephone Usage and Privacy Policy within the updated Technology Use Policy.

Suggested Actions: A MOTION to Approve the updated Technology Use Policy to include the Electronic and Telephone Usage and Privacy Policy.

**C. Consideration and Approval of Bid Award for the Administration Office and Rooms 6-7 Roofs**

Approval will allow for the repair of the Community Center roofs which is needed due to water leaks.

Suggested Action: A MOTION to Approve and authorize the General Manager to enter into an agreement with Falcon Roofing to replace the roofs on the Administration Office and Rooms 6-7 in the amount of \$133,091.

**D. Consideration and Approval of Regular Board Meeting Dates for 2018**

Yearly review of meeting dates for the upcoming calendar year.

Suggested Action: A MOTION to Approve the dates for the Regular Board Meetings for calendar year 2018.

**RECESS/RECONVENE IN THE COUNCIL CONFERENCE ROOM**

**E. Developer Fee Study Session**

STUDY SESSION – Introductory discussion of developer fees payable to the District.

**RECESS/RECONVENE IN THE COUNCIL CHAMBERS**

- F. Developer Fees for the Proposed St. John's Seminary Residential Community Project**  
The District negotiated with the City of Camarillo's Community Development Department.

Suggested Action: A MOTION to Approve and accept the negotiated value of land that will be subdivided for the St. John's Seminary Residential Community Project and authorize the General Manager to draft a letter declining acceptance of a parking lot at the corner of Upland Road and Somis Road.

**10. INFORMATIONAL ITEMS, which do not require action, will be reported by members of the Board and staff:**

- A. Chairman Dixon
- B. Ventura County Special District Association/California Special District Association
- C. Santa Monica Mountains Conservancy
- D. Standing Committees – Finance, Liaison and Policy
- E. Foundation for Pleasant Valley Recreation and Parks
- F. General Manager's Report

**11. ORAL COMMUNICATIONS-** Informal items from Board Members or staff not requiring action.

**12. ADJOURNMENT**

**Notes:** The Board of Directors reserves the right to modify the order in which agenda items are heard. Written materials related to these agenda items are available for public inspection in the Office of the Clerk of the Board located at 1605 E. Burnley Street, Camarillo during regular business hours beginning the Friday preceding the Wednesday Board meeting.

**Announcement:** Public Comment: Members of the public may address the Board on any agenda item before or during consideration of the item. [Government Code section 54954.3] Should you need special assistance (i.e. a disability-related modification or accommodations) to participate in the Board meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager at 482-1996, extension 114. Please notify the General Manager 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.



PLEASANT VALLEY RECREATION AND PARK DISTRICT
CO-SPONSORED GROUP
ANNUAL UPDATE

Group: Camarillo Girls Softball Association

Date: 9/11/2017

One representative from your organization must attend the following PVRPD Board Meeting on:
Wednesday, October 4, 2017 at 6pm at Camarillo City Hall

Table with 5 columns: OFFICERS, NAME, ADDRESS, DAY PHONE, CELL PHONE. Rows include President (Tom De La Cerda), Vice President (Kwinn Knight), Treasurer (Som Khampanya), and Secretary (Julie Johnson).

Number of participants last year: 304
Projected number of participants upcoming year: 315

Changes Organization has made from previous year:

This year CGSA will be rolling out the competitive softball select program. USA Softball has a select program, which allows leagues to retain youth players in recreational softball at a higher competitive level for 10U, 12U and 14U divisions.

Comments for the PVRPD Board of Directors:

The CGSA family would like to thank PVRPD Board of Directors for the support they provide to our Camarillo Girls Softball Association. During our 2017 All Star season we had our 3 gold divisions 8U, 10U, & 12U qualify for State tournament, where our 8U team was successful and won the regional championship in July. We are looking forward to another successful year and partnership in keeping our youth active in recreational sports.

Primary Facility (ies) Used? Mission Oaks Park
What Time are Board Meetings Held? Monthly at 7PM
Where are Board Meetings Held? Pleasant Valley Field Rec Room
When are new Board Members Elected? 2018 April
When are new Board Members Installed? 2018 July

Pleasant Valley Recreation and Park District Liaison: Lanny Binney, Recreation Supervisor

Please attach a copy of your By-Laws to this form.

Please Complete and Return the Annual Update and Financial Statement by September 11, 2017 to:

Lanny Binney
1605 E. Burnley Street, Camarillo, CA 93010
Phone: 482-1996 x 17
Fax: 805-482-3468

Form Completed by (print): Tom De La Cerda Date 9/11/2017
Sign: Tom De La Cerda



**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
COMMUNITY SERVICE GROUP - ANNUAL REVIEW  
FINANCIAL STATEMENT**

NAME OF ORGANIZATION

Camarillo Girl's Softball Association

Last Year's Financial Statement

Proposed Budget

Date: YE August 31, 2017

Date: YE August 31, 2018

Beginning Balance:	\$ 97,884.99
<b>Revenue:</b>	
Registration: Rec./All Stars	\$ 95,532.44
Tournaments:CGSA Tournament	\$ 21,875.00
Fundraisers / Sponsors:	\$ 11,012.29
Snack Bar:	\$ 32,572.30
Interest:	\$ 153.21
Dues:	\$ -
Miscellaneous Income:*	\$ 400.00
<b>Total Revenue</b>	<b>\$ 161,545.24</b>

Beginning Balance:	\$ 104,000.00
<b>Revenue:</b>	
Registration:	\$ 95,000.00
Tournaments:	\$ 22,000.00
Fundraisers:	\$ 11,000.00
Snack Bar:	\$ 32,000.00
Interest:	\$ -
Dues:	\$ -
Miscellaneous Income:	\$ 400.00
<b>Total Revenue</b>	<b>\$ 160,400.00</b>

**Expenses:**

**Expenses:**

Admin Expense	\$ 80.30
Advertising	\$ 623.40
Awards	\$ 7,078.78
Equipment	\$ 12,193.92
Facility/Field Maint.	\$ 1,865.76
Insurance	\$ 450.00
Internet (online registration)	\$ 1,598.00
Licensing/Membership	\$ 6,801.45
Maintenance (field/facility)	\$ -
Miscellaneous**	\$ 471.29
Paid Staff	\$ 4,645.50
Professional Services (refs)	\$ 15,305.00
Refunds	\$ 745.00
Rentals	\$ -
PVRPD	\$ 18,826.56
Snack Bar Resale	\$ 14,759.36
Supplies	\$ 1,529.10
Tournament Entries	\$ 21,875.00
Uniforms	\$ 25,703.75
Contingency	\$ 20,181.08
<b>Total Expense:</b>	<b>\$ 154,733.25</b>

Admin Expense	\$ 100.00
Advertising	\$ 650.00
Awards	\$ 7,000.00
Equipment	\$ 6,000.00
Facility/Field Maint.	\$ 1,800.00
Insurance	\$ 450.00
Internet (online registration)	\$ 1,600.00
Licensing/Membership	\$ 7,000.00
Maintenance (field/facility)	\$ -
Miscellaneous	\$ 500.00
Paid Staff	\$ 7,000.00
Professional Services (refs)	\$ 16,000.00
Refunds	\$ 800.00
Rentals	\$ -
PVRPD	\$ 19,000.00
Snack Bar Resale	\$ 15,000.00
Supplies	\$ 1,500.00
Tournament Entries	\$ 21,875.00
Uniforms	\$ 25,700.00
Contingency	\$ 20,200.00
<b>Total Expense:</b>	<b>\$ 152,175.00</b>

Ending Balance: \$ 104,696.98

Ending Balance: \$ 112,225.00

*List Savings/CDs/Investments here:*

Savings Account	\$
CD Account	\$
Investment Account	\$
Other Account	\$
Total Other Accounts	\$
Checking + Other	\$ -

*List Savings/CDs/Investments here:*

Savings Account	\$
CD Account ___ month	\$
Investment Account	\$
Other Account	\$ -
Total Other Accounts	\$
Checking + Other	\$ -

**Pleasant Valley Recreation and Park District  
Minutes of Regular Meeting  
September 7, 2017**

**1. CALL TO ORDER**

The regular meeting of the Board of Directors of the Pleasant Valley Recreation and Park District was called to order at 6:00 p.m. by Chairman Dixon.

**Call to Order**

**2. PLEDGE OF ALLEGIANCE**

Randy Churchill led the pledge.

**3. ROLL CALL**

Ayes: Mishler, Magner, Kelley, Malloy, Chairman Dixon

Absent:

ALSO PRESENT: General Manager Mary Otten, Administrative Services Manager Leonore Young, Recreation Services Manager Amy Stewart, Park Services Manager Bob Cerasuolo, Administrative Analyst and Clerk of the Board Mitchell Cameron, Customer Service Lead and Recording Board Secretary Karen Roberts, Recreation Supervisors Lanny Binney and Macy Andersen, Program Specialist Denise Cleric, Park Supervisor Nick Marienthal, Park Supervisor Matthew Parker, Matt Lorimer, Karen Riffin, Bill Hulfish, Mary Klenitz, Cece Casey, Jay and Patti Bayman, Kerry Cleric, Trish and Len Zakas, Nancy and David Orr, Walt and Do Kainz, Don and Ardelle Bahl, Randy Churchill, Jerry Scheurn, Donald Maingay, Linda Fox, and Tom Diehl.

**Roll Call**

**4. AMENDMENTS TO THE AGENDA**

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Malloy to approve the Agenda as presented.

**Motion to  
Approve Agenda**

Voting was as follows:

Ayes: Magner, Malloy, Mishler, Kelley, Chairman Dixon

Noes:

Absent:

Motion: Carried

**Carried**

**5. PRESENTATIONS**

**A. District Highlights/FY 2016-17 Wrap-up**

Administrative Services Manager Leonore Young presented the highlights of the District's August/September activities, programs, and special events along with a spotlight on three of the District's parks – Calleguas Creek Park, Birchview Park, and Mission Oaks Park. Calleguas Creek Park is 3.3 acres with open space, a playground and BBQ grills. Birchview Park is a small park in east Camarillo at 0.7 acres with a small playground. Mission Oaks Park is a 20-acre park with three covered picnic shelters, softball, tennis courts, an off-leash dog park and a large playground. At the Aquatic Center, over 3200 swim lessons were taught over the summer. The pool will be closed August 27 through September 10 for maintenance. The summer nature camps were very popular and over 50 students from PVSD attended a field trip at the Camarillo Grove Nature Center. At the Senior Center, the rummage sale is on October 7, the All County Wii Bowling Tournament is on October 12 and an excursion is planned to Pechanga

Casino on October 17. In sports, the VC Derby Darlins held a doubleheader bout at Freedom Park on August 26 and the Roadrunner Remote Control Club has some events coming up in September. Special events are Halloween in the Park on October 31, Breakfast with Santa on December 2 and the Christmas Parade on December 9.

Ms. Young presented a spotlight on the District's FY 2016-2017 Finance Report. Tax apportionment make up 79% of the District's revenue with the rest coming from rentals, R.O.P.S., contract classes, public fees, and cell tower revenue. Park dedication fees or Quimby Fees came in at 3.1 million this year. Personnel, CalPERS loan and unfunded liability, capital projects, utilities, and the PV Field loan make up the bulk of the expenses with revenues exceeding expenditures. The capital project list is extensive for this year and for FY 17-18. Director Malloy stated that the District is very aggressively pursuing capital projects that we have not been able to do in the past.

#### B. Mil Vet Expo

Program Specialist Denise Cleric introduced Kim Evans, director of the Mil Vet Expo which is in its 6<sup>th</sup> year. Every year the Ventura County Military Collaborative brings together partnering agencies (195 this year) as a free service for military families. Carls Jr. donated over 500 free meals, the VA was present along with the chief selects, info on service dogs and speakers Assemblymember Jacqui Irwin and Congresswoman Julia Brownley. Ms. Evans thanked Jane, Denise and staff for their assistance and donated the hay bales that the collaborative obtained from the fairgrounds. Ms. Evans also donated a check for \$2000 to the senior center for their assistance with the very successful event which had over 2000 people in attendance.

Park Services Manager Bob Cerasuolo introduced Nick Marienthal, a new park supervisor for the District. Mr. Marienthal has been with the District for 16 years and he thanked the Board for the opportunity to address the Board.

Recreation Services Manager Amy Stewart presented Matt Lorimer who is leaving the community with a special volunteer presentation award for all that Mr. Lorimer has done for the seniors. He has contributed fresh fruit and plants to the annual 50+ Expos held in May, donated and sold items for the senior center community rummage sales, regularly delivered fresh bread on Mondays and fresh fruit, food and flowers on Fridays for over 90 seniors, promoted a farmers' market at the Community Center, and maintained a strong advocacy for the senior center at the District and at City Council meetings while working multiple jobs and caring for his family. The District will miss his generosity. Mr. Lorimer graciously accepted his certificate and reminded everyone to continue to help out their community. The Board thanked Mr. Lorimer for his assistance over the years and wished him well.

#### 6. PUBLIC COMMENT

Administrative Analyst Mitchell Cameron received 12 speaker cards and presented them to Chairman Dixon. The first speaker Matt Lorimer of Camarillo stated that at Camarillo's Fiesta a woman told him that her child's hand was cut on a rusty picnic table at Dizdar Park. Mr. Lorimer noted that the park is rundown with a broken water fountain, rusted park benches, dead grass and exposed electrical wires. He stated that some people at the City think that the park belongs to the District. Mr. Lorimer said that

he is moving to Texas and he thanked the District for making a difference and for allowing himself to help make a difference for the senior population. Director Malloy mentioned that the city is addressing the problems at Dizdar Park and thanked Mr. Lorimer for all of his efforts. Director Kelley reminded the public that Dizdar Park is not a District park.

The other speakers requested to comment when the Board addresses Agenda Item 8.B.

## 7. CONSENT AGENDA

- A. Minutes for Regular Meeting July 5, 2017 and Special Meeting of August 10, 2017
- B. Warrants, Accounts Payable & Payroll thru August 17, 2017
- C. Financial Report

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Mishler to approve the Consent Agenda.

**Motion to  
Approve  
Consent Agenda**

Voting was as follows:

Ayes: Magner, Mishler, Kelley, Malloy, Chairman Dixon

Noes:

Absent:

Motion: Carried

**Carried**

## 8. NEW ITEMS - DISCUSSION/ACTION

### A. Senior and Community Recreation Facility Needs Study Agreement

Administrative Analyst Mitchell Cameron presented background information on the cooperative agreement with the City of Camarillo to complete a needs study. Tom Diehl the project manager for Greenplay LLC was introduced. Discussion included Greenplay LLC's extensive background work with similar projects, recognition of the need to identify the service needs and then follow up and look at facility needs; recognition that the needs study was required in order to obtain City's cooperation and assistance with a senior center; Greenplay LLC's provision of a conceptual building plan and an operating budget; cost splitting between the City and the District, importance of a statistically valid survey, inclusion of focus groups, stakeholder interviews and the public for developing survey questions; GAP analysis, online surveys, identification of funding strategies and proposed solutions for different levels, and the need for a new senior center to accommodate underserved community members.

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Malloy to authorize the General Manager to enter into an agreement with Greenplay LLC to perform a Senior and Community Recreation Facility Needs Study. Director Kelley stated that he was originally concerned about the amount of money that was to be spent on the study for items that he already knows the District needs, but he is more assured that the results will be worth the effort.

**Motion to  
Approve  
Needs Study  
With Greenplay**

Voting was as follows:

Ayes: Magner, Malloy, Mishler, Kelley, Chairman Dixon

Noes:

Absent:

**Carried**

Motion: Carried

B. Update Conversion of Tennis Courts to Pickleball Courts at Bob Kildee Park

Recreation Services Manager Amy Stewart presented a short video clip of pickleball. With the increase in local participation of pickleball and community feedback, the District dedicated 3 days per week at Freedom Gym to pickleball. With over 30 to 40 players per week, options were considered to include outdoor courts. Estimates were received to price the conversion of a tennis court to a pickleball court along with resurfacing existing courts at Bob Kildee Park. Staff recommendation is to repair and repaint the entire complex, keep three dedicated tennis courts, convert 2 tennis courts to four pickleball courts and keep one tennis court for dual purpose for tennis and pickleball.

Len Zakas of Camarillo showed a video from CBS News. Over 100,000 participants in the nation are registered and more information can be found at [usapa.org](http://usapa.org).

Trish Zakas of Camarillo stated that she is a new contract instructor with the District and will start teaching classes in October ([camarillopickleball.com](http://camarillopickleball.com)). There are 2.5 million pickleball players in the nation. Ms. Zakas said that 2 courts on one tennis court does not work because there is 30 feet behind each court instead of just 10 feet. With 22 tennis courts in Camarillo and few pickleball courts, people are playing in Newbury Park because the facilities are better.

Jerry Sheurn lives on Eston Street next to the tennis courts and asked for people to consider the extra noise that pickleball will bring to the already congested and very busy park. Parking is a problem with the tennis players because the street sweepers cannot sweep. Mr. Sheurn stated that the baseball park causes a lot of dust and tennis players and staff use leaf blowers to clear the courts of debris which goes across the street to the houses. Mr. Scheurn stated that he has a degree in recreation and facilities and thinks that there should be a screen to keep the dust down since trees were cut down.

Walt Kainz of Camarillo is a pickleball player who has played for several years. The Freedom Gym is too tight for space and it is not regulation size. Mr. Kainz stated that at Bob Kildee Park, lines were placed on the tennis courts but the same net cannot be used. Mr. Kainz recommends Option C with 2 pickleball courts per tennis court, but the current court conditions are horrendous.

Nancy Orr of Camarillo played tennis and now plays pickleball. Ms. Orr stated that they play at Freedom Gym but it is often too busy so that they head out to Newbury Park. Ms. Orr would like to see more than 2 courts available. Pickleball only has 9 hours per week right now.

Cece Casey of Camarillo stated that tennis can be played for a lifetime and that it leads the pack in long term participation. Ms. Casey said that they have been playing for decades at Bob Kildee Park. She mentioned that she presented a diagram to the Board at the August board meeting. Pickleball court lines were painted while the tennis players were playing tennis and they felt disrespected that they had not been contacted prior. Ms.

Casey requested that the Board consider their proposal to leave tennis on courts 4, 5 and 6 and pickleball in the caged court.

Bill Hulfish of Camarillo has been a tennis player for about 20 years. The new multipurpose court lines are very confusing. Mr. Hulfish thinks that the caged area should be converted to 2 pickleball courts. Also, the court surfaces are in terrible condition, there is a tree that needs to be trimmed, court 6 is never cleaned and the fencing needs to be repaired and maintained.

Karen Riggin of Camarillo reported that the tennis courts are very friendly and that the pickleball players are friendly too. Ms. Riggin suggested that the three tennis courts should be kept intact as tennis courts. She stated that she was not happy about changing everything without their input. The courts have deep cracks and need repair.

Donald Mingay of Camarillo stated that the tennis courts are in terrible condition. He reported that the courts are used all the time and they would like everything to stay. Mr. Mingay suggested having 2 courts as multifunctional and keep one as a pickleball court.

Patti Bayman of Camarillo stated that they expect 55 players at the pickleball open house on September 13 at 10 am at Freedom Gym with cake and punch. Ms. Bayman recognized Trish and Len Zakas for their work and the website.

Linda Fox lives across the street from the tennis courts on Eston Street. Ms. Fox said that there is a lot of noise associated with pickleball. When the trees were removed, it left a void and there is more noise now. Courts 4 & 5 have pickleball lines and it is too noisy. Ms. Fox requested that those who live on Eston Street should be considered as to what they have to listen to and suggested courts 1 & 2 for pickleball.

Len Zakas reported that portable pickleball nets can be toted but they weigh about 20 to 22 pounds. He is not certain that having to obtain a net from the aquatic center every day would work out very well.

Board discussion included a dual-purpose court with portable pickleball nets, sound barriers on the fences, cooperation between the tennis and pickleball players, dislike for multipurpose courts, cracks in the surface, noise levels from paddleball rackets, concerns of additional traffic, expense of court conversion, and the need for additional research. Staff was directed to research the conversion of 2 tennis courts to 4 pickleball courts with sound barriers and to leave 4 tennis courts open with the option of converting one court down the road and to resurface all the courts.

#### C. Approval of the Bid Specifications for the Parks Maintenance Yard Driveway

Park Services Manager Bob Cerasuolo presented the bid specifications for the Parks Maintenance Yard Driveway at Skyway Drive. Discussion included concrete vs asphalt, square foot coverage, timeline, and the durability of concrete for high wear areas.

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Mishler to approve the bid specifications for the Parks

Maintenance Yard Driveway project and direct staff to solicit proposals for the approved bid specifications.

Voting was as follows:

Ayes: Magner, Mishler, Kelley, Malloy, Chairman Dixon

Noes:

Absent:

Motion: Carried

**Motion to  
Approve Bid  
Specs for Parks  
Driveway**

**Carried**

D. Approval of the Bid Specifications for Mission Oaks Park Building Roof Repair

Park Services Manager Bob Cerasuolo followed up with additional information regarding materials considered for the Mission Oaks Park concession building roof repair. Discussion included the asphalt warranty covering dents from softballs, the economical price of asphalt, and the comparison of tile with metal and asphalt.

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Malloy to approve the bid specifications for the roof repair needed at the Mission Oaks Park concessions building and direct staff to solicit proposals.

Voting was as follows:

Ayes: Magner, Malloy, Mishler, Kelley, Chairman Dixon

Noes:

Absent:

Motion: Carried

**Motion to  
Approve Bid  
Specs for Mission  
Oaks Park Roof  
Repair**

**Carried**

E. Consideration and Adoption of Resolution No. 579 Authorizing the General Manager to Apply for the Habitat Conservation Fund Wildlife Area Activities Grant for Nature Education Program

Administrative Analyst Mitchell Cameron provided a background of the programs that have been funded through the HCF Grant awarded in 2014. Discussion included the type and popularity of the District's nature based programs, the decent numbers from the summer's programs and the list of additional programming needs.

Chairman Dixon called for a motion. A motion was made by Director Magner and seconded by Director Mishler to adopt Resolution No. 579 authorizing the General Manager to apply for the Habitat Conservation Fund grant to assist in funding the District's Nature Education Program.

Voting was as follows:

Ayes: Magner, Mishler, Kelley, Malloy, Chairman Dixon

Noes:

Absent:

Motion: Carried

**Motion to  
Approve Reso  
579 to Apply  
For HCF Grant**

**Carried**

## 10. INFORMATIONAL ITEMS

- A. Chairman Dixon –Chairman Dixon reported that the Foundation Board did a great job with the August 26 fundraiser at Camarillo Grove Park. Dr. Dixon also attended the Mil Vet Expo at the Community Center and was very impressed with the size and scope of the event.
- B. Ventura County Special District Association/California Special District Association- Director Magner reported that the VCSDA meeting on August 1 in Thousand Oaks included Brandis Talman and the insurance underwriting and counseling provided to the CSDA finance core. The next meeting will be at the Senior Center on October 3 and cover computer security. CSDA – Director Magner reviewed a webinar on the legislative update including the Little Hoover Commission, the state oversight, improving transparency and climate change. Park Services Manager Bob Cerasuolo and Director Magner will attend the conference in Monterey in September.
- C. Santa Monica Mountains Conservancy – Director Mishler did not attend the meeting.
- D. Standing Committees – Personnel – Director Magner reported that the committee is dealing with the minimum wage changes. Finance – Director Malloy reported that the unfunded liability payment was made. Liaison – Chairman Dixon stated that the needs assessment was covered and that Dr. Dixon will replace Director Mishler on September 21. Policy – Director Mishler stated that staff has been updating policies.
- E. Foundation for Pleasant Valley Recreation and Parks – Director Magner reported that the Starlit Summer’s Night fundraiser was the best event the Foundation has had so far and she thanked the staff and Bert and Linda Lamb.
- F. General Manager’s Report – General Manager Otten reported that the Foundation’s fundraiser raised about \$25,000-\$28,000 which will be set aside to go towards the refurbishing of the building at the Nature Center. The Community Center office remodel will be delayed until the week of October 12-19, park signage has come in and the repaving of the Bob Kildee Park parking lot is in process. Ms. Otten reported on many legislative updates with LAFCo, housing, the park bond bill, equality act, and the public records act. Ms. Otten mentioned that Recreation Service Manager Amy Stewart is retiring after 20 years with the District. Ms. Stewart has been instrumental in the District with her leadership, but she has decided to spend quality time with her family. Best wishes to Ms. Stewart whose last day will be October 4.

## 11. ORAL COMMUNICATIONS

Director Malloy congratulated Nick Marienthal who has been here for 16 years on his promotion. At the recent City Council meeting, Councilmembers Trembley and Craven commented on how nice the Foundation event was at Camarillo Grove Park. Mr. Malloy stated that on September 27, the City Council is proposing a redevelopment at the Camarillo Springs Golf Course. Sixty-three acres of the 120 acres will be turned into a development. Director Mishler welcomed Nick Marienthal and mentioned that on September 11, Mr. Mishler will speak at the Optimist Club meeting. Director Kelley congratulated Nick Marienthal and wished Amy Stewart well. Chairman Dixon thanked Amy for her years of service and mentioned that spending time with family is a great move.



**12. ADJOURNMENT**

Chairman Dixon adjourned the meeting at 9:51 p.m.

**Respectfully submitted,**

**Karen Roberts  
Recording Secretary**

**Approval,**

**Neal Dixon  
Chairman**

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Leonore Young, Administrative Services Manager**

**DATE: October 4, 2017**

**SUBJECT: FINANCE REPORT AUGUST 2017**

**RECOMMENDATION**

It is recommended the Board review and approve the District's Financial Statements for August 31, 2017 for Fund 10 and Fund 20.

**ANALYSIS OF COMPARATIVE FINANCIAL THROUGH AUGUST 31, 2017**

Attached you will find the District's Statements of Revenues and Expenditures for the period of July 1, 2017 through August 31, 2017 with a year-to-date comparison for the period of July 1, 2016 through August 31, 2016. The percentage rate used for the 2017-2018 fiscal year budget is 17% for Period 2 of the fiscal year.

**REVENUES**

Total revenue for the 2nd month ending August 31, 2017 for Fund 10 (General Fund) has an overall decrease of \$3,083,263 in comparison to fiscal year 2016-2017. The majority of the decrease is due to the following items: 1) Park Dedication Fee (\$3,123,562) [if Park Dedication Fees from fiscal year 2016-2017 are not factored in, fiscal year 2017-2018 revenue has an increase of \$40,300 with Donations (\$27,019)] and 2) Prior Year HOPTR (\$15,982).

Total revenue for the 2nd month ending August 31, 2017 for Fund 20 (Assessment District) is at 0.0% of budget. The first installment of tax apportionment for fiscal year 2017-2018 will arrive around December 28, 2017. At that time the Assessment District will receive approximately 60% of their budgeted tax apportionment. Until then the finance reports will reflect minimal activity in the revenue section of the report.

**EXPENDITURES**

Personnel Expenditures have increased by \$242,608 for FY 2017-2018 in comparison to personnel expense for the same time period last year. This increase will be a constant for the first few months of the fiscal year as the District paid the CalPERS Unfunded Liability in full for fiscal year 2017-2018; the amount paid to CalPERS was \$232,344.

Service and Supply Expenditures have increased \$127,594 in comparison to the same time period as last year. This increase is primarily due to the following items: 1) Utilities-Water

(\$53,068) 2) COP Debt Service Payment PV Fields (\$41,068) 3) Instructor Services (\$15,150) and 4) Typeset and Printing Services (\$12,189). The water variance is due to the water restriction being lifted and a warmer July and August which has caused a water usage increase. The Debt Service payment increase is due to moving a portion of the 2017 COP payment to the General Fund, as this expense has been paid out of the Assessment District fund in prior years. Typeset and Print Services along with Instructor Services show an increase; this is due to the timing of payments in comparison to the prior year.

Capital projects for fiscal year 2017-2018 are currently underway and the upcoming finance reports will reflect more activity in the months to come.

Fund 20 is at 11.65% in Personnel and 12.13% in Service and Supplies. The Assessment District is staying within budget in all categories.

### **FISCAL IMPACT**

Overall the District is under the approved budget for Fund 10 by 0.47% and Fund 20 by 4.87%. Staff continues to examine ways to run operations and services in a proficient manner while remaining inside the approved spending plan.

### **RECOMMENDATION**

It is recommended the Board review and approve the Financial Statements for August 31, 2017 for Fund 10 and Fund 20.

### **ATTACHMENTS**

- 1) Financial Statement of Revenues and Expenditures as of August 31, 2017 Fund 10  
(3 pages)
- 2) Financial Statement of Revenue and Expenditures as of August 31, 2017 Fund 20  
(1 page)

**General Ledger**  
**Statement of Revenues and Expenditures**  
**Fund 10 General Fund**  
**August 2017 17%**

Description	Account	Period Amount	One Year Prior Actual	Year to Date	Budget	Budget Remaining	% of Budget Used
<b>Revenue</b>							
Tax Apport Cur Year Secured	5110	\$ -	\$ -	\$ -	\$ 6,126,646.00	\$ 6,126,646.00	0.00%
HOPTR Prior Year	5231	\$ 15,982.52	\$ -	\$ 15,982.52	\$ -	\$ 15,982.52	0.00%
Interest Earnings	5310	\$ -	\$ 1,122.69	\$ 703.49	\$ 18,690.00	\$ 17,986.51	3.76%
MBS Interest Earnings	5320	\$ -	\$ 7,425.07	\$ 553.15	\$ -	\$ 553.15	0.00%
Park DedicationFees	5400	\$ -	\$ 3,123,562.00	\$ -	\$ -	\$ -	0.00%
Park Patrol Citations	5506	\$ 25.10	\$ 758.82	\$ 25.10	\$ 3,025.00	\$ 2,999.90	0.83%
Plan Check Fee	5507	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	0.00%
Contract ClassesPublic Fees	5510	\$ 30,205.79	\$ 142,355.79	\$ 51,250.57	\$ 235,111.00	\$ 183,860.43	21.80%
Public Fees	5511	\$ 49,470.80	\$ -	\$ 89,765.95	\$ 413,610.00	\$ 323,844.05	21.70%
Swim Passes	5513-5529	\$ 6,657.36	\$ 12,558.06	\$ 11,358.40	\$ 65,445.00	\$ 54,086.60	17.36%
Rental	5530	\$ 25,760.02	\$ 57,630.20	\$ 53,627.77	\$ 347,727.00	\$ 294,099.23	15.42%
Cell Tower Revenue	5535	\$ 7,194.67	\$ 9,487.72	\$ 11,535.15	\$ 82,272.00	\$ 70,736.85	14.02%
Annual Passes	5536	\$ 831.00	\$ 252.00	\$ 1,410.05	\$ -	\$ 1,410.05	0.00%
Parking Fees	5540	\$ 2,646.96	\$ 45.00	\$ 5,240.59	\$ 12,024.00	\$ 6,783.41	43.58%
Ducs	5550	\$ 240.00	\$ 290.00	\$ 240.00	\$ 2,208.00	\$ 1,968.00	10.87%
Activity Guide Revenue	5555	\$ 1,150.00	\$ 400.00	\$ 2,650.00	\$ 8,800.00	\$ 6,150.00	30.11%
Gain/(Loss) LAIF Investments	5565	\$ -	\$ 1,703.98	\$ -	\$ -	\$ -	0.00%
Donations	5570	\$ 75,115.00	\$ 48,239.00	\$ 75,258.00	\$ 80,620.00	\$ 5,362.00	93.35%
Grant HCF	5573	\$ -	\$ 16.00	\$ -	\$ -	\$ -	0.00%
Other/Purchase Discount Taken	5575	\$ 8,595.70	\$ 12,335.76	\$ 17,714.39	\$ 53,133.00	\$ 35,418.61	33.34%
Cash Over/Under	5580	\$ 20.00	\$ -	\$ 30.00	\$ -	\$ 30.00	0.00%
Incentive Income	5585	\$ 19.44	\$ -	\$ 19.44	\$ 3,340.00	\$ 3,320.56	0.58%
Reimbursement ROPS	5600	\$ -	\$ 114,200.16	\$ 108,346.56	\$ 90,000.00	\$ 18,346.56	120.39%
<b>Revenue</b>		<b>\$ 223,914.36</b>	<b>\$ 3,528,974.29</b>	<b>\$ 445,711.13</b>	<b>\$ 7,542,751.00</b>	<b>\$ 7,097,039.87</b>	<b>5.91%</b>
<b>YTD Comparison</b>				<b>\$ (3,083,263.16)</b>			
<b>Personnel</b>							
Full Time Salaries	6100	\$ 161,748.22	\$ 283,079.46	\$ 300,939.58	\$ 2,235,781.00	\$ 1,934,841.42	13.46%
Overtime Salaries	6101	\$ 500.28	\$ 2,125.47	\$ 1,993.24	\$ 32,225.00	\$ 30,231.76	6.19%
Car Allowance	6105	\$ 462.66	\$ 924.76	\$ 925.33	\$ 10,800.00	\$ 9,874.67	8.57%
Cell Phone Allowance	6108	\$ 1,028.34	\$ 2,067.24	\$ 2,077.66	\$ 17,550.00	\$ 15,472.34	11.84%
PartTime Salaries	6110	\$ 75,330.40	\$ 120,920.24	\$ 127,654.07	\$ 707,997.00	\$ 580,342.93	18.03%
Retirement	6120	\$ 27,254.09	\$ 47,801.78	\$ 49,257.59	\$ 399,353.00	\$ 350,095.41	12.33%
457 Pension	6121	\$ 5,959.86	\$ 6,095.08	\$ 6,095.08	\$ 7,945.00	\$ 1,849.92	76.72%
Employee Insurance	6130	\$ 18,608.51	\$ 30,722.17	\$ 28,986.50	\$ 330,067.00	\$ 301,080.50	8.78%
Workers Compensation	6140	\$ 12,351.55	\$ 19,245.94	\$ 20,915.61	\$ 145,957.00	\$ 125,041.39	14.33%
Unemployment Insurance	6150	\$ -	\$ 1,040.45	\$ -	\$ 9,000.00	\$ 9,000.00	0.00%
Loan Pension Obligation	6160	\$ 27,011.50	\$ 7,928.41	\$ 27,011.50	\$ 238,043.00	\$ 211,031.50	11.35%
OPEB Expense	6161	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00	0.00%
PERS Unfunded Liability	6170	\$ -	\$ 33,641.32	\$ 232,344.00	\$ 245,195.00	\$ 12,851.00	94.76%
<b>Personnel</b>		<b>\$ 330,255.41</b>	<b>\$ 555,592.32</b>	<b>\$ 798,200.16</b>	<b>\$ 4,384,913.00</b>	<b>\$ 3,586,712.84</b>	<b>18.20%</b>
<b>YTD Comparison</b>				<b>\$ 242,607.84</b>			
<b>Services and Supplies</b>							
Telephone	6210	\$ 923.77	\$ 2,268.06	\$ 1,707.29	\$ 11,556.00	\$ 9,848.71	14.77%
Internet Services	6220	\$ 3,556.10	\$ 929.00	\$ 4,151.10	\$ 33,882.00	\$ 29,730.90	12.25%
Pool Chemicals	6310	\$ 1,738.62	\$ 1,133.18	\$ 1,884.86	\$ 12,000.00	\$ 10,115.14	15.71%
Janitorial Supplies	6320	\$ 3,118.78	\$ 8,590.74	\$ 5,659.10	\$ 48,325.00	\$ 42,665.90	11.71%
Kitchen Supplies	6330	\$ 79.38	\$ -	\$ 79.38	\$ 1,510.00	\$ 1,430.62	5.26%
Food Supplies	6340	\$ 222.55	\$ 999.62	\$ 222.55	\$ 8,811.00	\$ 8,588.45	2.53%
Water Maint & Service	6350	\$ 83.40	\$ 100.75	\$ 83.40	\$ 1,380.00	\$ 1,296.60	6.04%
Laundry/Wash Service	6360	\$ -	\$ -	\$ -	\$ 680.00	\$ 680.00	0.00%
Insurance Liability	6410	\$ 48,579.00	\$ 43,960.50	\$ 48,579.00	\$ 125,434.00	\$ 76,855.00	38.73%
Fuel	6510	\$ 3,003.64	\$ 6,021.54	\$ 3,003.64	\$ 41,000.00	\$ 37,996.36	7.33%
Vehicle Maintenance	6520	\$ 1,425.75	\$ 4,109.21	\$ 1,425.75	\$ 34,200.00	\$ 32,774.25	4.17%
Office Equipment Maintenance	6530	\$ -	\$ -	\$ -	\$ 900.00	\$ 900.00	0.00%
Computer Equip Maintenance	6540	\$ -	\$ -	\$ -	\$ 2,800.00	\$ 2,800.00	0.00%
Building Repair	6610	\$ 5,034.78	\$ 3,047.00	\$ 5,145.10	\$ 78,315.00	\$ 73,169.90	6.57%
Bldg Equip Maint/Repair	6620	\$ -	\$ -	\$ -	\$ 35,700.00	\$ 35,700.00	0.00%

**General Ledger**  
**Statement of Revenues and Expenditures**  
**Fund 10 General Fund**  
**August 2017 17%**

Description	Account	Period Amount	One Year Prior Actual	Year to Date	Budget	Budget Remaining	% of Budget Used
Improvements/Maintenance	6630	\$ -	\$ 2,940.00	\$ -	\$ 31,200.00	\$ 31,200.00	0.00%
Grounds Maintenance	6710	\$ 9,659.13	\$ 2,991.38	\$ 10,477.81	\$ 88,980.00	\$ 78,502.19	11.78%
Tree Care Assess	6719	\$ 225.00	\$ -	\$ 225.00	\$ -	\$ 225.00	0.00%
Park Signage (Branding)	6725	\$ 21,653.52	\$ 21,688.52	\$ -	\$ -	\$ -	0.00%
Contracted Pest Control	6730	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00	0.00%
Rubbish & Refuse	6740	\$ 5,731.13	\$ 3,360.10	\$ 5,731.13	\$ 56,800.00	\$ 51,068.87	10.09%
Vandalism/Theft	6750	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00	0.00%
Memberships	6810	\$ 2,800.00	\$ 5,694.50	\$ 2,950.00	\$ 14,310.00	\$ 11,360.00	20.61%
Office Expense	6900	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	0.00%
Office Supplies	6910	\$ 1,667.60	\$ 3,309.10	\$ 1,557.30	\$ 23,314.00	\$ 21,756.70	6.68%
Postage Expense	6920	\$ 4,957.26	\$ 4,735.00	\$ 4,957.26	\$ 26,100.00	\$ 21,142.74	18.99%
Advertising Expense	6930	\$ 1,137.00	\$ 1,682.95	\$ 1,137.00	\$ 15,592.00	\$ 14,455.00	7.29%
Printing Charges	6940	\$ 773.20	\$ 935.62	\$ 773.20	\$ 19,543.00	\$ 18,769.80	3.96%
Bank & ActiveNet Charges	6950	\$ 8,389.31	\$ 11,088.96	\$ 9,556.69	\$ 45,990.00	\$ 36,433.31	20.78%
Approp Redev/Collection Fees	6960	\$ 30,789.17	\$ 54,317.66	\$ 61,578.33	\$ 369,470.00	\$ 307,891.67	16.67%
Minor Furn Fixture & Equip	6980	\$ -	\$ 261.23	\$ 258.44	\$ 1,683.00	\$ 1,424.56	15.36%
Comp Hardware/Software Exp	6990	\$ 1,670.63	\$ 1,896.33	\$ 1,670.63	\$ 13,564.00	\$ 11,893.37	12.32%
Fingerprint Fees (HR)	7010	\$ -	\$ -	\$ -	\$ 2,440.00	\$ 2,440.00	0.00%
Fire & Safety Insp Fees	7020	\$ -	\$ -	\$ -	\$ 3,140.00	\$ 3,140.00	0.00%
Permit & Licensing Fees	7030	\$ 2,104.50	\$ -	\$ 3,329.50	\$ 4,400.00	\$ 1,070.50	75.67%
Professional Services	7100	\$ 900.00	\$ -	\$ 900.00	\$ 500.00	\$ 400.00	180.00%
Legal Services	7110	\$ 1,927.00	\$ 1,058.00	\$ 1,927.00	\$ 69,150.00	\$ 67,223.00	2.79%
Typeset and Print Services	7115	\$ 12,200.26	\$ 11.46	\$ 12,200.26	\$ 50,147.00	\$ 37,946.74	24.33%
Instructor Services	7120	\$ 31,255.68	\$ 21,009.33	\$ 36,158.66	\$ 169,925.00	\$ 133,766.34	21.28%
PERS Admin Fees	7125	\$ 116.63	\$ -	\$ 262.24	\$ 1,550.00	\$ 1,287.76	16.92%
Audit Services	7130	\$ -	\$ 5,640.00	\$ -	\$ 22,260.00	\$ 22,260.00	0.00%
Medical & Health Svcs (HR)	7140	\$ 1,730.00	\$ 100.00	\$ 1,730.00	\$ 5,500.00	\$ 3,770.00	31.45%
Security Services	7150	\$ 2,154.96	\$ 931.14	\$ 2,652.60	\$ 3,600.00	\$ 947.40	73.68%
Entertainment Services	7160	\$ 250.00	\$ -	\$ 250.00	\$ 3,450.00	\$ 3,200.00	7.25%
Business Services	7180	\$ 12,075.28	\$ 28,024.11	\$ 39,313.93	\$ 67,375.00	\$ 28,061.07	58.35%
Umpire/Referee Services	7190	\$ 160.00	\$ 130.00	\$ 160.00	\$ 1,640.00	\$ 1,480.00	9.76%
Subscriptions	7210	\$ -	\$ -	\$ -	\$ 4,322.00	\$ 4,322.00	0.00%
Rents & Leases Equip	7310	\$ 542.00	\$ 187.63	\$ 665.45	\$ 27,610.00	\$ 26,944.55	2.41%
Bldg/Field Leases & Rental	7320	\$ -	\$ 10.00	\$ -	\$ 11,466.00	\$ 11,466.00	0.00%
Event Supplies	7410	\$ 155.32	\$ 698.21	\$ 155.32	\$ 2,310.00	\$ 2,154.68	6.72%
Supplies	7420	\$ 245.70	\$ 114.40	\$ 245.70	\$ 7,175.00	\$ 6,929.30	3.42%
Bingo Supplies	7430	\$ 1,023.86	\$ 1,094.89	\$ 1,023.86	\$ 7,500.00	\$ 6,476.14	13.65%
Sporting Goods	7440	\$ 19.30	\$ 8.54	\$ 19.30	\$ 8,085.00	\$ 8,065.70	0.24%
Arts and Craft Supplies	7450	\$ 246.07	\$ 360.34	\$ 246.07	\$ 4,820.00	\$ 4,573.93	5.11%
Training Supplies	7460	\$ -	\$ -	\$ -	\$ 3,095.00	\$ 3,095.00	0.00%
Camp Supplies	7470	\$ 318.50	\$ 659.52	\$ 318.50	\$ 1,080.00	\$ 761.50	29.49%
Small Tools	7500	\$ 433.33	\$ 550.23	\$ 589.71	\$ 6,400.00	\$ 5,810.29	9.21%
Safety Supplies	7510	\$ 260.00	\$ 1,045.31	\$ 260.00	\$ 7,289.00	\$ 7,029.00	3.57%
Uniform Allowance	7610	\$ 331.01	\$ 417.42	\$ 609.71	\$ 12,426.00	\$ 11,816.29	4.91%
Safety Clothing	7620	\$ 139.14	\$ 484.59	\$ 139.14	\$ 3,150.00	\$ 3,010.86	4.42%
Conference&Seminar Staff	7710	\$ 5,480.00	\$ 1,175.00	\$ 6,500.00	\$ 20,745.00	\$ 14,245.00	31.33%
Conference&Seminar Board	7715	\$ 110.00	\$ 640.00	\$ 110.00	\$ 2,240.00	\$ 2,130.00	4.91%
Conference&Seminar Travel Exp	7720	\$ -	\$ 1,860.40	\$ 2,377.92	\$ 13,573.00	\$ 11,195.08	17.52%
Out of Town Travel Board	7725	\$ -	\$ 300.69	\$ -	\$ 6,615.00	\$ 6,615.00	0.00%
Private Vehicle Mileage	7730	\$ 145.00	\$ 134.46	\$ 145.00	\$ 4,190.00	\$ 4,045.00	3.46%
Transportation Charges	7740	\$ -	\$ -	\$ -	\$ 750.00	\$ 750.00	0.00%
Buses/Excursions	7750	\$ 2,518.26	\$ -	\$ 2,518.26	\$ 22,870.00	\$ 20,351.74	11.01%
Utilities Gas	7810	\$ 2,076.50	\$ 1,245.29	\$ 2,076.50	\$ 26,431.00	\$ 24,354.50	7.86%
Utilities Water	7820	\$ 81,783.51	\$ 28,715.86	\$ 81,783.51	\$ 757,800.00	\$ 676,016.49	10.79%
Utilities Electric	7830	\$ 11,653.73	\$ 18,413.30	\$ 11,653.73	\$ 226,374.00	\$ 214,720.27	5.15%
Awards and Certificates	7910	\$ 375.22	\$ 1,276.38	\$ 375.22	\$ 16,490.00	\$ 16,114.78	2.28%
Meals for Staff Training	7920	\$ 83.61	\$ 329.74	\$ 83.61	\$ 2,710.00	\$ 2,626.39	3.09%
Employee Morale	7930	\$ 10.71	\$ 58.33	\$ 10.71	\$ 9,974.00	\$ 9,963.29	0.11%
COP Debt PV Fields	7950	\$ 20,534.08	\$ -	\$ 41,068.17	\$ 246,409.00	\$ 205,340.83	16.67%
Reserve Vehicle Fleet	7970	\$ 833.33	\$ -	\$ 1,666.67	\$ 10,000.00	\$ 8,333.33	16.67%
Reserve Computer Fleet	7971	\$ 416.67	\$ -	\$ 833.33	\$ 5,000.00	\$ 4,166.67	16.67%
Reserve Designated Project	7972	\$ 1,666.67	\$ -	\$ 3,333.33	\$ 20,000.00	\$ 16,666.67	16.67%

**General Ledger**  
**Statement of Revenues and Expenditures**  
**Fund 10 General Fund**  
**August 2017 17%**

Description	Account	Period Amount	One Year Prior Actual	Year to Date	Budget	Budget Remaining	% of Budget Used
Reserve Dry Period	7973	\$ 7,500.00	\$ 15,167.00	\$ 15,000.00	\$ 90,000.00	\$ 75,000.00	16.67%
<b>Services and Supplies</b>		<b>\$ 360,994.55</b>	<b>\$ 317,912.52</b>	<b>\$ 445,506.87</b>	<b>\$ 3,141,115.00</b>	<b>\$ 2,696,858.13</b>	<b>14.18%</b>
<b>YTD Comparison</b>				<b>\$ 127,594.35</b>			
<b>Capital</b>							
Capital	8400	\$ 538.53	\$ -	\$ 538.53	\$ -	\$ 538.53	0.00%
HCF Grant Trails	8403	\$ -	\$ 58.87	\$ -	\$ -	\$ -	0.00%
HCF Grant Wildlife Programs	8405	\$ -	\$ 2,013.95	\$ -	\$ -	\$ -	0.00%
Equip/Facility Replacement	8420	\$ 26,979.90	\$ -	\$ 26,979.90	\$ -	\$ 26,979.90	0.00%
Needs Assessment	8422	\$ -	\$ -	\$ -	\$ 68,790.00	\$ 68,790.00	0.00%
Bob Kildee Parking Lot	8423	\$ -	\$ -	\$ -	\$ 150,000.00	\$ 150,000.00	0.00%
PV Fields Parking Lot	8424	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 15,000.00	0.00%
Hardwalls GM/HR Offices	8425	\$ 5,857.21	\$ -	\$ 5,866.41	\$ -	\$ 5,866.41	0.00%
Charter Oak Windrow	8426	\$ -	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	0.00%
Bob Kildee PournPlay	8429	\$ -	\$ -	\$ -	\$ 25,000.00	\$ 25,000.00	0.00%
Cam Grve Dog PkArtifical Turf	8430	\$ -	\$ -	\$ -	\$ 20,000.00	\$ 20,000.00	0.00%
Shop DriveWay	8431	\$ -	\$ -	\$ -	\$ 35,000.00	\$ 35,000.00	0.00%
Freedom Pk Baseball Flds Desig	8432	\$ -	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	0.00%
Aquatics Tankless Wtr Heaters	8433	\$ -	\$ -	\$ -	\$ 37,000.00	\$ 37,000.00	0.00%
Auditroium Patio	8434	\$ -	\$ -	\$ -	\$ 12,000.00	\$ 12,000.00	0.00%
Auditorium Restroom Remodel	8435	\$ -	\$ -	\$ -	\$ 65,000.00	\$ 65,000.00	0.00%
Springville Dog Park Wall	8436	\$ -	\$ -	\$ -	\$ 81,000.00	\$ 81,000.00	0.00%
Bob Kildee Pavilion Replacemen	8437	\$ -	\$ -	\$ -	\$ 38,000.00	\$ 38,000.00	0.00%
Mission Oaks Roof	8438	\$ -	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00	0.00%
Auditorium Ducting/Replacement	8439	\$ -	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00	0.00%
Office Design/Carpet/Server	8440	\$ 6,783.74	\$ -	\$ 6,783.74	\$ 53,000.00	\$ 46,216.26	12.80%
Admin Bldg Roofs #6,#7,Admin	8441	\$ -	\$ -	\$ -	\$ 125,000.00	\$ 125,000.00	0.00%
<b>Capital</b>		<b>\$ 40,159.38</b>	<b>\$ 2,072.82</b>	<b>\$ 40,168.58</b>	<b>\$ 804,790.00</b>	<b>\$ 831,391.10</b>	<b>4.99%</b>
<b>YTD Comparison</b>				<b>\$ 38,095.76</b>			
<b>Expense w/out Capital</b>		<b>\$ 691,249.96</b>	<b>\$ 873,504.84</b>	<b>\$ 1,243,707.03</b>	<b>\$ 7,526,028.00</b>	<b>\$ 6,283,570.97</b>	<b>16.53%</b>
<b>YTD Comparison</b>				<b>\$ 370,202.19</b>			

**General Ledger**  
**Statement of Revenues and Expenditures**  
**Fund 20 Assessment District**  
**August 2017 17%**

Description	Account	Period	Amount	One Year Prior	Actual	Year to Date	Budget	Budget Remaining	% of Budget Used
<b>Revenue</b>									
Interest Earnings	5310	\$	-	\$	154.34	\$ 36.27	\$ 389.00	\$ 352.73	9.32%
Assessment Revenue	5500	\$	-	\$	3,170.86	\$ -	1,072,301.00	1,072,301.00	0.00%
<b>Revenue</b>		<b>\$</b>	<b>-</b>	<b>\$</b>	<b>3,325.20</b>	<b>\$ 36.27</b>	<b>1,072,690.00</b>	<b>1,072,653.73</b>	<b>0.00%</b>
<b>YTD Comparison</b>						<b>\$ (3,288.93)</b>			
<b>Personnel</b>									
Full Time Salaries	6100	\$	6,155.36	\$	11,410.25	\$ 10,165.46	\$ 91,142.00	\$ 80,976.54	11.15%
Overtime Salaries	6101	\$	-	\$	-	\$ -	\$ -	\$ -	0.00%
Car Allowance	6105	\$	370.24	\$	739.05	\$ 740.48	\$ -	\$ 740.48	0.00%
Cell Phone Allowance	6108	\$	60.16	\$	120.11	\$ 120.32	\$ -	\$ 120.32	0.00%
PartTime Salaries	6110	\$	-	\$	-	\$ -	\$ -	\$ -	0.00%
Retirement	6120	\$	1,051.58	\$	1,944.23	\$ 1,754.74	\$ 15,247.00	\$ 13,492.26	11.51%
457 Pension	6121	\$	-	\$	-	\$ -	\$ -	\$ -	0.00%
Employee Insurance	6130	\$	936.08	\$	1,524.19	\$ 1,344.82	\$ 14,910.00	\$ 13,565.18	9.02%
Workers Compensation	6140	\$	610.55	\$	1,005.12	\$ 1,023.40	\$ 8,695.00	\$ 7,671.60	11.77%
Unemployment Insurance	6150	\$	-	\$	-	\$ -	\$ -	\$ -	0.00%
<b>Personnel</b>		<b>\$</b>	<b>9,183.97</b>	<b>\$</b>	<b>16,742.95</b>	<b>\$ 15,149.22</b>	<b>\$ 129,994.00</b>	<b>\$ 116,566.38</b>	<b>11.65%</b>
<b>YTD Comparison</b>						<b>\$ (1,593.73)</b>			
<b>Services and Supplies</b>									
Incidental Costs Assess	6709	\$	-	\$	-	\$ -	\$ 29,204.00	\$ 29,204.00	0.00%
Tree Care Assess	6719	\$	-	\$	-	\$ -	\$ 40,000.00	\$ 40,000.00	0.00%
Contracted LS Services	6720	\$	46,781.17	\$	32,040.14	\$ 46,781.17	\$ 415,596.00	\$ 368,814.83	11.26%
Park Amenities Assess	6722	\$	-	\$	-	\$ -	\$ 40,000.00	\$ 40,000.00	0.00%
Bank & ActiveNet Charges	6950	\$	-	\$	30.00	\$ -	\$ 60.00	\$ 60.00	0.00%
Approp Redev/Collection Fees	6960	\$	-	\$	-	\$ -	\$ 7,500.00	\$ 7,500.00	0.00%
COP Debt PV Fields	7950	\$	32,738.25	\$	100,826.48	\$ 65,476.50	\$ 392,859.00	\$ 327,382.50	16.67%
<b>Services and Supplies</b>		<b>\$</b>	<b>79,519.42</b>	<b>\$</b>	<b>132,896.62</b>	<b>\$ 112,257.67</b>	<b>\$ 925,219.00</b>	<b>\$ 812,961.33</b>	<b>12.13%</b>
<b>YTD Comparison</b>						<b>\$ (20,638.95)</b>			
<b>Total Expense</b>		<b>\$</b>	<b>88,703.39</b>	<b>\$</b>	<b>149,639.57</b>	<b>\$ 127,406.89</b>	<b>\$ 1,055,213.00</b>	<b>\$ 929,527.71</b>	<b>12.07%</b>

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Mitchell Cameron, Administrative Analyst**

**DATE: October 4, 2017**

**SUBJECT: REVIEW AMENDED ORDINANCE NO. 8, GOVERNING  
THE USE OF PARKS, RECREATION AREAS AND  
FACILITIES**

**RECOMMENDATION**

It is recommended the Board review the District's amended Ordinance No. 8, Governing the Use of Parks, Recreation Areas, and Facilities.

**BACKGROUND**

As the District evolved, ordinances were developed to control the use of District facilities. The ordinances provided language for all aspects of the use of parks and facilities. Initially, each set of ordinances was assigned a number which resulted in Ordinance numbers one through six, each maintained as a separate document. Based on a need to have one concise document listing, all ordinances were consolidated by staff and legal counsel to create Ordinance No. 7 in May of 2009.

With the development of the Park Patrol program and the need to identify, establish and enforce ordinances and the citation process, Ordinance No. 8 was developed and initially adopted in May 2010. The Ordinance was updated again in April 2011 to address and define day-to-day operations of the Park Patrol program. At the June 3, 2015 Board Meeting, the Board approved the ordinance currently used by the District.

**ANALYSIS**

It has been common practice to review the Ordinance annually and update if necessary according to current needs of the organization. Staff has met with the Policy Committee for review of the document. The updates and revisions to the Ordinance have been included in the attachments. There were a variety of grammatical and spelling errors that have been identified and corrected, but the impact changes are as follows:

- Changed the minimum age for permits from 21 to 18 unless alcohol is present
- Changed the permit requirement from groups of more than 15 to 'Organized Group,' defined as "a meeting or assembly at one of the parks that includes more than 25 people, including but not limited to picnics and parties for family, religious institution, community or school events, or other similar activities"
- Authorized Park Rangers to place citations on car window shields
- Increased business application fees to \$100
- Created a section that prevents permit holders from charging fees and restricting access
- Deleted Section 118-*Permit Issuance c.* to minimize duplication
- Added Parking fee restriction and timeline to Section 202



- Separated vehicle parking fee and park access fee
- Deleted Section 202-*Vehicle and Parking e.* to minimize duplication
- Added competitive activity to definitions
- Combined Sections 506 and 511

If the Board approves the changes to the ordinance, the Board will hold another Public Hearing in November to adopt the amended ordinance.

#### **FISCAL IMPACT**

District staff does not anticipate a fiscal impact associated with approval of the revised Ordinance.

#### **POLICY COMMITTEE REVIEW**

The District's Policy Committee met in March, June, and August. The Committee provided staff direction for changes in the ordinance. Staff has prepared a redlined and clean version of the ordinance with revisions identified by the policy committee.

#### **RECOMMENDATION**

It is recommended the Board review the District's amended Ordinance No. 8, Governing the Use of Parks, Recreation Areas, and Facilities.

#### **ATTACHMENTS**

- 1) Redlined Ordinance No. 8 (45 pages)
- 2) Amended Ordinance No. 8 (41 pages)
- 3) Public Hearing Notice (1 page)



**PLEASANT VALLEY  
RECREATION AND PARK DISTRICT**

**ORDINANCE No. 8  
GOVERNING USE OF PARKS,  
RECREATION AREAS AND FACILITIES**

Board Introduction — ~~June 3, 2015~~ October 4, 2017

Public Posting — ~~June 9, 2015~~ September  
19, 2017

Board Adoption — ~~July 1, 2015~~ November 2,  
2017

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The Board of Directors of the Pleasant Valley Recreation and Park District ordains as follows:

## GENERAL CONDITIONS

### SECTION 101- PURPOSE/SEVERABILITY

The purpose of these provisions is to provide rules to govern the use of District parks, recreation areas and facilities in order that all persons may enjoy and make use of such parks and buildings and to protect the rights of all concerned. If any provision or clause of this Ordinance or the application thereof is held invalid or unconstitutional, such declaration shall not affect the other provisions or applications of ~~these ordinances~~this Ordinance, which can be given effect without the invalid provision or application and, to this end, ~~the such~~ provisions of ~~these ordinances~~this Ordinance are declared to be severable.

### SECTION 102- DEFINITIONS

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this section:

- a. ~~A.~~ **“Applicant”** shall mean an individual who submits an application for a District use permit to utilize a District facility, park or building.
- b. ~~B.~~ **“Administrative Hearing”** shall mean a civil proceeding to contest a civil penalty citation.
- c. ~~C.~~ **“Alcoholic Beverage”** shall mean alcohol, spirits, liquor, wine, beer, and every liquid or solid containing one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or combined with other substances.
- d. ~~D.~~ **“Aircraft”** shall mean any device that is used or intended to be used to carry a person or persons in the air.
- e. ~~E.~~ **“Amplified Sound”** shall mean sound projected and transmitted by electronic equipment, including amplifiers, radios, or other devices.
- f. ~~F.~~ **“Article”** shall mean an article of this ~~ordinance~~Ordinance unless some other ~~ordinance~~Ordinance, policy, or statute is stipulated.
- g. ~~G.~~ **“Basic Date”** shall mean the date for use of specific areas of District lands based upon Section 503.
- h. ~~H.~~ **“Building”** shall mean any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, or property of any kind.



- i. ~~I.~~ **“Citation”** shall mean a civil or administrative penalty citation issued in accordance with Government Code Section 53069.4 charging a Citee with an ordinance violation pursuant to this Ordinance.
- j. ~~J.~~ **“Citee”** shall mean the person served with a civil penalty citation charging them as a responsible person for an ~~ordinance~~Ordinance violation.
- k. ~~K.~~ **“Community Service Organizations”** shall mean an organization that performs a service for the benefit of the public, is sponsored and approved by the Pleasant Valley Recreation and Park District, and the Organization resides within the District boundaries. These activities are not part of the “District” programs/classes.
- l. ~~L.~~ **“Competitive Activity”** shall mean an event or gathering in which one or more persons meet to test skill and/or ability and focused on winning.
- m. ~~M.~~ **“District”** shall mean the Pleasant Valley Recreation and Park District (~~District~~) and/or all land managed by Pleasant Valley Recreation and Park District.
- n. ~~N.~~ **“District Activities”** refer to District directed, sponsored programs or approved activities.
- o. ~~O.~~ **“District Community Service Groups”** shall mean resident organizations approved by the District’s Board of Directors that conduct organized activities and programs.
- p. ~~P.~~ **“District Lands”** shall mean all lands and facilities under ownership or control of Pleasant Valley Recreation and Park District. “District Lands” are sometimes referred to herein as “District property.”
- q. ~~Q.~~ **“Enforcement Officer” or “Ranger”** shall mean any District employee or agent of the District with the authority and responsibility to enforce provisions of this ~~ordinance~~Ordinance as authorized in accordance with Section 103.
- r. ~~R.~~ **“Hearing Officer”** shall mean a person appointed by the District to conduct, consider, and decide administrative hearings. Prior to being appointed, a hearing officer must first be designated by the General Manager as qualified to provide a fair and impartial hearing based on appropriate education, training and experience.
- s. ~~S.~~ **“Facility”** shall mean any building, structure, park or facility under the ownership, management or control of the District and available for public use.
- t. ~~T.~~ **“Fund Raising”** means the activity of raising money: organized activity of soliciting and collecting money for a nonprofit, service group or political organization. This shall mean funds derived from the event must be spent within the Community.
- u. ~~U.~~ **“General Manager”** shall mean means the District’s chief administrative officer of the ~~Pleasant Valley Recreation and Park District or or his or her~~ designee.

- v. ~~U.~~ **“Green Space”** community space consisting of land (such as parks) rather than buildings and use that is maintained for recreational enjoyment.
- w. ~~V.~~ **“In-District Resident / In-District Resident Group / In-District Public/ In-District General Public”** shall mean any person who resides within the boundaries of the District.
- x. ~~W.~~ **“Issuance Date”** shall mean the date when a citation is served on the Citee.
- y. ~~X.~~ **“Leash”** shall mean a lead on a dog of a length of six (6) feet or less.
- z. ~~Y.~~ **“Major Impact”** shall apply when the nature of the activity or proposed use is found to (a) limit the use of the facility, (b) cause damage or nuisance to the neighbors, (c) require parking beyond capacity of the park, or (d) any use that is deemed extraordinary.
- aa. ~~Z.~~ **“Organized group”** a meeting or assembly at one of the parks that includes more than 25 people, including but not limited to picnics and parties for family, religious institution, community or school events, or other similar activities.
- bb. ~~ZZ.~~ **“Organized Use / Organized Sports”** meeting any one of the following conditions: 1) league games, practices, tournaments, clinics, instruction, special events; or other uses where a fee is charged for participation, 2) a rental application requesting more than three dates of use, 3) a rental application requesting more than one field.
- cc. ~~AA.~~ **“Open Space”** shall mean all lands under the ownership, management, and/or control of the District that are left in a natural vegetative state with limited public access.
- dd. ~~BB.~~ **“Out-of-District / Non-Resident, Group or Organization”** shall mean any person ~~who resides outside the boundaries of the District, and any~~ group, organization, association, partnership, firm, entity, or corporation located that resides outside the District’s boundaries ~~of the Pleasant Valley Recreation and Park District.~~
- ee. ~~CC.~~ **“Park”** shall mean all grounds, roadways, building, structures, and lands acquired by the District or any area to which the District holds title or exercises delegated authority.
- a. **Neighborhood Park** ~~which means a park~~ generally ~~range in size~~ up to 10 acres, ~~serve in size which serves~~ as a social and recreational focal points for neighborhoods. Many include playgrounds and may offer a range of facilities and passive or active recreation in response to demographic and cultural characteristics of surrounding neighborhoods. Neighborhood parks are largely accessible by foot, bicycle, within at least a quarter-mile radius from residences, providing easy access especially for children and senior adults.



- b. **Community Park** ~~which means a park that~~ generally ~~range-ranges~~ in size from ~~11-10~~ acres ~~and up as well as to~~ larger that serve as a recreational point for the community. Many include: playgrounds, pavilions, restrooms, sports fields, and offer active and passive space. ~~These parks serve as a community gathering spot as well as support a larger service area.~~
- c. **Sports Park** ~~which a park that is~~ generally ~~range in size from~~ 10 acres ~~and up or larger~~. These parks serve as a location to host competitive activities which through casual or organized participation provide competition and have governing bodies.

ff. ~~DD.~~ **“Permit”** shall mean a permit for use of parks, equipment, or buildings as provided for and defined within District ordinances.

gg. ~~EE.~~ **“Person”** shall mean any individual or group of individuals, and a natural person or any other legal entity, including its owners, majority stockholders, corporate officers, trustees, and general partners.

hh. ~~FF.~~ **“Resident Organizations”** shall mean public and private educational, service and civic groups and non-profit organizations. ~~Programs sponsored by non-profit groups with members who reside within the District when such groups are located within the District and providing programs~~ open to the public with a primary purpose of recreation and/or youth service; ~~District-based adult civic or service groups; groups sponsored by a public agency. Also includes nonprofit or not-for-profit groups and organizations wherein the membership resides within the District.~~

ii. ~~GG.~~ **“Responsible Person”** shall mean a person who creates, causes, maintains, or allows an ordinance violation to exist or occur by their action or failure to act.

jj. ~~HH.~~ **“Section”** shall mean a section of this ~~ordinance~~ Ordinance unless some other statute or policy is specifically identified.

kk. ~~I.~~ **“Special Use Activities”** includes any event that requires careful evaluation of the Applicant’s participant access and risk management procedures, i.e. use of alcohol or dances.

ll. ~~J.~~ **“Structure”** ~~shall mean means~~ anything constructed or erected which requires a location in or on the ground or which is attached to something having a location on or in the ground, such as signs, flagpoles, or similar appurtenances, including a building or a building’s architectural features and roof appurtenances required to operate and maintain the building, but not including fences or walls used as fences less than six feet (6’) in height.

mm. ~~KK.~~ **“Trail”** shall mean any path or access through District lands, land maintained by District or open space constructed or maintained for the use of pedestrians, handicapped patrons, equestrians, or bicyclists.

nn. ~~LL.~~ “Vehicle” shall mean means every device by which any person or property is or may be transported or drawn upon a public street or highway excepting ~~devices-a device~~ moved exclusively by human power or used exclusively upon stationary rails or tracks as defined in Section 670 of the California Vehicle Code.

- a. **Oversized Vehicle** – is any motorized vehicle or combination of motorized vehicles and non-motorized vehicles or trailers that: 1) meets or exceeds twenty-two (22) feet in length at any time or 2) meets or exceeds the combination of both more than eight (8) feet in height and also exceeds seven (7) feet in width.

oo. ~~MM.~~ “Violation” shall mean means a violation of the ~~Pleasant Valley Recreation and Park~~ District’s ordinance(s), including this ~~ordinance~~ Ordinance.

### SECTION 103- AUTHORITY AND ENFORCEMENT

The District’s Board of Directors authorizes the General Manager to implement and administer the policies, ordinances, and regulations contained herein. Whenever a power is granted to, or a duty imposed on, the General Manager, the power may be exercised, or the duty performed, by the General Manager ~~or designee~~. Unless this policy expressly provides otherwise, ~~the General Manager or designee so designated or assigned such duties~~ shall enforce the provisions of this ~~ordinance~~ Ordinance. The General Manager shall also have the authority to implement reasonable rules and regulations to protect the public health, safety, welfare, and the resources under the District’s care.

District Park Rangers ~~{~~ (“Rangers”~~}~~) are uniformed District employees, designated as peace officers pursuant to Penal Code Section 830.31(b), whose primary duty ~~shall be is~~ to protect District Lands and preserve the peace therein. Rangers are authorized to enforce all District ordinances, rules and regulations, all laws of the State of California and all applicable municipal laws and ordinances. Consistent with Public Resources Code Section 5786.17 and the provisions of this ~~ordinance~~ Ordinance, Rangers are authorized to warn and evict persons, and issue citations for any misdemeanor or infraction violation of District ordinances, rules and regulations, and applicable municipal laws or ordinances, and state law, when the violation is committed within District Lands and in the presence of the Ranger issuing the citation. Rangers may also issue civil or administrative penalty citations. Rangers shall must carry identification and shall issue citations in accordance with Penal Code Section 853.5 *et seq.*

### SECTION 104- COMPLIANCE

Persons entering District Lands ~~owned, managed, and controlled by the District~~ may remain as long as they abide by the adopted ordinances, rules, and regulations of the District; applicable laws and ordinances of the State of California; County of Ventura and City of Camarillo; and lawful instructions of authorized employees of the District. Failure to leave District Lands when requested to do so by an authorized employee of the District for violation of any of these ordinances, rules or regulations or any other applicable laws, will represent a

further and separate violation of this Ordinance. Additionally, no person shall violate any order or provision thereof posted on District Lands by the General Manager ~~or designee.~~

## **SECTION 105- ENFORCEMENT; PENALTIES**

~~Pursuant~~ ~~Unless otherwise specified in this Section, pursuant~~ to Public Resource Code section 5786.17, any person within District Lands who violates any provision of this ~~ordinance~~ Ordinance, the conditions of any permit issued pursuant thereto, or any adopted rule or regulation relating to District Lands is, ~~unless otherwise specified herein,~~ guilty of an infraction pursuant to the California Penal Code (Penal Code) for the first violation. A fourth violation of the same provision within one year shall be a misdemeanor pursuant to Penal Code.

~~Violation~~ Violations of Section 202, “Vehicles and Parking”, Subsections a, b, c, d, f, g, j, k, and l ~~shall be~~ are subject to the civil penalty citation process set forth in Section 106.

The first and any subsequent violation of the following Sections shall be misdemeanors: ~~Sections 116, 205, 206, 207, 215, 222, 233, 302, and 413.~~

116 – Violation of Permit

205 – Firearms and Weapons

206 - Hunting

207 - Vandalism

215 - Nudity

222 – Alcoholic Beverages, Intoxicated Persons, Dangerous Drugs

233 – Public Urination

302 - Access

413 – Exclusion from District Areas and Facilities

A violation of this Ordinance which is an infraction shall be punishable by a fine not to exceed Five Hundred Dollars (\$500). A violation of this Ordinance which is a misdemeanor will be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment in the County jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

In accordance with Government Code Section 53069.4, the District may make any violation of District ordinance(s), including this Ordinance, subject to a civil or administrative penalty in lieu of issuance of a citation for an infraction. Sections 106 through 108 set forth the procedures governing the District’s imposition, enforcement, collection, and administrative review of administrative penalties. The term "administrative penalty" in this ~~ordinance has the same meaning~~ Ordinance is also referred to as "civil penalty."”

## **SECTION 106- ADMINISTRATIVE PENALTY PROCEDURES**

This section establishes the administrative procedures for the imposition, enforcement, collection, and review of civil penalties by the District pursuant to Government Code Section 53069.4.

The issuance of a civil or administrative penalty under this section is solely at the District's discretion and is one option the District possesses to address violations of this ~~ordinance~~Ordinance. By adopting these provisions, the District does not intend to limit its discretion to utilize any other remedy, civil or criminal, for any violation of the Ordinance.

A Citee may request a preliminary review of a citation within 14 days of the date the citation is issued. The Citee must ~~present a~~submit a completed preliminary review request form, a copy of the citation, and any additional information demonstrating the reason(s) why there was no violation or why the Citee is not a responsible person for the violation to the District's Park Superintendent. The purpose of the review is to identify any improper citations due to errors that are readily verifiable and not to resolve factual disputes concerning the citation.

The preliminary review shall be conducted by the District's Park Superintendent or his or her designee. The reviewer shall not be the enforcement officer who issued the citation.

If the determination of the preliminary review is that the citation is improper, the citation shall be dismissed. The Citee shall be notified of the results of the review in writing within 15 working days of receipt of the request.

A request for preliminary review does not extend any time periods for compliance, the penalty due date, or the time to request an administrative hearing.

Any Citee may contest a civil penalty citation by filing a signed written request for an administrative hearing stating the grounds for contesting the citation. The request must be received by the District's designated third party administrator's office within 35 days of the date the citation was served and be accompanied by a deposit of the full amount of the penalty.

Within ten (10) days following the receipt of a request for an administrative hearing and deposit of the full citation amount, the District's third party administrator shall schedule an administrative hearing. The date of the hearing shall be no more than 90 days later than the date the request for the hearing was filed. The District's third party administrator shall notify the ~~citee~~Citee of the date of the hearing.

The Hearing Officer may grant a one-time continuance of a hearing for no more than 45 days if a request is made showing good cause by the citee or the District's designated representative. All continuance requests shall must be made ~~by a written request in writing~~and received by the District's third party administrator at least 72 hours before the hearing date. If the request for continuance is denied, the hearing shall proceed as noticed. A Citee who requests a continuance waives their opportunity for a hearing within 90 days of the date the citation is issued.

A Hearing Officer shall conduct the hearing on the date set by the District's third party administrator. The Citee shall have the opportunity to appear, testify and to present evidence relevant to the ordinance violation alleged in the citation. The Citee may file a written declaration with the District's third party administrator at least 48 hours prior to the hearing in lieu of personally attending the hearing. The citation shall be accepted by the Hearing Officer as prima facie evidence of the ordinance violation and the facts stated in the citation.



Neither the enforcement officer nor any other District representative shall be compelled to attend the hearing. However, any such appearance or submission may be made at the discretion of the enforcement officer.

The hearing shall be conducted informally and formal rules of evidence need not be utilized. The Hearing Officer does not have the authority to issue a subpoena.

The failure of the Citee to ~~appeal~~ appear at the hearing or to file written testimony prior to the hearing shall constitute an abandonment of the request for an administrative hearing and a failure to exhaust administrative remedies concerning the violation ~~set for in the citation.~~ Any and any penalty deposit shall be forfeited to the District.

After considering all evidence and testimony submitted at the administrative hearing, the Hearing Officer shall issue a written decision to uphold or dismiss the citation within 20 working days after conclusion of the hearing. The Hearing Officer has no discretion or authority to reduce or modify the amount of any fine. The decision shall state the reasons and evidence considered for the decision. If the decision is to uphold the citation, the deposited penalty shall be forfeited to the District. If the decision is to dismiss the citation, the District shall refund the penalty deposit within 30 days of the decision. The Hearing Officer's continued employment, performance evaluation, compensation, and benefits shall not directly or indirectly be linked to the number of citations upheld or cancelled by the officer.

Notwithstanding any other provisions of this Ordinance or otherwise, the administrative hearing decision is final and not subject to appeal or further review by the District or any person. The Citee may seek judicial review of the administrative hearing decision by filing an appeal with the Ventura County Superior Court in accordance with the provision of state law.

#### **SECTION 107- ADMINISTRATIVE PENALTY CITATIONS**

Upon determining that a provision of this ~~ordinance~~ Ordinance has been violated, a Ranger has the authority to issue a civil penalty citation to any Responsible Person. A Responsible Person upon whom a citation is served is liable for and shall pay the penalties described in the citation. A citation may be issued for the violation of one or more ordinance sections and for ~~one or more days on which a each day that the~~ violation exists. ~~Each~~ Hence, each ordinance violation ~~shall constitute is~~ a separate violation and ~~be~~ subject to a separate penalty. Civil penalty citations shall contain following information:

1. Name of the Responsible Person;
2. Address or other description of the location where the ordinance violation occurred;
3. Date on which the ordinance violation(s) occurred;
4. Issuing department/division;
5. The ordinance section(s) violated;
6. Brief description of the violation;
7. Amount of the penalty;

8. Procedure to pay the penalty;
9. Description of the procedure for requesting a Preliminary Review, and an Administrative Hearing to contest a citation.
10. Printed name and signature of the issuing Ranger;
11. Date the citation is served; and
12. A distinct citation number.

A Ranger may personally deliver the citation to the Citee, place the citation on the Citee's vehicle, or may mail the citation by first class mail to the Citee's last known address.

#### **SECTION 108- PAYMENT OF ADMINISTRATIVE PENALTIES/CITATION**

The District's Board of Directors ~~shall approve has~~, by resolution, adopted a penalty/citation ~~fee-fine~~ schedule to establish the amount for violations of any civil penalties and provisions of District ordinances. The Board ~~of Directors will review-reviews the~~ penalty/citation ~~fees fines~~ periodically.

Citations shall be paid to the District's designated third party administrator within 35 days of the due date. Citations not paid in accordance with the provision of this ~~ordinance~~ Ordinance are civil obligations of the responsible party and may be collected by the District through any legal means. Payment of a citation shall not excuse the Citee from correcting the ordinance violation. The issuance of a citation or payment of a penalty does not bar the District from taking any further enforcement action regarding an ordinance violation that continues to exist or when a person continues to violate an ordinance, including but not limited to issuing additional civil penalty citations or filing a criminal complaint.

#### **SECTION 109- APPLICATION FOR USE**

The General Manager ~~or designee~~ is authorized to grant or deny all applications for use of District facilities. All applications for use of District parks, fields, or buildings shall be filed by an adult ~~over 21-18~~ years of age or older. The park, field, or facility is reserved only when the completed Application is accepted and approved by the District office ~~and-after all~~ applicable fees are paid.

All applications for use shall comply with the District's General Use Policy for ~~specifies~~ specific requirements for the application process. All applications must comply with the insurance requirements as set forth in General Use Policy.

#### **SECTION 110- USE PERMIT RIGHT OF APPEAL**

An Applicant may appeal the decision of a District representative ~~to the General Manager~~ regarding facility permits to the General Manager. The Applicant must file such appeal with the General Manager within four working days of the mailing of the representative's decision. The General Manager may hold a hearing within five working days of the filing of such appeal at which time the Applicant may present any and all evidence, testimony, and

information relative to the application. The General Manager shall, within 72 hours of said appeal hearing, issue a decision either affirming or denying the decision on the application and, or direct that a permit be issued subject to if the decision is to issue the permit, add appropriate terms and conditions to the permit. The General Manager shall specify grounds for upholding the denial of a permit. The decision of the General Manager may be appealed to the Board. An appeal to the Board shall be filed within five working days of the General Manager's decision.

#### SECTION 111- INTERFERENCE

No person shall attempt to use or interfere with the use of any facility which is reserved for another person or organization holding a permit.

#### SECTION 112- LIABILITY

~~All persons to whom use permits are granted~~ As part of a use permit application, the Applicant must agree in writing to release and hold the District harmless, and to indemnify the District from, any and all liability for injury to persons or property, including District Lands, occurring as the result of the activity sponsored by permittee, and said person shall be liable to the District for any and all damages to District facilities which result from the activity or permittee or is caused by any participant in said activity being undertaken by the Applicant. ~~A~~ Any person exercising any of the privileges authorized by this Ordinance does so at his/her own risk without liability on the part of the District for any injury to persons or property resulting ~~there from~~ therefrom.

These requirements may be waived ~~if requests for waiver are submitted in writing and require by the General Manager's approval, in his or her sole discretion, upon receipt of a written request for a waiver.~~

#### SECTION 113- USE OF PARKS DISTRICT LANDS

The District's reservable areas may be made available for the use of persons and groups subject to the issuance of a permit and the payment of ~~appropriate~~ required fees. A permit ~~must be issued~~ is required for the use of any park for assemblies or ~~by groups consisting of 15 or more persons~~ organized group. ~~All applications~~ Each application for use of any park must be signed by an adult ~~21-18~~ 18 years or older who ~~shall agree~~ agrees to be responsible for said use; however, when alcohol may be present an application must be signed by an adult 21 years or older. ~~Groups that exceed the maximums~~ A groups that exceeds the maximum attendance listed on its permit will be required to pay additional fees. These additional fees will be charged for portable toilets, garbage dumpsters, an additional cleaning deposit, staff time, and any other costs incurred by the District as a result of a ~~Group's~~ group's use of the park. The District will make arrangements for these items to be placed at the park. ~~The and the~~ cost of these items will be passed on to the Applicant.

#### SECTION 114- PERMIT

Pursuant to the application process set forth in Section 109, if approved, a use permit will be issued by the District.

### SECTION 115- DISTRICT RIGHT TO ALTER USE

The District reserves the right to alter any previously scheduled use to minimize interference with District activities or to suspend an existing use application if the user or any of his or her agents, employees, or guests violates any section ~~applicable to~~ of the District's General Use Policy or any District ordinance or other applicable law.

### SECTION 116- VIOLATION OF PERMIT

Violation of any terms, conditions, rules, and regulations of the permit by the permittee or any agent, guest, or employee of permittee is prohibited. The General Manager reserves the right to: (1) ~~to~~ revoke any permit for a violation ~~thereof~~ terms of the permit or any District ordinance or other applicable law, with or without notice to the persons or organization to whom the permit was issued, and (2) enforce ~~a penalty under any applicable penalties as set forth in~~ Section 105.

### SECTION 117- SALES, SOLICITATION, AND UNLAWFUL ADVERTISING

~~To prevent littering and the destruction of District property, it is unlawful to post, place, erect, or leave posted, placed or erected, any commercial or noncommercial bill, handbill, circular, notice, paper, banners, or advertising device or matter of any kind, in or upon any building, structure, pole, wire, or other architectural or natural feature of whatever character, or on vehicles. The only exception to this prohibition on posting is upon a bulletin board or such place especially designated and provided for such purposes, which approval shall be given only if the General Manager determines that it would be affirmatively in the public interest to allow the use of public property for such purposes by the District.~~

#### ADVERTISING

#### SIGNAGE

- a) It ~~shall be~~ is unlawful for any person to place or maintain any commercial sign, ~~billboard which includes: billboards and banners, or advertisement~~ on any District property without District authorization.
- b) It ~~shall be~~ is unlawful for any person to paint or attach any sign or advertisement to or upon any District property.
- c) Any sign, billboard, advertisement, defacement, or damage existing in violation of the provisions of this section will be removed immediately.
- d) Exceptions to the provisions of this section shall be pre-approved by the General Manager ~~or designee~~.



Permission must be obtained from the General Manager before ~~permits shall be a permit is~~ issued authorizing use of any park or building when the activity proposed is to be held for ~~the sole purpose of~~ commercial activity including:

Advertising for sale any product, goods, wares, merchandise, services, or event.

Conducting or soliciting for any trade, occupation, business, service, or profession.

### SECTION 118 – CONDUCTING BUSINESS IN A DISTRICT PARK

“Business,” for the purpose of this section, means and includes any activity which involves ~~the~~ sale of any goods or services, whether conducted for profit or not, and regardless of by whom ~~the activity is~~ conducted.

- a. No one shall conduct any business in any ~~“District”~~ park except as provided in this section and section 117.
- b. Anyone desiring to conduct ~~any~~ business in any ~~district~~ District park shall apply to the ~~district~~ District for a permit to do so, on an application form ~~to be prepared consistent with this section~~ by the District.
- c. Application Information required:
  1. Name and address and phone number of the ~~applicant~~ Applicant, and if by a corporation, the officers of the corporation;
  2. A description of the park location at which it is desired to conduct such business;
  3. A copy of a current city business license, or proof of application;
  4. Types of any services or items to be sold;
  5. Description of how business will be conducted, and a drawing of the vehicle or stand from which goods will be sold, to show its size, color, all proposed signage, etc., and a description of means by which goods will be transported to and from the site;
  6. A statement ~~to be~~ signed by the ~~applicant~~ Applicant agreeing to indemnify, defend and hold harmless the ~~“District”~~ and its directors, officers, and employees from any claims for injuries or damage alleged by any person to have been caused by such activity;
  7. If goods are to be sold from any stand or cart, proof of insurance in the amount of ~~\$1M-1,000,000~~, or as approved required by District standards, to cover claims for injury or damages suffered or alleged to have been suffered by any person as a result of such activity, which insurance policy shall name the District as an additional insured and

shall provide it cannot be canceled except after ten days' written notice to the ~~district~~District and proof of Worker's Compensation meeting the requirements of state law if applicable; and

8. Proof of application for all permits required by other public agencies such as County Health.

~~9.~~ Issuance of a permit by the District shall not be deemed to be an endorsement by the District of any product or any form of District warranty concerning the product's fitness for use or consumption.

#### APPLICATION FEE AND REVIEW

~~All applications~~ Each application made under this section, ~~shall~~ must be accompanied by a non-refundable fee of ~~\$75 (seventy-five dollars), 100 or it will not be accepted~~ and all such applications shall be reviewed by District staff.

a. No permit shall be issued if it is found that the application does not conform to this section or additional guidelines issued by the District, or it is found that its issuance would interfere with safe use by the public of any park or District ~~property, and the~~ Lands.

~~b.~~ b. The District may limit the number of any permits at any given park if it finds that such limitations is necessary to protect the public health and safety. ~~Such~~ Each permit shall ~~be conditioned upon its face as to include conditions such as~~ hours of permitted ~~operation use~~ and ~~as to other~~ requirements found necessary, ~~and such permit may be conditioned that it shall not be valid.~~ The District may refuse to issue permits during any ~~designated~~ District special events.

c. ~~Such~~ No permit shall be ~~valid issued~~ for more than one year from the date of issue, ~~and.~~ A permit may be renewed upon application and payment of another ~~\$75 (seventy-five dollars), application fee~~ unless it has been found that the permittee has failed to ~~conform to comply with~~ this section or to the terms and conditions under which it was issued, or it is found that such permit is inconsistent with the public safety or public use of such park or ~~district~~ District property.

d. All permits issued under this section shall be nontransferable and may be used only by the permittee ~~and other fees.~~ Fees in addition to the application fee may apply.

#### OPERATION RESTRICTIONS

~~All permittees~~ Each permittee shall comply with the following requirements as to operation:

a. Prices of all items offered for sale must be conspicuously posted where the goods are sold.

b. The permittee or his/her employee or agent shall pick up and keep the location ~~of such care or stand free from all litter in the area and~~ surrounding ~~the stand or cart by~~

area (at least ~~fifty~~ 50 feet in each direction, ) of his or her use free from all litter and permittee shall provide, and remove/empty at the end of each period of use, a suitable container for placement of litter by customers and other persons.

- c. The permittee shall conduct business only at the location or locations specified in the permit and during the hours specified on the permit.
- d. No stand or cart shall ever be left unattended, and each cart or stand shall be removed from its location each night between dusk and 7:00 am.

## PERMIT REVOCATION

The General Manager ~~or his/her designee in their,~~ in his or her discretion, may at any time ~~may~~ revoke any permit issued under this section if he or she finds it necessary to do so to protect the public health and safety or if the permittee has violated any terms or conditions of such permit.

## PERMIT ISSUANCE

The General Manager ~~or designee~~ may issue ~~such~~ permits under this section when the conduct of ~~such the proposed~~ trade, occupation, business, service, or profession is compatible with usual park activities and uses, is of convenience or benefit to park patrons, and does not conflict with the business of established concessions. A use fee may be charged to cover administrative costs of the issuance of such permit and ~~or~~ costs associated with the use of ~~park District~~ facilities.

~~A~~ No person shall ~~not,~~ without a District permit, solicit, in any manner or for any purpose, or sell or offer for sale any goods, wares, or merchandise, or give or distribute handbills, advertising matter, or literature except under the following conditions:

- a. When a concession is operating under lease or contract authorized by the General Manager.
- b. When an athletic team that is a member of a community service organization and admits all members of the general public to the extent of capacity without discrimination and without charge to any game played, such athletic team may solicit voluntary contributions from the spectators attending such game.
- ~~c. When the park, or any portion thereof, is the location for an event that will not in any way detract from the use of the park by the general public and the proceeds are used for charitable purposes, (i.e., parking fees charged by the organized group) approved in advance by the General Manager.~~
- c. ~~d.~~ When found to be consistent with the policies of the District or to promote ~~the program of the a~~ District program under conditions prescribed by the General Manager.

d. ~~e.~~ When ~~an application is approved for sale of items and~~ all necessary fees and deposits ~~have been made and~~ proof of insurance has been provided to the District.

It is unlawful for any person or persons to throw, deposit, leave, place or to cause the throwing, depositing, leaving or placing of any commercial or noncommercial handbill or unsolicited newspaper on any District Lands including vehicle windshields; however, it shall not be a violation of this section to hand out or to distribute handbills to any person.

#### SECTION 119- EQUESTRIAN PARK ACCESS DURING PERMITTED ACTIVITY

A permit holder shall not restrict access or charge a fee to access any District- owned lands without the express written permission of the District Board sought at least 60 days prior to the imposition of any fee or restriction of access, which includes, but is not limited to, the locking of any gates or doors that would inhibit free access to District Lands.

#### SECTION 119- EQUESTRIAN ACCESS

The primary form of access into open space areas shall be via foot ~~traffie~~ or horseback on equestrian trails. No person shall block, obstruct, or impede free access to, encroach upon, or construct anything whatsoever across or upon any equestrian trail or easement owned, operated or maintained by the District, including but not limited to those equestrian trails and equestrian easements as shown on the final subdivision map of Tract No. 2706 (Las Posas Hills), recorded on October 5, 1979, in Book 84, page 50 of Miscellaneous Records in the office of the Country Recorder of Ventura County, California and as amended in the Judgment recorded on March 22, 1993 bearing Instrument Number 93-065046. Vehicular access ~~to serve as for~~ an emergency vehicle or to deliver supplies to a ~~permit-permitted~~ group may be authorized, ~~by the District~~ unless prohibited by the above-referenced Judgment. Under such circumstances, one vehicle per area may be permitted. Entry by District vehicles, emergency vehicles, and vehicles of agencies and individuals holding easement or permits is authorized.

## ARTICLE II

### ARTICLE II

## **PARK REGULATIONS**

### **SECTION 201- EXCEPTION**

This article does not apply to the operations of District-owned or operated vehicles or persons engaged in official District business.

## SECTION 202- VEHICLES AND PARKING

Parking violations are a civil liability and will be subject to an administrative adjudication process ~~(as described in Section 106.)~~ of this Ordinance.

- a. ~~Vehicles-Without written permission of the General Manager vehicles~~ shall be operated on District ~~property Lands~~ only on designated roadways, ~~without written permission of the General Manager or designee.~~
- b. Park entrance or parking fee apply where designated and applicable: (a) No person or persons shall enter or remain on the park-District property without having paid the established fee. ~~Persons desiring to park vehicles within areas designated shall make payment of the entrance and/or parking fees.~~ All fees shall be paid at time of arrival either through the purchase of a daily parking permit or presentation of a current annual parking permit. The permit must be visible in the vehicle. (b) ~~The applicant for Anyone parking on District property pursuant to an overnight permit shall furnish to~~ must show the permit to District staff and/or Park Ranger ~~the permit upon request.~~
- c. ~~Vehicles-Without written permission of the General Manager vehicles~~ shall not be parked on District property except within designated parking lot areas or within designated markings. ~~without written permission of the General Manager or designee.~~
- d. Vehicles shall not be allowed on any grass areas unless the vehicle-s owner receives prior written permission from the General Manager ~~or designee.~~
- e. ~~If the General Manager finds that at certain times, under specific restrictions or at designated places, a vehicle can be operated so as not to interfere in any way with the use of a park; permission may be granted to operate such vehicle. Parking such vehicle is permitted only in areas so designated.~~
- e. f. Vehicles operated within the boundaries of public parks shall be driven at a careful and prudent speed not greater than is reasonable and proper with due regard for the traffic, surface, and width of the roads. In no event shall a vehicle be driven on park property at a speed greater than 15 miles per hour.
- g. ~~No person who owns or has possession, custody, or control of any vehicle, trailer, or camper shall park upon any District property for more than a period of eighteen (18) consecutive hours.~~
- f. ~~All parked vehicles are subject to being removed~~ Vehicles are subject to removal from District property under the following circumstances:



1. When a vehicle is parked or left standing on District property when the park is closed to public use.
2. When a vehicle is parked or left standing upon a roadway in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic upon the roadway.
3. When a vehicle is parked ~~so as to block~~ in a manner that completely or partially blocks the entrance to a driveway.
4. When a vehicle is parked so as to prevent access by firefighting equipment to a fire hydrant or emergency service.
5. When a vehicle is parked in any parking restricted zone.

6. When a vehicle has been parked on District property for more than eighteen (18) consecutive hours without a valid permit.

g. ~~i.~~ If an illegally parked vehicle is removed from District property as provided for in this section, the owner shall be liable for all fees, towing, and storage charges.

h. ~~j.~~ No vehicle maintenance may be performed on District property except for minor repairs needed to move ~~the a~~ vehicle.

i. ~~k.~~ No vehicle shall be parked on District property after the closing time of the park or facility.

j. ~~l.~~ Disabled Persons Parking Zones

k. No Organized Group or person shall inhibit accessor charge a fee to access or park a vehicle at any District owned lands without the express written permission of the District Board 60 days prior to charging a fee or restricting access

It shall be unlawful for the operator of any vehicle other than a vehicle bearing a distinguishing license plate defined by the California State Vehicle Code to stop or park ~~such a~~ vehicle in a parking zone identified as reserved for disabled or handicapped persons ~~pursuant to Subsection 2 below~~. The fine for this violation shall be as prescribed by the California Vehicle Code.

1. Improper display of placard. It shall be unlawful to fail to, or improperly display a handicap placard.
2. Space identification. Disabled persons parking shall be designated by blue striping to mark the stall and a profile view of a wheelchair printed within the stall or space as well as a sign with the same type of marking on it.

### SECTION 203- RIGHT OF APPEAL

As allowed under Section 110, an ~~applicant~~ Applicant may appeal a decision of a District representative or the General Manager.

### SECTION 204- VEHICULAR TRESPASS

Vehicles shall not be operated or parked on any property of the District except on roadways and parking lot areas specifically constructed for vehicular traffic. ~~Fire-Vehicle use is prohibited on fire~~ breaks and fire protection roads, ~~and~~ hiking and riding trails ~~shall be prohibited from vehicular use~~. An exception ~~will~~ may be made for those vehicles, ~~which~~ are authorized by the District for such use.

### SECTION 205- FIREARMS AND WEAPONS

No person shall carry, possess, set, leave, or deposit, or cause to be fired, across, in, on, or into any portion of District ~~land~~ Lands any weapon, gun or firearm, spear, missile, bow and arrow, crossbow, slingshot, trap or hunting device, air or gas weapon, paintball gun, ammunition, throwing knife or axe, martial arts throwing device, or any other weapon or device capable of injuring or killing any person or animal, or damaging property or natural resource, ~~except~~ at posted or authorized ranges and areas designated for such purposes. An exception to this regulation will be made for duly authorized law enforcement officials while acting in their capacity as law enforcement.

### SECTION 206- HUNTING

Hunting, shooting, wounding, trapping, capturing, or killing animals on ~~park~~ District property is prohibited.

### SECTION 207- VANDALISM

It ~~shall be is~~ unlawful for any person to damage, deface, cut, spray, paint, mark, scratch, write on, or otherwise deface or alter any natural feature, trees, fence, wall, building, sign, monument, or other property on District ~~property~~ Lands. Persons causing vandalism, or parents of persons under the age of 18 causing vandalism, will be held liable and financially responsible for the full amount of damages, or the maximum amount allowed under the California Civil Code, ~~Sections~~ 1714.1 and 1714.3. All provisions of the California Penal Code, ~~Section~~ 594, ~~and~~ penalties ~~there under~~ thereunder are applicable.

### SECTION 208- THROWING MISSILES

Throwing missiles, rocks, mud, sand, or any object that may cause bodily harm to others is prohibited on park property. Objects used in recreational activity are exempt from this section provided they are not used in an irresponsible and hazardous manner.

### SECTION 209- AMPLIFIED SOUND

Without prior written permission, no person shall play or operate any sound or energy amplification devices, including radios, television sets, public address systems, musical instruments, or similar devices within District Lands.

#### **SECTION 210- GOLF**

No person shall drive, chip, or in any other manner play or practice golf, or hit balls on, over, or into District landsLands.

#### **SECTION 211- MODEL CRAFT**

No person shall operate any motor driven model airplanes or rocketry, cars, boats, drones, or any other model craft of any kind or description on, over, or into any portion of District lands, except those models specifically geared for the RC track, which may only be used on the RC track, or by written permission of the General Manager.

#### **SECTION 212- AIRCRAFT/HUMAN FLIGHT**

Without the permission of the General Manager, no person shall land any aircraft on or take any aircraft off any area in the District, nor shall any person hang glide, parachute, or engage in any human flight on, over, or into District landsLands.

#### **SECTION 213- OVERNIGHT CAMPING**

a. Definitions:

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this Sectionsection.

1. *Camp* means to pitch or occupy camp facilities; to use camp paraphernalia.
2. *Camp Facilities* include, but are not limited to, tents, huts, temporary shelters, trailers, motor homes, campers, or vehicles otherwise used for shelter.
3. *Camp Paraphernalia* includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-District designated cooking facilities and similar equipment.
4. *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

- b. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on District property, except as otherwise provided in this Sectionsection.



- c. House trailers, campers, or motor homes may not be used for overnight sleeping purposes on any District property, except as otherwise provided in this Article.
- d. It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia on any District property, except as otherwise provided for in this ~~Section~~section.
- e. Camping is only permitted for District-~~h~~hosted events with approval by the General Manager.

**SECTION 214- FIREWORKS AND DANGEROUS OBJECTS**

No person shall possess, discharge, set off, or cause to be discharged, in or into any District ~~land~~Lands any firecrackers, torpedoes, rockets, fireworks, explosives, or substances harmful to the life and safety of persons or property. Exceptions may be made with written permission of the General Manager.

**SECTION 215- NUDITY**

No person shall appear nude while in or on any District ~~lands~~Lands or facilities, except in authorized areas set aside for that purpose by the District. Nudity shall be defined as codified in Title 14 California Code of Regulations section(s) 4322.

**SECTION 216- WASHING**

No person shall wash dishes, clothing, garments, vehicles, or empty salt water or other waste liquids ~~elsewhere-on District Lands~~ other than in facilities expressly provided for such purposes.

No person shall swim, bathe, wade in, conduct personal hygiene (such as washing hair or body with or without soap, shampoo or similar personal hygiene products; shaving with or without shaving cream or similar personal hygiene products; oral care including using mouthwash or brushing teeth with or without toothpaste or similar personal hygiene products; cleaning any injury, wound, lesion, gash or abrasion in any manner with or without medical products, cleaning products or similar personal hygiene products; using any medical or other personal hygiene product to rid the body of lice or any disease, infection or growth), or pollute the water of any park restroom, fountain, stream, except at a place especially designated and provided for such purpose.

**SECTION 217- HOURS OF USE**

All parks, recreation areas, green space and open space areas within the District boundaries are available for use by the general public unless otherwise posted or in accordance with District's General Use Policy. It shall be unlawful for any person, except those involved in District-sponsored programs or having valid permits, to enter or remain in any park, recreation area, green space or open space other than between those hours. Hours of use may vary due to maintenance, construction, watering, or other variables.

## SECTION 218- FLORA AND TURF

Removing or injuring any form of plant life on park property, including the removal of wood, turf, grass or plants, soil, rock, sand, and gravel is prohibited except by a duly authorized District employee in the performance of his/her duties or unless specifically authorized by the General Manager.

- a. It is unlawful for any person to injure or destroy any tree growing within the District boundaries by any means, including, but not limited to the following:
  - a. Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn, or sidewalk.
  - b. Posting any sign, poster, notice or other item on any tree, tree stake, or guard, or fastening any guy wire, cable, rope, nail, screw, or other device to any tree, tree stake, or guard without having first obtained a permit from the District.
  - c. Causing any fire or burning near or around any tree or plant life

## SECTION 219- ARCHAEOLOGICAL FEATURES

No person shall remove, injure, disfigure, deface, or destroy any object of paleontological, archaeological, or historical interest or value.

## SECTION 220- GEOLOGICAL FEATURES

No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, minerals, rocks, or features of caves.

## SECTION 221- DOMESTIC ANIMALS

- a. No person owning or having charge, care, custody, or control of any dog (or cat) shall cause, permit, or allow same to be or to run at large upon any lands, properties, or within facilities of the District unless such animal is ~~restrained by substantial chain or leash with a preferred length securely fastened on a leash~~ a not exceeding six feet in length and is held continuously in the ~~charge~~, care, custody, or control of a competent person. Pets not properly leashed may be impounded by Animal Control and the owner cited.
- b. No person shall walk with more than 4 dogs (or cats) at any given time
- c. ~~b.~~The removal of feces of animals that defecate on park property shall be the responsibility of the owner or custodian of said animal.
- d. ~~e.~~Horses, mules, goats, donkeys, or similar animals may be ridden or led under specified restrictions and in designated areas with the permission of the General Manager ~~or designee~~.

- e. ~~d.~~No animal shall graze in any park except on property leased for such purpose.
- f. ~~e.~~No animal shall be killed, harmed, or removed from any park unless by a District employee during the performance of his/her official duties, except when necessary to avoid bodily harm.
- g. ~~f.~~Animals may be prohibited from specific parks at specific times or events at the discretion of the General Manager ~~or designee.~~
- h. ~~g.~~Specific provisions of this section may be modified in specific instances with written permission of the General Manager ~~or designee.~~

### SECTION 222- ALCOHOLIC BEVERAGES, INTOXICATED PERSONS, DANGEROUS DRUGS

~~Patrons are not allowed~~ No person may be on District property while under the influence of intoxicating liquors or dangerous drugs as defined under California Vehicle Code, Section 23152(a) (b) ~~as amended.~~ Under specific circumstances, consumption of alcohol is permitted on District property as outlined in Sections 223 and 410 and 508.

### SECTION 223- SALE OF ALCOHOLIC BEVERAGES

A group desiring to sell or provide alcoholic beverages ~~in park areas or to sell alcoholic beverages in recreation facilities operated by the District must apply for an on District Lands must obtain a District-issued~~ alcoholic beverage permit at the time of application for facility permit as contained in Articles IV and V herein. ~~Such An~~ alcoholic beverage permit shall be issued only to an individual of legal ~~age. Adequate drinking age upon proof that adequate~~ safeguards ~~shall will~~ be provided to prohibit consumption by minors and excessive consumption by adults. Security guards may be required as defined under Section 512. Alcohol is not permitted at any time if the primary purpose of an event or function is for minors, i.e., debuts, dances or birthday parties for participants under the age of 21 years. Alcoholic beverages may be present at ~~the an~~ event for a maximum of four hours and ending the provision of alcohol must end a minimum of one hour prior to the end of the event.

~~The applicant shall also~~ To obtain an alcoholic beverage permit the Applicant must first secure all such permits or licenses required by other governmental agencies including but not limited to the State of California Alcoholic Beverage Control Board and the Ventura County Public Health Department. If ~~such a~~ request for the alcoholic beverage permit is denied by the staff, provisions in Section 110, Right of Appeal, shall apply. The General Manager ~~or designee~~ may stipulate additional conditions relating to the permitted use of alcoholic beverages as necessary for the protection of individuals and property.

### SECTION 224- LITTER AND RUBBISH

Depositing garbage, trash, or other refuse on park property other than in a receptacle provided therefore is prohibited. Throwing or leaving bottles, glass, or sharp pointed articles is prohibited. Throwing or disposing of wastepaper or combustible refuse in any place in a

park other than in a receptacle maintained for that purpose is prohibited. It is unlawful to use any park receptacle for the depositing of garbage, trash, or other refuse not generated and/or used within the park boundaries.

### **SECTION 225- FIRES AND BARBEQUES IN DISTRICT PARKS**

Open fires and use of ~~any~~ barbeques ~~in-on~~ District ~~parks and open~~ Lands space areas are prohibited except in designated areas. Briquettes are the only combustible material authorized for barbecue or brazier use. Wood fires are not permissible. It is the responsibility of every person igniting a fire in a District installed barbeque to completely extinguish it (dead out) before leaving the park.

Upon notice of park closure due to a fire hazard warning by the fire district, all reservations shall be cancelled and affected areas closed to the public. ~~It shall be the responsibility of every person igniting a fire in a District installed barbeque to completely extinguish it (dead out) before leaving the park.~~

### **SECTION 226- DUMPING**

Dumping rocks, soil, grass clippings, branches, leaves, equipment, vehicles, furniture or accessories, or any other ~~item-items~~ or material on District Lands is prohibited without prior written approval of the General Manager.

### **SECTION 227 - TRESPASSING**

Trespassing into areas designated “No Trespassing” is prohibited. This includes, but is not limited to, rooms in District buildings or structures, swimming pools during specific hours, fenced control areas such as storage areas, shop areas, holding areas, construction sites, and all posted areas.

### **SECTION 228- PARK CLOSURE**

The General Manager ~~or designee,~~ may close a park area or recreation facility at any time when there is an apparent danger to the persons using the property, the property itself, or for any cause which could affect the safety and welfare of the public. This section may be enforced without the concurrence of those persons or organizations then using the property or facility.

### **SECTION 229- ENTRY TO ACTIVITIES**

The General Manager, ~~or designee,~~ may enter any reserved park area or recreation facility at any time to inspect the premises for safety, compliance of use, hazards, or in the course of normal duties.

### **SECTION 230- UNLAWFUL ADVERTISING**

It shall be unlawful for any person to place or maintain any sign, banner, billboard, or advertisement on any District property without the Board's or General Manager's written permission.

It shall be unlawful for any person to paint or attach any sign or advertisement to or upon any District property.

Any sign, billboard, advertisement, defacement, or damage existing in violation of the provisions of this section will be removed immediately.

Exceptions to the provisions of this section shall be pre-approved by the General Manager ~~or designee~~.

#### **SECTION 231- USE OF DISTRICT VEHICLES AND EQUIPMENT BY ~~NON-~~ NON-DISTRICT GROUPS**

District vehicles and equipment are provided for the express purpose of carrying out District functions. Requests received from groups or organizations for the use of District vehicles or equipment shall be made in writing to the District. Such requests may be granted by the General Manager provided that such use does not interfere with District operations.

#### **SECTION 232- UNLAWFUL CONSTRUCTION**

No person shall erect, construct, install, or place any structure, building, shed, fence, trail, equipment, material, sign, banner, or apparatus of any type for any purpose on, below, over, or across District property, except by written permission from the General Manager, or designated representative, specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such an authorization.

#### **SECTION 233- PUBLIC URINATION**

It is unlawful for any person to urinate or defecate in any public place except when using a urinal, toilet, or commode located in a bathroom, restroom, portable restroom, or other structure screened from public view.

#### **SECTION 234- SKATEBOARD, IN-LINE SKATING AND ROLLER SKATING REGULATIONS**

With respect to any facility provided by the District for skateboarding, in-line skating, or roller skating:

- a. No person shall skateboard, in-line skate, or roller skate on or within District skating facilities without wearing a helmet, elbow and knee pads.
- b. Skateboarding, in-line skating, roller skating, scooters, bicycles or similar devices are permitted only at designated District facilities. Any device not specifically listed is prohibited.



- c. No smoking is permitted on District property. No alcohol is allowed within 50 feet, of any facility provided for skateboarding, in-line skating, or roller skating.
- d. No glass beverage containers or food are allowed within the skating facility.

e. Skateboarders, in-line skaters, and roller skaters shall at all times yield to pedestrians. No person shall skateboard, in-line skate, or roller skate in any area where signs are posted, or known to have been posted, prohibiting such activity.

## SECTION 235- DOG PARK RULES AND REGULATIONS

Properly licensed and tagged (i.e. ownership identification) dogs without vicious, dangerous, or aggressive propensities may be exercised without a leash in the designated areas and at the designated times established by the District and subject to the following rules and regulations:

- a. Dog Park hours of operation are 7:00 a.m. to Dusk unless otherwise posted. The Dog Parks may be closed at the discretion of the General Manager.
- b. The Dog Park may be closed periodically during the year for special events and maintenance as needed.
- c. Enter at your own risk. Adults and children assume all risks associated with the off-leash Dog Park. No children under 16 are allowed without adult supervision. Small children must be within arm's reach of a supervising adult.
- d. ~~Dogs~~ Each dog must display a current license and be properly inoculated, healthy (no contagious conditions), and parasite-free. No dog that is sick, in heat, vicious, aggressive or has previously bitten any person is permitted in the off-leash area.
- e. Dogs are to be kept on a leash (with a preferred leash length not exceeding 6') when OUTSIDE the Dog Park fence at all times. Do not have your dog unleashed between your vehicle and gated entrance.
- f. Leash and unleash your dog inside the double-gated holding area, not inside the Dog Park.
- g. All dog owners must carry a leash, but no dogs shall be leashed once inside the park.
- h. No spiked collars or the like that have the potential of injuring another dog or person are permitted.
- i. Dogs left unattended at the Dog Park will be impounded with Animal Control. Close supervision of your dog is required. Close supervision means that the dog is within voice command range at all times. Failure to closely supervise

dogs may result in the dog being banned for an appropriate period of time as determined in the General Manager's sole discretion.

- j. Owners must clean up after their pets. If you see someone who forgets to clean up, please remind him/her to help keep the park clean.
- k. AGGRESSIVE DOGS must be removed from the Dog Park area IMMEDIATELY WITHOUT DEBATE. You are responsible for your actions and those of your dog. Aggressive dogs may be banned for appropriate periods of time, as determined in the General Manager's sole discretion. Aggressive dogs are defined as either potentially dangerous or vicious dogs as defined in the California Food and Agricultural Code Section 31602 and 31603. ~~Furthermore, an~~ An aggressive dog is also defined as any dog that is determined by the District to pose a threat to dogs or people by virtue of a single incident or history of unprovoked acts of aggression against people or animals. Violation of these provisions is an infraction.
- l. No air horns or bullhorns are allowed.
- m. No food of any kind is allowed inside the Dog Park, including people food.
- n. Three dogs per dog owner is the maximum allowed inside the Dog Park. Due to inability to closely supervise their dogs, owners may not have one ~~dog or~~ more dogs in the large dog section and one or more dogs in the small dog section, if so designated.
- o. No female dogs in heat. ~~No or~~ puppies under five months of age, due to their vulnerability to disease and injury, are allowed in a Dog Park.
- ~~p. — People may not run or jump while within the Dog Park. Please remind your young children of this rule.~~
- p. ~~q.~~ No grooming of dogs at ~~the a~~ a Dog Park.
- q. ~~r.~~ When leaving the park, please remove all tennis balls, toys, or other personal items or they will be discarded.
- r. ~~s.~~ The District reserves the right to designate certain parks with signage, as "off-leash" parks, allowing for dogs to run free without a leash.
- s. The entrance into an off-leash area within the District constitutes an agreement to comply with the rules contained in this section as well as all those regulations posted with respect to the use of such off-leash areas.
- t. The entrance into an off-leash area within the District constitutes an agreement to protect, indemnify, defend and hold harmless the District from any claim, injury or damage arising from or in connection with such use of District property.

## **SECTION 236- DISORDERLY CONDUCT**

No person shall engage in boisterous, threatening, intimidating, abusive, insulting, discriminatory, profane or indecent language; threaten or engage in fighting or physical altercation or engage in any disorderly conduct or behavior tending to a breach of the peace and interfering with the enjoyment of other persons on the premises. Person(s) exhibiting these behaviors will be required to leave the premises immediately. The District reserves the right to refuse services and prohibit entry on District property.

## **SECTION 237- TENNIS COURTS**

No person shall engage in any activity on tennis courts owned or operated by the District other than the playing of tennis and activities incidental to the playing of tennis. Private instruction for personal gain is expressly prohibited. Organized instruction is permitted only for classes/instruction/clinics approved by the ~~Pleasant Valley Recreation and Park~~ District.



**ARTICLE III**  
**PLEASANT VALLEY OPEN SPACE AREAS**

**SECTION 301- EXCLUSIVE USE**

District open spaces shall not be made available for exclusive use by any person, group, or organization.

**SECTION 302- ACCESS**

The primary form of access into open space areas shall be by foot traffic or horseback on assigned equestrian trails. No person shall block, obstruct, impede free access to, encroach upon, or construct anything whatsoever across or upon any equestrian trail or easement owned or operated by the District. Vehicular access to serve as an emergency vehicle may be authorized. Under such circumstances, one vehicle per area may be permitted. Entry by District vehicles, emergency vehicles, and vehicles of agencies and individuals holding easement or permits is authorized.

Persons entering District Lands owned, managed, and controlled by the District may remain as long as they abide by these regulations, applicable laws of the State of California; applicable ordinances of the County of Ventura and City of Camarillo; and lawful instructions of authorized employees of the District. Failure to leave District Lands when requested to do so by an authorized employee of the District for violation of any of these regulations ~~will be~~ is a further violation of these regulations.

**SECTION 303- OPENING AND CLOSING TIMES**

Open space areas and equestrian trails will be available to the general public as otherwise posted or in accordance with District's General Use Policy.

**SECTION 304- APPLICATION FOR USE**

Applications to reserve areas of park and ~~open-green~~ space areas will be processed in accordance with District procedures established in this ~~document~~ Ordinance.

**SECTION 305- FIRES AND SMOKING IN DISTRICT OPEN SPACE**

~~The District ordinance regarding fires is contained~~ In addition to the regulations in Section 225; ~~in addition~~, the following policies shall apply to all District open space:

- a. Briquettes shall be the only permitted fuel for District installed barbecues; wood is prohibited. It shall be the responsibility of every person igniting a fire in a District installed barbecues pit to completely extinguish it (dead out). All open fires are prohibited.

1. Only District installed barbecues are allowed ~~in~~on District ~~Parks~~Lands.
- b. Smoking of tobacco and marijuana is prohibited ~~in~~on all District ~~designated open space consistent with Section 409 herein~~Lands.

#### SECTION 306- ~~DAY~~GROUP USE

Reservations are required for ~~day~~use by of District Lands by organized groups ~~of 15 or more persons~~ in accordance with District procedures established in this document.

#### SECTION 307- ~~OFF~~ TRAILS

Unauthorized travel off designated trails is prohibited.

#### SECTION 308- CLOSURE/TRESPASS

Any and all open space areas are subject to closure when deemed necessary by the General Manager ~~or designee~~ (inclusive of all Park Patrol staff), to protect public safety and/or protect the resources ~~from~~from damage or threat of damage. Any violation will constitute civil trespass.

#### SECTION 309- BICYCLES

Bicycles shall be allowed in parks and open space areas under the following restrictions:

- a. Bicycles must stay on designated bike paths and roadways.
- b. No person shall operate a bicycle in a reckless or negligent manner so as to endanger public property, or the life, limb, or property of any person or animal. A reasonable and prudent speed limit will be observed.
- c. Bicyclists must yield when meeting pedestrians. "Yield" means slow down, establishes communication, be prepared to stop, and/or move aside to allow other users to pass, and pass safely.
- d. No person shall possess or operate a bicycle or similar device in open space or on District land in areas designated or signed to restrict such activity.
- e. All state and local regulations regarding helmet use, for minors or adults, shall be followed.

#### SECTION 310- VEHICLES

No vehicle ~~will~~may be operated or parked on any open space lands except where specifically permitted. ~~An exception will be made for those vehicles that are~~ unless authorized by the District for such use.

#### SECTION 311- NATURE PRESERVES

~~a.~~The District has the authority to designate an area as a “nature preserve” to protect the resources and/or flora and fauna. Entrance to such an area shall be prohibited, except with written permission for the purposes of scientific study, a docent-led hike, or other authorized activities. These areas may be posted as “no trespassing.” ~~b.~~Alcohol is prohibited in “Nature Preserves.”

**ARTICLE IV**  
**REGULATIONS GOVERNING THE USE OF RECREATION**  
**BUILDINGS,**  
**ATHLETIC FIELDS, SPORTS PARKS/COMPLEXES,**  
**AND PICNIC AREAS**

**SECTION 401- USE OF RECREATION BUILDINGS, ATHLETIC**  
**FIELDS, SPORTS PARKS/COMPLEXES, AND PICNIC AREAS**

Recreation centers, reservable picnic areas, athletic fields within the District's community parks, are available for the use of persons and groups subject to the issuance of a permit and payment of fees therefore. All applications for use shall be made in accordance with Section 109 and must be signed by an adult, who shall agree to be responsible for said use. No use permit shall be granted if there is a conflict with a prior reservation or a District-sponsored event. Appeal of a decision may be made in accordance with Section 110 herein. Use of District facilities is subject to the rules and regulations established in District's GENERAL USE POLICY.

Any request that will place a major impact on a given facility, ~~as determined by the General Manager,~~ will be subject to Board approval. All requests are subject to the District priority-ranking classification (Section 406), ~~and~~ fee schedule (Section 502). The General Manager ~~or designee~~ reserves the right to cancel a permit ~~or application for a permit~~ with 30 days written notice.

Applications are immediately revocable and all deposits forfeited if false statements are made in reserving a facility, or if the individual or group violates any rule or regulation established by the District, or any other applicable law or regulation. Applicants shall be responsible for the condition in which they leave District premises. If District property has been damaged or abused beyond normal wear, ~~applicants~~ the Applicants shall be responsible for the reasonable costs to replace, repair, or clean such property. Any individual, organization, or group that is responsible for damages to the District's facilities shall pay for all such charges as determined by the District. No individual, group, or organization owing any outstanding debts or obligations to the District shall be permitted to use District facilities until such debts are paid.

District personnel will open, close, and supervise the use of the buildings and, when required, monitor the use of the grounds.

**SECTION 402- APPLICATION FOR USE AND SCHEDULING**

Applications for use shall be made in accordance with ~~Section~~ Sections 109-114. Exceptions will be based on event size, type, and location requested. ~~These~~ Exception requests may be

waived if requests for waiver are submitted in writing and require the General Manager's ~~or designee~~ approval.

#### **SECTION 403- EXTENDED USAGE**

Facility usage may be granted for a maximum period of six months. Requests for facility usage exceeding six months require the General Manager's ~~or designee~~ approval. Scheduled groups may be subject to cancellation on 30 days-<sup>2</sup> written notice or when a determination is made in accordance with Section 109. When cancellation is necessary, the District will attempt to relocate the activity.

#### **SECTION 404- HOURS**

Buildings, park areas, and athletic facilities are available for individual and group use during normally scheduled hours (dawn to dusk unless otherwise posted) of operations pursuant to the District's General Use Policy. Sports parks and complexes equipped with field lighting can be utilized until 10 p.m. with a permit. Exceptions are subject to General Manager ~~or designee~~ for approval.

#### **SECTION 405- RENTAL PERIODS**

Minimum building rental periods are ~~based on~~ two or four hour increments depending on facility. The time indicated on the application will reflect the actual facility use time, which includes setup and cleanup. Charges for additional time beyond the two or four hour block will be based on an hourly rate. Exceptions are subject to General Manager ~~or designee~~ approval.

#### **SECTION 406- PRIORITY OF USE**

Use of facilities is based on when the application is received, rental availability, and priority ranking. Groups ranked at a low priority may be subject to rescheduling with 30 days-<sup>2</sup> written notice. In that case, the District will attempt to relocate the group to another District facility.

Group priority rating shall be as defined in Section 504:

- a. Class 0- District activities
- b. Class 1– Community Service Organization
- c. Class 2 – Resident Organization
- d. Class 3– In-District Resident
- e. Class 4- Out of District or Non-Resident

#### **SECTION 407- DAMAGE TO DISTRICT PROPERTY**

Individuals or groups causing damage or excessive wear and tear to any building, turf, grounds, fixtures, furniture, or appurtenances shall be required to reimburse the District for all costs involved to clean, repair, restore, or replace the building, grounds, fixtures, furniture, or appurtenances to the original conditions. The individual and/or group may be removed and/or banned from future use of facilities.

#### **SECTION 408- USE OF RESERVABLE PICNIC AREAS**

Certain areas within the District's community parks may be reserved for picnics by persons or groups. All applications must be signed by an adult who shall agree to be responsible for said use. No use permit shall be granted if, at the time of application, there is a conflict with a prior reservation or a District-sponsored event taking place at the same time and place. No use permit shall be granted for reservable picnic areas outside normally scheduled hours of operations pursuant to the District's General Use Policy, unless the park has appropriate lighting.

~~A group consisting of more than 15 persons must file~~ An organized group (25 or more) must obtain a permit for all reservable picnic areas. Groups ~~of fewer than 15 that have less people than an organized group~~ may use any designated reservable or non-reservable area of any park on a first-come, first-served basis, however, such groups must vacate any reservable area at the time a permit group arrives. Neighborhood parks may be non-reservable. Individual picnic tables are available on a first-come, first-served basis in all non-reservable areas (Section 113.)

#### **SECTION 409- PROHIBITION ON USE OF ~~TOBACCO-TOBACCO- OR MARIJUANA-~~ RELATED PRODUCTS**

No smoking of any kind on District property to include all ~~tobacco-related-tobacco- and marijuana-related~~ products, and all forms of electronic smoking devices, and other vaporizing products.

#### **SECTION 410-ALCOHOL IN RECREATION BUILDINGS AND PARKS**

The sale, serving, or consumption of alcohol is prohibited in a District building except by a group ~~making such a request and receiving~~ all necessary permits ~~have been approved and fees paid, insurance and paying all applicable fees.~~

Alcohol may not be possessed or consumed on District parks and facilities unless allowed by a permit issued by the District. The sale or serving of alcohol is not permitted in parks except by a group ~~making such a request and receiving~~ all necessary permits have been approved and paying all applicable fees ~~paid~~. The sale or serving of alcohol is prohibited at all sporting and youth events except as approved by the General Manager ~~or designee~~.

#### **SECTION 411- USE OF RESERVABLE ATHLETIC FIELDS**

Certain athletic fields may be reserved for use of persons and groups. All applications for use must be signed by an adult over ~~21-18~~ years of age who shall agree to be responsible for said use. No use permit shall be granted if, at the time of application, there is a conflict with



a District-sponsored event taking place or a prior reservation at the same time and place. No use permit shall be granted for the use of any reservable field before 8:00 a.m. ~~or as determined by the General Manager~~ ~~or designee~~, or beyond sunset unless the field has appropriate lighting.

- a. No person shall engage in any activity on an athletic field owned or operated by the District other than the playing of specific activities for the designated fields.
- b. Private instruction for personal gain is expressly prohibited.
- c. Organized instruction is permitted only for classes/instruction/clinics approved by the ~~Pleasant Valley Recreation and Park~~ District.

#### **SECTION 412- USE OF SPORTS PARKS/COMPLEXES**

Sports parks/complexes in the District are ~~considered to be~~ the following ~~locations~~: Pleasant Valley Fields, Bob Kildee Park, Freedom Park, and Mission Oaks Park. ~~They~~ ~~These~~ are ~~defined as~~ complexes of 10 acres or more in size ~~acres where the primary use is primarily used~~ for competitive activities which ~~through casual or organized participation~~ provide competition and have governing bodies.

A permit is required ~~at these locations if there are more than 5 people participating in any form of activity for the use of these facilities by any organized group.~~

#### **SECTION 413 - EXCLUSION FROM DISTRICT AREAS AND FACILITIES**

In the interest of public health, safety, and welfare, it may be necessary to exclude persons or groups from District areas and/or facilities. Such action may be taken by a designated representative of the General Manager, subject to appeal to an Administrative Hearing with the General Manager.

Any person who has been excluded from District areas and/or facilities pursuant to this section, who enters upon the District areas and/or facilities during the period of the exclusion without the written permission of a designated representative ~~is~~ guilty of a misdemeanor.

# ARTICLE V

## FEES AND DEPOSITS

### SECTION 501- PURPOSE

Fees and charges may be levied to offset District expenses incurred in providing services.

### SECTION 502- FEES

The District's Board of Directors shall establish reasonable fees for the use of District property. Full payment is due 30 days prior to the use date. Fees will be reviewed annually.

### SECTION 503- BASIC RATE

#### Building

During normal hours of operation of facilities as defined in Section 404, rates will include the use of rooms, chairs, tables, setup, and cleanup. ~~These~~ The following services are also available ~~at for~~ an additional fee: security, custodial service, and other services identified ~~by~~ staff in advance of permittee's use as set forth in the District's General Use Policy. ~~When~~ Use at a time when the facility is normally closed, will result in the assessment of additional fees ~~will be assessed~~.

#### Athletic Facilities

During normal hours of operation, basic rates include the following:

- a. Use of the athletic fields and supporting structures.
- b. Use of onsite restrooms.
- c. Basic turf management such as watering, mowing, and edging fields.
- d. Staffing costs.

Basic rates do not include:

- a. Diamond preparation and ball field lining.
- b. Lighting.
- c. Removal or installation of athletic field equipment (bases, pitcher's mound, goals, etc.) and special location of base anchors, goals, bleachers, or other equipment.
- d. Sporting equipment such as balls, nets, gloves, etc.

- e. Cleaning of the area following the event.

Picnic Area Areas

During normal hours of operation as set forth in the District's General Use Policy, rates include picnic tables and ~~barbecue barbecues, where~~ if available, and outdoor restrooms. Rates do not include supervision or special setup of tables. Outside items, i.e., tables, chairs, and barbeques etc. are not permitted without approval by the General Manager ~~or designee~~.

**SECTION 504- CLASSIFICATION OF FACILITY USES AND FEE CHARGES**

**Class 1**

- a. ~~Recognized For a recognized~~ District Community Service Organization as approved by the District's Board of Directors. ~~Fees, fees~~ are subject to the individual group's Memorandum of Understanding (MOU) with the District.

**Class 2 - Half of Basic Rate (50%)**

- a. Resident Organization

Local school districts, government agencies, and non-profit organizations may have fees waived for reciprocal services as approved by the General Manager ~~or designee~~.

**Class 3 - Full Basic Rate (100%)**

- a. In-District Resident
- b. Individuals, groups, and organizations that hold private functions.
- c. Any individual or group reserving Fridays and Saturdays

**Class 4 - Full Basic Rate plus 25 Percent (125%)**

- a. Out of District
- b. Non-resident

**SECTION 505- ADDITIONAL CHARGES OVER BASIC RATE**

Additional charges will be levied over basic ~~rate rates~~ as defined in Section 503 and as set forth in the District's General Use Policy under the following conditions:

- a. When extraordinary use requires field renovation or rehabilitation.
- b. All non-residents will pay a 25 % additional fee.

~~e. Full payment is due 30 days prior to the use date.~~

- ~~c.~~ ~~d.~~ An additional fee is required when alcohol ~~is~~ will be served or sold at a function.
- ~~d.~~ ~~e.~~ Additional administrative fees may be charged on all applicant-initiated changes, including cancellations.
- ~~e.~~ ~~f.~~ The District may require security guards for certain events or functions at an additional fee. The District will make the arrangements with an approved vendor.
- ~~f.~~ ~~g.~~ When a facility is not normally open and recreation staff or custodian is required to be on duty additional fees accrue. The minimum hourly coverage for custodian is two hours.
- ~~g.~~ ~~h.~~ When recreation staff is needed for facility control additional fees accrue.
- ~~h.~~ ~~i.~~ When ball field lights or other special equipment are required additional fees accrue.
- ~~i.~~ ~~j.~~ When facility damage and/or liability insurance fees are required additional fees accrue.
- ~~j.~~ ~~k.~~ Outdoor facilities including picnic shelters and sporting facilities may be subject to additional fees required for dumpsters and portable toilets to accommodate groups of people that exceed ~~the facilities a facility's~~ maximum occupancy.
- ~~k.~~ ~~l.~~ The determination of requirements for additional personnel and associated charges thereof shall be made by the General Manager or designee.

#### **SECTION 506- REFUNDABLE DEPOSITS AND CANCELLATION REFUND POLICY**

The application fee is non-refundable. Cancellations must be made through the District office no later than ~~30~~ days prior to the use date to qualify for a refund of other paid rental fees minus the non-refundable application fee.

Cancellations must be made through the District office no later than 30 days prior to the use date to qualify for a refund of rental fees paid, less the non-refundable application fee. Additional fees may apply for "no shows".

#### **SECTION 507- PAYMENT OF DEPOSITS AND FEES**

The park, field, or facility is reserved only when ~~the a~~ completed Application is accepted and approved by the District office ~~and~~ after applicable fees are paid.

A payment equal to 50% of the total applicable fees must be paid at the time the application is approved by the District, as set forth in the District's General Use Policy. If the reservation is made 30 days or less prior to the event, full payment is due at time of application.

### SECTION 508- ALCOHOL PERMITS

A State Alcohol Beverage Control Board permit is required when alcoholic beverages are sold. Such permit shall be obtained by the group using the facility and filed with the District.

### SECTION 509- SETUP

The District will perform setup and breakdown unless otherwise stated in the application. Basic cleanup, including placing all trash in bins provided, will be the responsibility of the group utilizing the facility. When District personnel are required for setup, finalized setup instructions must be submitted a minimum of 15 business days prior to the event date; ~~otherwise\_ or~~ additional fees may apply.

### SECTION 510- DECORATIONS

When decorations are to be used, prior approval shall be obtained by the user from the District's ~~designee~~ Parks Services Manager. No duct tape, tacks, nails or glue are allowed on any walls, columns, ~~or~~ counter or floor surface. Use of blue painters tape is allowed, with full removal at the end of the event. If confetti is used at the event, all evidence of use must be removed. Use of lighted candles or any other open or enclosed flame is prohibited.

### ~~SECTION 511- CANCELLATION REFUND POLICY~~

~~Cancellations must be made through the District office no later than 30 days prior to the use date to qualify for a refund of paid rental fees minus non-refundable application fee. Additional fees may apply for "no shows".~~

### SECTION 511- SECTION 512- SECURITY

To ensure proper use and control of facilities and equipment, security may be required under the following circumstances:

- a. If an event places a major impact on the facility as determined in the General Manager's sole discretion.
- b. When alcohol is being served, sold, or consumed.
- c. When additional precautions are deemed necessary due to the nature of the event as determined in the General Manager's sole discretion.

~~d. The District will arrange for Security Guards any required security guards at the event and costs will be passed onto at the Applicant's cost.~~

~~e. Security Guards on duty for a function must report~~ If security is required, security guards must begin their shift a ½ hour before the scheduled event starts and remain on duty for a ½ hour after the event is scheduled to end and must stay until all attendees have left.

~~f. The applicant shall be responsible for payment to the District of all fees for these services. Additional security measures may be required to protect the general public and District property. When security is required by the District or requested by the applicant~~ When security is required by the District or requested by the Applicant, the application requires approval by the General Manager or designee.

#### SECTION 512- ~~SECTION 513-~~ **WAIVERS**

The requirements in this Article V may be waived if requests for waiver are submitted in writing and require the General Manager's approval.

#### SECTION 513- ~~SECTION 514-~~ **FILMING**

A filming permit and application must be ~~obtained from the District and~~ approved prior to filming taking place. Individuals engaged in the making of movies, still photography, or television films for commercial purposes shall observe the following procedures. Permission to film on District property pursuant to this section may be granted by the General Manager ~~or designee~~ as set forth in the District's General Use Policy.

#### SECTION 514- ~~SECTION 515-~~ **LIABILITY INSURANCE**

A certificate of insurance evidencing required coverage amounts and additional requirements as set forth in the District's General Use Policy and naming the District, its elected officials, officers, and employees as an additional insured must be submitted ~~14-5~~ working days prior to date of building use by any group for commercial purposes, and by any group conducting an event where there is a major impact for any event scheduled more than 5 days in advance. The amount of liability insurance required shall be determined by the District ~~and may be waived if requests for waiver are submitted in writing and require the General Manager's approval.~~

#### SECTION 515- ~~SECTION 516-~~ **PARKING FEES**

~~Normally~~ District parking facilities are typically available to patrons at no charge, however, in select situations, the General Manager with approval by the Board of Directors may establish parking fees. The General Manager is authorized to determine when that fee shall be implemented.

Vehicles entering Camarillo Grove Park ~~does requires- must pay~~ a parking fee ~~for vehicular traffic either~~ by purchasing a daily or annual pass.



**ARTICLE VI**

**GENERAL**

**SECTION 601—REPEAL OF PRIOR VERSIONS OF ORDINANCE NO. 8**

This Ordinance repeals and supersedes any prior versions of Ordinance No. 8, which are no longer of any force or effect.

**SECTION 602—EFFECTIVE DATE**

This Ordinance shall be effective 30 days after its adoption by the District Board of Directors.

**SECTION 603—PUBLICATION AND POSTING**

The Board's Clerk shall certify to the passage of this Ordinance and cause the same to be posted and published in accordance with law.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, ~~2015~~2017.

Chairperson

\_\_\_\_\_  
~~Elaine~~ ~~Magner~~ Neal Dixon,

Board of Directors

ATTEST:

\_\_\_\_\_  
~~Neal Dixon~~ Bob Kelley, Secretary

Board of Directors



**PLEASANT VALLEY  
RECREATION AND PARK DISTRICT**

**ORDINANCE No. 8  
GOVERNING USE OF PARKS,  
RECREATION AREAS AND FACILITIES**

Board Introduction – October 4, 2017  
Public Posting – September 19, 2017  
Board Adoption – November 2, 2017

**ORDINANCES GOVERNING USE OF PARKS,  
RECREATION AREAS AND FACILITIES**

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The Board of Directors of the Pleasant Valley Recreation and Park District ordains as follows:

## GENERAL CONDITIONS

### SECTION 101- PURPOSE/SEVERABILITY

The purpose of these provisions is to provide rules to govern the use of District parks, recreation areas and facilities in order that all persons may enjoy and make use of such parks and buildings and to protect the rights of all concerned. If any provision or clause of this Ordinance or the application thereof is held invalid or unconstitutional, such declaration shall not affect the other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application and, to this end, such provisions of this Ordinance are declared to be severable.

### SECTION 102- DEFINITIONS

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this section:

- a. **“Applicant”** shall mean an individual who submits an application for a District use permit to utilize a District facility, park or building.
- b. **“Administrative Hearing”** shall mean a civil proceeding to contest a civil penalty citation.
- c. **“Alcoholic Beverage”** shall mean alcohol, spirits, liquor, wine, beer, and every liquid or solid containing one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or combined with other substances.
- d. **“Aircraft”** shall mean any device that is used or intended to be used to carry a person or persons in the air.
- e. **“Amplified Sound”** shall mean sound projected and transmitted by electronic equipment, including amplifiers, radios, or other devices.
- f. **“Article”** shall mean an article of this Ordinance unless some other Ordinance, policy, or statute is stipulated.
- g. **“Basic Date”** shall mean the date for use of specific areas of District lands based upon Section 503.
- h. **“Building”** shall mean any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, or property of any kind.

- i. **“Citation”** shall mean a civil or administrative penalty citation issued in accordance with Government Code Section 53069.4 charging a Citee with an ordinance violation pursuant to this Ordinance.
- j. **“Citee”** shall mean the person served with a civil penalty citation charging them as a responsible person for an Ordinance violation.
- k. **“Community Service Organizations”** shall mean an organization that performs a service for the benefit of the public, is sponsored and approved by the Pleasant Valley Recreation and Park District, and the Organization resides within the District boundaries. These activities are not part of the “District” programs/classes.
- l. **“Competitive Activity”** shall mean an event or gathering in which one or more persons meet to **test skill and/or ability and focused on winning.**
- m. **“District”** shall mean the Pleasant Valley Recreation and Park District and/or all land managed by Pleasant Valley Recreation and Park District.
- n. **“District Activities”** refer to District directed, sponsored programs or approved activities.
- o. **“District Community Service Groups”** shall mean resident organizations approved by the District’s Board of Directors that conduct organized activities and programs.
- p. **“District Lands”** shall mean all lands and facilities under ownership or control of Pleasant Valley Recreation and Park District. “District Lands” are sometimes referred to herein as “District property.”
- q. **“Enforcement Officer” or “Ranger”** shall mean any District employee or agent of the District with the authority and responsibility to enforce provisions of this Ordinance as authorized in accordance with Section 103.
- r. **“Hearing Officer”** shall mean a person appointed by the District to conduct, consider, and decide administrative hearings. Prior to being appointed, a hearing officer must first be designated by the General Manager as qualified to provide a fair and impartial hearing based on appropriate education, training and experience.
- s. **“Facility”** shall mean any building, structure, park or facility under the ownership, management or control of the District and available for public use.
- t. **“Fund Raising”** means the activity of raising money: organized activity of soliciting and collecting money for a nonprofit, service group or political organization. This shall mean funds derived from the event must be spent within the Community.
- u. **“General Manager”** means the District’s chief administrative officer or his or her designee.

- v. **“Green Space”** community space consisting of land (such as parks) rather than buildings and use that is maintained for recreational enjoyment.
- w. **“In-District Resident / In-District Resident Group / In-District Public/ In-District General Public”** shall mean any person who resides within the boundaries of the District.
- x. **“Issuance Date”** shall mean the date when a citation is served on the Citee.
- y. **“Leash”** shall mean a lead on a dog of a length of six (6) feet or less.
- z. **“Major Impact”** shall apply when the nature of the activity or proposed use is found to (a) limit the use of the facility, (b) cause damage or nuisance to the neighbors, (c) require parking beyond capacity of the park, or (d) any use that is deemed extraordinary.
- aa. **“Organized group”** a meeting or assembly at one of the parks that includes more than 25 people, including but not limited to picnics and parties for family, religious institution, community or school events, or other similar activities.
- bb. **“Organized Use / Organized Sports”** meeting any one of the following conditions: 1) league games, practices, tournaments, clinics, instruction, special events; or other uses where a fee is charged for participation, 2) a rental application requesting more than three dates of use, 3) a rental application requesting more than one field.
- cc. **“Open Space”** shall mean all lands under the ownership, management, and/or control of the District that are left in a natural vegetative state with limited public access.
- dd. **“Out-of-District / Non-Resident, Group or Organization”** shall mean any person, group, organization, association, partnership, firm, entity, or corporation that resides outside the District’s boundaries.
- ee. **“Park”** shall mean all grounds, roadways, building, structures, and lands acquired by the District or any area to which the District holds title or exercises delegated authority.
  - a. **Neighborhood Park** means a park generally up to 10 acres in size which serves as a social and recreational focal points for neighborhoods. Many include playgrounds and may offer a range of facilities and passive or active recreation in response to demographic and cultural characteristics of surrounding neighborhoods. Neighborhood parks are largely accessible by foot, bicycle, within at least a quarter-mile radius from residences, providing easy access especially for children and senior adults.
  - b. **Community Park** means a park that generally ranges in size from 10 acres to larger that serve as a recreational point for the community. Many include:

playgrounds, pavilions, restrooms, sports fields, and offer active and passive space.

- c. **Sports Park** a park that is generally 10 acres or larger. These parks serve as a location to host competitive activities which through casual or organized participation provide competition and have governing bodies.
- ff. **“Permit”** shall mean a permit for use of parks, equipment, or buildings as provided for and defined within District ordinances.
- gg. **“Person”** shall mean any individual or group of individuals, and a natural person or any other legal entity, including its owners, majority stockholders, corporate officers, trustees, and general partners.
- hh. **“Resident Organizations”** shall mean public and private educational, service and civic groups and non-profit organizations with members who reside within the District when such groups are located within the District and providing programs open to the public with a primary purpose of recreation and/or youth service.
- ii. **“Responsible Person”** shall mean a person who creates, causes, maintains, or allows an ordinance violation to exist or occur by their action or failure to act.
- jj. **“Section”** shall mean a section of this Ordinance unless some other statute or policy is specifically identified.
- kk. **“Special Use Activities”** includes any event that requires careful evaluation of the Applicant’s participant access and risk management procedures, i.e. use of alcohol or dances.
- ll. **“Structure”** means anything constructed or erected which requires a location in or on the ground or which is attached to something having a location on or in the ground, such as signs, flagpoles, or similar appurtenances, including a building or a building’s architectural features and roof appurtenances required to operate and maintain the building, but not including fences or walls used as fences less than six feet (6') in height.
- mm. **“Trail”** shall mean any path or access through District lands, land maintained by District or open space constructed or maintained for the use of pedestrians, handicapped patrons, equestrians, or bicyclists.
- nn. **“Vehicle”** means every device by which any person or property is or may be transported or drawn upon a public street or highway excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks as defined in Section 670 of the California Vehicle Code.
  - a. **Oversized Vehicle** – is any motorized vehicle or combination of motorized vehicles and non-motorized vehicles or trailers that: 1) meets or exceeds twenty-two (22) feet in length at any time or 2) meets or exceeds the

combination of both more than eight (8) feet in height and also exceeds seven (7) feet in width.

- oo. **“Violation”** means a violation of the District’s ordinance(s), including this Ordinance.

### **SECTION 103- AUTHORITY AND ENFORCEMENT**

The District’s Board of Directors authorizes the General Manager to implement and administer the policies, ordinances, and regulations contained herein. Whenever a power is granted to, or a duty imposed on, the General Manager, the power may be exercised, or the duty performed, by the General Manager. Unless this policy expressly provides otherwise the General Manager shall enforce the provisions of this Ordinance. The General Manager shall also have the authority to implement reasonable rules and regulations to protect the public health, safety, welfare, and the resources under the District’s care.

District Park Rangers (“Rangers”) are uniformed District employees, designated as peace officers pursuant to Penal Code Section 830.31(b), whose primary duty is to protect District Lands and preserve the peace therein. Rangers are authorized to enforce all District ordinances, rules and regulations, all laws of the State of California and all applicable municipal laws and ordinances. Consistent with Public Resources Code Section 5786.17 and the provisions of this Ordinance, Rangers are authorized to warn and evict persons, and issue citations for any misdemeanor or infraction violation of District ordinances, rules and regulations, and applicable municipal laws or ordinances, and state law, when the violation is committed within District Lands and in the presence of the Ranger issuing the citation. Rangers may also issue civil or administrative penalty citations. Rangers must carry identification and shall issue citations in accordance with Penal Code Section 853.5 *et seq.*

### **SECTION 104- COMPLIANCE**

Persons entering District Lands may remain as long as they abide by the adopted ordinances, rules, and regulations of the District; applicable laws and ordinances of the State of California; County of Ventura and City of Camarillo; and lawful instructions of authorized employees of the District. Failure to leave District Lands when requested to do so by an authorized employee of the District for violation of any of these ordinances, rules or regulations or any other applicable laws, will represent a further and separate violation of this Ordinance. Additionally, no person shall violate any order or provision thereof posted on District Lands by the General Manager.

### **SECTION 105- ENFORCEMENT; PENALTIES**

Unless otherwise specified in this Section, pursuant to Public Resource Code section 5786.17, any person within District Lands who violates any provision of this Ordinance, the conditions of any permit issued pursuant thereto, or any adopted rule or regulation relating to District Lands is guilty of an infraction pursuant to the California Penal Code (Penal Code) for the first violation. A fourth violation of the same provision within one year shall be a misdemeanor pursuant to Penal Code.

Violations of Section 202, "Vehicles and Parking", Subsections a, b, c, d, f, g, j, k, and l are subject to the civil penalty citation process set forth in Section 106.

The first and any subsequent violation of the following Sections shall be misdemeanors:

- 116 – Violation of Permit
- 205 – Firearms and Weapons
- 206 - Hunting
- 207 - Vandalism
- 215 - Nudity
- 222 – Alcoholic Beverages, Intoxicated Persons, Dangerous Drugs
- 233 – Public Urination
- 302 - Access
- 413 – Exclusion from District Areas and Facilities

A violation of this Ordinance which is an infraction shall be punishable by a fine not to exceed Five Hundred Dollars (\$500). A violation of this Ordinance which is a misdemeanor will be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment in the County jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

In accordance with Government Code Section 53069.4, the District may make any violation of District ordinance(s), including this Ordinance, subject to a civil or administrative penalty in lieu of issuance of a citation for an infraction. Sections 106 through 108 set forth the procedures governing the District's imposition, enforcement, collection, and administrative review of administrative penalties. The term "administrative penalty" in this Ordinance is also referred to as "civil penalty".

#### **SECTION 106- ADMINISTRATIVE PENALTY PROCEDURES**

This section establishes the administrative procedures for the imposition, enforcement, collection, and review of civil penalties by the District pursuant to Government Code Section 53069.4.

The issuance of a civil or administrative penalty under this section is solely at the District's discretion and is one option the District possesses to address violations of this Ordinance. By adopting these provisions, the District does not intend to limit its discretion to utilize any other remedy, civil or criminal, for any violation of the Ordinance.

A Citee may request a preliminary review of a citation within 14 days of the date the citation is issued. The Citee must submit a completed preliminary review request form, a copy of the citation, and any additional information demonstrating the reason(s) why there was no violation or why the Citee is not a responsible person for the violation to the District's Park Superintendent. The purpose of the review is to identify any improper citations due to errors that are readily verifiable and not to resolve factual disputes concerning the citation.



The preliminary review shall be conducted by the District's Park Superintendent or his or her designee. The reviewer shall not be the enforcement officer who issued the citation.

If the determination of the preliminary review is that the citation is improper, the citation shall be dismissed. The Citee shall be notified of the results of the review in writing within 15 working days of receipt of the request.

A request for preliminary review does not extend any time periods for compliance, the penalty due date, or the time to request an administrative hearing.

Any Citee may contest a civil penalty citation by filing a signed written request for an administrative hearing stating the grounds for contesting the citation. The request must be received by the District's designated third party administrator's office within 35 days of the date the citation was served and be accompanied by a deposit of the full amount of the penalty.

Within ten (10) days following the receipt of a request for an administrative hearing and deposit of the full citation amount, the District's third party administrator shall schedule an administrative hearing. The date of the hearing shall be no more than 90 days later than the date the request for the hearing was filed. The District's third party administrator shall notify the Citee of the date of the hearing.

The Hearing Officer may grant a one-time continuance of a hearing for no more than 45 days if a request is made showing good cause by the citee or the District's designated representative. All continuance requests must be made in writing and received by the District's third party administrator at least 72 hours before the hearing date. If the request for continuance is denied, the hearing shall proceed as noticed. A Citee who requests a continuance waives their opportunity for a hearing within 90 days of the date the citation is issued.

A Hearing Officer shall conduct the hearing on the date set by the District's third party administrator. The Citee shall have the opportunity to appear, testify and to present evidence relevant to the ordinance violation alleged in the citation. The Citee may file a written declaration with the District's third party administrator at least 48 hours prior to the hearing in lieu of personally attending the hearing. The citation shall be accepted by the Hearing Officer as prima facie evidence of the ordinance violation and the facts stated in the citation. Neither the enforcement officer nor any other District representative shall be compelled to attend the hearing. However, any such appearance or submission may be made at the discretion of the enforcement officer.

The hearing shall be conducted informally and formal rules of evidence need not be utilized. The Hearing Officer does not have the authority to issue a subpoena.

The failure of the Citee to appear at the hearing or to file written testimony prior to the hearing shall constitute an abandonment of the request for an administrative hearing and a failure to exhaust administrative remedies concerning the violation and any penalty deposit shall be forfeited to the District.

After considering all evidence and testimony submitted at the administrative hearing, the Hearing Officer shall issue a written decision to uphold or dismiss the citation within 20 working days after conclusion of the hearing. The Hearing Officer has no discretion or authority to reduce or modify the amount of any fine. The decision shall state the reasons and evidence considered for the decision. If the decision is to uphold the citation, the deposited penalty shall be forfeited to the District. If the decision is to dismiss the citation, the District shall refund the penalty deposit within 30 days of the decision. The Hearing Officer's continued employment, performance evaluation, compensation, and benefits shall not directly or indirectly be linked to the number of citations upheld or cancelled by the officer.

Notwithstanding any other provisions of this Ordinance or otherwise, the administrative hearing decision is final and not subject to appeal or further review by the District or any person. The Citee may seek judicial review of the administrative hearing decision by filing an appeal with the Ventura County Superior Court in accordance with the provision of state law.

### **SECTION 107- ADMINISTRATIVE PENALTY CITATIONS**

Upon determining that a provision of this Ordinance has been violated, a Ranger has the authority to issue a civil penalty citation to any Responsible Person. A Responsible Person upon whom a citation is served is liable for and shall pay the penalties described in the citation. A citation may be issued for the violation of one or more ordinance sections and for each day that the violation exists. Hence, each ordinance violation is a separate violation and subject to a separate penalty. Civil penalty citations shall contain following information:

1. Name of the Responsible Person;
2. Address or other description of the location where the ordinance violation occurred;
3. Date on which the ordinance violation(s) occurred;
4. Issuing department/division;
5. The ordinance section(s) violated;
6. Brief description of the violation;
7. Amount of the penalty;
8. Procedure to pay the penalty;
9. Description of the procedure for requesting a Preliminary Review, and an Administrative Hearing to contest a citation.
10. Printed name and signature of the issuing Ranger;
11. Date the citation is served; and
12. A distinct citation number.

A Ranger may personally deliver the citation to the Citee place the citation on the Citee's vehicle ,or may mail the citation by first class mail to the Citee's last known address.

## **SECTION 108- PAYMENT OF ADMINISTRATIVE PENALTIES/CITATION**

The District's Board of Directors has, by resolution, adopted a penalty/citation fine schedule to establish the amount for violations of any civil penalties and provisions of District ordinances. The Board reviews the penalty/citation fines periodically.

Citations shall be paid to the District's designated third party administrator within 35 days of the due date. Citations not paid in accordance with the provision of this Ordinance are civil obligations of the responsible party and may be collected by the District through any legal means. Payment of a citation shall not excuse the Citee from correcting the ordinance violation. The issuance of a citation or payment of a penalty does not bar the District from taking any further enforcement action regarding an ordinance violation that continues to exist or when a person continues to violate an ordinance, including but not limited to issuing additional civil penalty citations or filing a criminal complaint.

## **SECTION 109- APPLICATION FOR USE**

The General Manager is authorized to grant or deny all applications for use of District facilities. All applications for use of District parks, fields, or buildings shall be filed by an adult 18 years of age or older. The park, field, or facility is reserved only when the completed Application is accepted and approved by the District office after all applicable fees are paid.

All applications for use shall comply with the District's General Use Policy for specific requirements for the application process. All applications must comply with the insurance requirements as set forth in General Use Policy.

## **SECTION 110- USE PERMIT RIGHT OF APPEAL**

An Applicant may appeal the decision of a District representative regarding facility permits to the General Manager. The Applicant must file such appeal with the General Manager within four working days of the mailing of the representative's decision. The General Manager may hold a hearing within five working days of the filing of such appeal at which time the Applicant may present any and all evidence, testimony, and information relative to the application. The General Manager shall, within 72 hours of said appeal hearing, issue a decision either affirming or denying the decision on the application and, if the decision is to issue the permit, add appropriate terms and conditions to the permit. The General Manager shall specify grounds for upholding the denial of a permit. The decision of the General Manager may be appealed to the Board. An appeal to the Board shall be filed within five working days of the General Manager's decision.

## **SECTION 111- INTERFERENCE**

No person shall attempt to use or interfere with the use of any facility which is reserved for another person or organization holding a permit.

## **SECTION 112- LIABILITY**

As part of a use permit application, the Applicant must agree in writing to release and hold the District harmless, and to indemnify the District from, any and all liability for injury to persons or property, including District Lands, occurring as the result of the activity being undertaken by the Applicant. Any person exercising any of the privileges authorized by this Ordinance does so at his/her own risk without liability on the part of the District for any injury to persons or property resulting therefrom.

These requirements may be waived by the General Manager, in his or her sole discretion, upon receipt of a written request for a waiver.

## **SECTION 113- USE OF DISTRICT LANDS**

The District's reservable areas may be made available for the use of persons and groups subject to the issuance of a permit and the payment of required fees. A permit is required for the use of any park for assemblies or organized group. Each application for use of any park must be signed by an adult 18 years or older who agrees to be responsible for said use; however, when alcohol may be present an application must be signed by an adult 21 years or older. A groups that exceeds the maximum attendance listed on its permit will be required to pay additional fees. These additional fees will be charged for portable toilets, garbage dumpsters, an additional cleaning deposit, staff time, and any other costs incurred by the District as a result of a group's use of the park. The District will make arrangements for these items to be placed at the park and the cost of these items will be passed on to the Applicant.

## **SECTION 114- PERMIT**

Pursuant to the application process set forth in Section 109, if approved, a use permit will be issued by the District.

## **SECTION 115- DISTRICT RIGHT TO ALTER USE**

The District reserves the right to alter any previously scheduled use to minimize interference with District activities or to suspend an existing use application if the user or any of his or her agents, employees, or guests violates any section of the District's General Use Policy or any District ordinance or other applicable law.

## **SECTION 116- VIOLATION OF PERMIT**

Violation of any terms, conditions, rules, and regulations of the permit by the permittee or any agent, guest, or employee of permittee is prohibited. The General Manager reserves the right to: (1) revoke any permit for a violation of terms of the permit or any District ordinance or other applicable law, with or without notice to the persons or organization to whom the permit was issued, and (2) enforce any applicable penalties as set forth in Section 105.

## **SECTION 117- SALES, SOLICITATION, AND UNLAWFUL ADVERTISING**

To prevent littering and the destruction of District property, it is unlawful to post, place, erect, or leave posted, placed or erected, any commercial or noncommercial bill, handbill, circular, notice, paper, banners, or advertising device or matter of any kind, in or upon any building, structure, pole, wire, or other architectural or natural feature of whatever character, or on vehicles. The only exception to this prohibition on posting is upon a bulletin board or such place especially designated and provided for such purposes by the District.

## SIGNAGE

- a) It is unlawful for any person to place or maintain any commercial sign, which includes; billboards and banners, on any District property without District authorization.
- b) It is unlawful for any person to paint or attach any sign or advertisement to or upon any District property.
- c) Any sign, billboard, advertisement, defacement, or damage existing in violation of the provisions of this section will be removed immediately.
- d) Exceptions to the provisions of this section shall be pre-approved by the General Manager.

Permission must be obtained from the General Manager before a permit is issued authorizing use of any park or building when the activity proposed is to be held for commercial activity including:

Advertising for sale any product, goods, wares, merchandise, services, or event.

Conducting or soliciting for any trade, occupation, business, service, or profession.

## **SECTION 118 – CONDUCTING BUSINESS IN A DISTRICT PARK**

“Business,” for the purpose of this section, means and includes any activity which involves the sale of any goods or services, whether conducted for profit or not, and regardless of by whom the activity is conducted.

- a. No one shall conduct any business in any District park except as provided in this section and section 117.
- b. Anyone desiring to conduct business in any District park shall apply to the District for a permit to do so, on an application form prepared by the District.
- c. Application Information required:
  - 1. Name and address and phone number of the Applicant, and if by a corporation, the officers of the corporation;

2. A description of the park location at which it is desired to conduct such business;
3. A copy of a current city business license, or proof of application;
4. Types of any services or items to be sold;
5. Description of how business will be conducted, and a drawing of the vehicle or stand from which goods will be sold, to show its size, color, all proposed signage, etc., and a description of means by which goods will be transported to and from the site;
6. A statement signed by the Applicant agreeing to indemnify, defend and hold harmless the District and its directors, officers, and employees from any claims for injuries or damage alleged by any person to have been caused by such activity;
7. If goods are to be sold from any stand or cart, proof of insurance in the amount of \$1,000,000, or as required by District standards, to cover claims for injury or damages suffered or alleged to have been suffered by any person as a result of such activity, which insurance policy shall name the District as an additional insured and shall provide it cannot be canceled except after ten days' written notice to the District and proof of Worker's Compensation meeting the requirements of state law if applicable; and
8. Proof of application for all permits required by other public agencies such as County Health.

Issuance of a permit by the District shall not be deemed to be an endorsement by the District of any product or any form of District warranty concerning the product's fitness for use or consumption.

#### APPLICATION FEE AND REVIEW

Each application made under this section must be accompanied by a non-refundable fee of \$100 or it will not be accepted and all such applications shall be reviewed by District staff.

- a. No permit shall be issued if it is found that the application does not conform to this section or additional guidelines issued by the District, or it is found that its issuance would interfere with safe use by the public of any park or District Lands.
- b. The District may limit the number of any permits at any given park if it finds that such limitations is necessary to protect the public health and safety. Each permit shall include conditions such as hours of permitted use and other requirements found necessary. The District may refuse to issue permits during any District special events.



c. No permit shall be issued for more than one year from the date of issue. A permit may be renewed upon application and payment of another application fee unless it has been found that the permittee has failed to comply with this section or to the terms and conditions under which it was issued, or it is found that such permit is inconsistent with the public safety or public use of such park or District property.

d. All permits issued under this section shall be nontransferable and may be used only by the permittee. Fees in addition to the application fee may apply.

## OPERATION RESTRICTIONS

Each permittee shall comply with the following requirements as to operation:

- a. Prices of all items offered for sale must be conspicuously posted where the goods are sold.
- b. The permittee or his/her employee or agent shall pick up and keep the location and surrounding area (at least 50 feet in each direction) of his or her use free from all litter and permittee shall provide, and remove/empty at the end of each period of use, a suitable container for placement of litter by customers and other persons.
- c. The permittee shall conduct business only at the location or locations specified in the permit and during the hours specified on the permit.
- d. No stand or cart shall ever be left unattended, and each cart or stand shall be removed from its location each night between dusk and 7:00 am.

## PERMIT REVOCATION

The General Manager, in his or her discretion, may at any time revoke any permit issued under this section if he or she finds it necessary to do so to protect the public health and safety or if the permittee has violated any terms or conditions of such permit.

## PERMIT ISSUANCE

The General Manager may issue permits under this section when the conduct of the proposed trade, occupation, business, service, or profession is compatible with usual park activities and uses, is of convenience or benefit to park patrons, and does not conflict with the business of established concessions. A use fee may be charged to cover administrative costs of the issuance of such permit and costs associated with the use of District facilities.

No person shall, without a District permit, solicit, in any manner or for any purpose, or sell or offer for sale any goods, wares, or merchandise, or give or distribute handbills, advertising matter, or literature except under the following conditions:

- a. When a concession is operating under lease or contract authorized by the General Manager.

- b. When an athletic team that is a member of a community service organization and admits all members of the general public to the extent of capacity without discrimination and without charge to any game played, such athletic team may solicit voluntary contributions from the spectators attending such game.
- c. When found to be consistent with the policies of the District or to promote a District program under conditions prescribed by the General Manager.
- d. When all necessary fees and deposits and proof of insurance has been provided to the District.

It is unlawful for any person or persons to throw, deposit, leave, place or to cause the throwing, depositing, leaving or placing of any commercial or noncommercial handbill or unsolicited newspaper on any District Lands including vehicle windshields; however, it shall not be a violation of this section to hand out or to distribute handbills to any person.

#### PARK ACCESS DURING PERMITTED ACTIVITY

A permit holder shall not restrict access or charge a fee to access any District-owned lands without the express written permission of the District Board sought at least 60 days prior to the imposition of any fee or restriction of access, which includes, but is not limited to, the locking of any gates or doors that would inhibit free access to District Lands.

#### SECTION 119- EQUESTRIAN ACCESS

The primary form of access into open space areas shall be via foot or horseback on equestrian trails. No person shall block, obstruct, or impede free access to, encroach upon, or construct anything whatsoever across or upon any equestrian trail or easement owned, operated or maintained by the District, including but not limited to those equestrian trails and equestrian easements as shown on the final subdivision map of Tract No. 2706 (Las Posas Hills), recorded on October 5, 1979, in Book 84, page 50 of Miscellaneous Records in the office of the Country Recorder of Ventura County, California and as amended in the Judgment recorded on March 22, 1993 bearing Instrument Number 93-065046. Vehicular access for an emergency vehicle or to deliver supplies to a permitted group may be authorized by the District unless prohibited by the above-referenced Judgment. Under such circumstances, one vehicle per area may be permitted. Entry by District vehicles, emergency vehicles, and vehicles of agencies and individuals holding easement or permits is authorized.

**ARTICLE II**  
**PARK REGULATIONS**

**SECTION 201- EXCEPTION**

This article does not apply to the operations of District-owned or operated vehicles or persons engaged in official District business.

**SECTION 202- VEHICLES AND PARKING**

Parking violations are a civil liability and will be subject to an administrative adjudication process as described in Section 106 of this Ordinance.

- a. Without written permission of the General Manager vehicles shall be operated on District Lands only on designated roadways.
- b. Park entrance or parking fee apply where designated and applicable: (a) No person or persons shall enter or remain on District property without having paid the established entrance and/or parking fees. All fees shall be paid at time of arrival either through the purchase of a daily parking permit or presentation of a current annual parking permit. The permit must be visible in the vehicle. (b) Anyone parking on District property pursuant to an overnight permit must show the permit to District staff and/or Park Ranger upon request.
- c. Without written permission of the General Manager vehicles shall not be parked on District property except within designated parking lot areas or within designated markings.
- d. Vehicles shall not be allowed on any grass areas unless the vehicle's owner receives prior written permission from the General Manager.
- e. Vehicles operated within the boundaries of public parks shall be driven at a careful and prudent speed not greater than is reasonable and proper with due regard for the traffic, surface, and width of the roads. In no event shall a vehicle be driven on park property at a speed greater than 15 miles per hour.
- f. Vehicles are subject to removal from District property under the following circumstances:
  1. When a vehicle is parked or left standing on District property when the park is closed to public use.
  2. When a vehicle is parked or left standing upon a roadway in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic upon the roadway.

3. When a vehicle is parked in a manner that completely or partially blocks the entrance to a driveway.
  4. When a vehicle is parked so as to prevent access by firefighting equipment to a fire hydrant or emergency service.
  5. When a vehicle is parked in any parking restricted zone.
  6. When a vehicle has been parked on District property for more than eighteen (18) consecutive hours without a valid permit.
- g. If an illegally parked vehicle is removed from District property as provided for in this section, the owner shall be liable for all fees, towing, and storage charges.
  - h. No vehicle maintenance may be performed on District property except for minor repairs needed to move a vehicle.
  - i. No vehicle shall be parked on District property after the closing time of the park or facility.
  - j. Disabled Persons Parking Zones
  - k. No Organized Group or person shall inhibit accessor charge a fee to access or park a vehicle at any District owned lands without the express written permission of the District Board 60 days prior to charging a fee or restricting access

It shall be unlawful for the operator of any vehicle other than a vehicle bearing a distinguishing license plate defined by the California State Vehicle Code to stop or park a vehicle in a parking zone identified as reserved for disabled or handicapped persons. The fine for this violation shall be as prescribed by the California Vehicle Code.

1. Improper display of placard. It shall be unlawful to fail to, or improperly display a handicap placard.
2. Space identification. Disabled persons parking shall be designated by blue striping to mark the stall and a profile view of a wheelchair printed within the stall or space as well as a sign with the same type of marking on it.

### **SECTION 203- RIGHT OF APPEAL**

As allowed under Section 110, an Applicant may appeal a decision of a District representative or the General Manager.

### **SECTION 204- VEHICULAR TRESPASS**

Vehicles shall not be operated or parked on any property of the District except on roadways and parking lot areas specifically constructed for vehicular traffic. Vehicle use is prohibited on fire breaks and fire protection roads and hiking and riding trails. An exception may be made for those vehicles which are authorized by the District for such use.

#### **SECTION 205- FIREARMS AND WEAPONS**

No person shall carry, possess, set, leave, or deposit, or cause to be fired, across, in, on, or into any portion of District Lands any weapon, gun or firearm, spear, missile, bow and arrow, crossbow, slingshot, trap or hunting device, air or gas weapon, paintball gun, ammunition, throwing knife or axe, martial arts throwing device, or any other weapon or device capable of injuring or killing any person or animal, or damaging property or natural resource, except at posted or authorized ranges and areas designated for such purposes. An exception to this regulation will be made for duly authorized law enforcement officials while acting in their capacity as law enforcement.

#### **SECTION 206- HUNTING**

Hunting, shooting, wounding, trapping, capturing, or killing animals on District property is prohibited.

#### **SECTION 207- VANDALISM**

It is unlawful for any person to damage, deface, cut, spray, paint, mark, scratch, write on, or otherwise deface or alter any natural feature, trees, fence, wall, building, sign, monument, or other property on District Lands. Persons causing vandalism, or parents of persons under the age of 18 causing vandalism, will be held liable and financially responsible for the full amount of damages, or the maximum amount allowed under the California Civil Code Sections 1714.1 and 1714.3. All provisions of the California Penal Code Section 594 and penalties thereunder are applicable.

#### **SECTION 208- THROWING MISSILES**

Throwing missiles, rocks, mud, sand, or any object that may cause bodily harm to others is prohibited on park property. Objects used in recreational activity are exempt from this section provided they are not used in an irresponsible and hazardous manner.

#### **SECTION 209- AMPLIFIED SOUND**

Without prior written permission, no person shall play or operate any sound or energy amplification devices, including radios, television sets, public address systems, musical instruments, or similar devices within District Lands.

#### **SECTION 210- GOLF**

No person shall drive, chip, or in any other manner play or practice golf, or hit balls on, over, or into District Lands.

#### **SECTION 211- MODEL CRAFT**

No person shall operate any motor driven model airplanes or rocketry, cars, boats, drones, or any other model craft of any kind or description on, over, or into any portion of District lands, except those models specifically geared for the RC track, which may only be used on the RC track, or by written permission of the General Manager.

#### **SECTION 212- AIRCRAFT/HUMAN FLIGHT**

Without the permission of the General Manager, no person shall land any aircraft on or take any aircraft off any area in the District, nor shall any person hang glide, parachute, or engage in any human flight on, over, or into District Lands.

#### **SECTION 213- OVERNIGHT CAMPING**

a. Definitions:

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this section.

1. *Camp* means to pitch or occupy camp facilities; to use camp paraphernalia.
  2. *Camp Facilities* include, but are not limited to, tents, huts, temporary shelters, trailers, motor homes, campers, or vehicles otherwise used for shelter.
  3. *Camp Paraphernalia* includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-District designated cooking facilities and similar equipment.
  4. *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- b. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on District property, except as otherwise provided in this section.
- c. House trailers, campers, or motor homes may not be used for overnight sleeping purposes on any District property, except as otherwise provided in this Article.
- d. It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia on any District property, except as otherwise provided for in this section.
- e. Camping is only permitted for District-hosted events with approval by the General Manager.

## **SECTION 214- FIREWORKS AND DANGEROUS OBJECTS**

No person shall possess, discharge, set off, or cause to be discharged, in or into any District Lands any firecrackers, torpedoes, rockets, fireworks, explosives, or substances harmful to the life and safety of persons or property. Exceptions may be made with written permission of the General Manager.

## **SECTION 215- NUDITY**

No person shall appear nude while in or on any District Lands or facilities, except in authorized areas set aside for that purpose by the District. Nudity shall be defined as codified in Title 14 California Code of Regulations section(s) 4322.

## **SECTION 216- WASHING**

No person shall wash dishes, clothing, garments, vehicles, or empty salt water or other waste liquids on District Lands other than in facilities expressly provided for such purposes.

No person shall swim, bathe, wade in, conduct personal hygiene (such as washing hair or body with or without soap, shampoo or similar personal hygiene products; shaving with or without shaving cream or similar personal hygiene products; oral care including using mouthwash or brushing teeth with or without toothpaste or similar personal hygiene products; cleaning any injury, wound, lesion, gash or abrasion in any manner with or without medical products, cleaning products or similar personal hygiene products; using any medical or other personal hygiene product to rid the body of lice or any disease, infection or growth), or pollute the water of any park restroom, fountain, stream, except at a place especially designated and provided for such purpose.

## **SECTION 217- HOURS OF USE**

All parks, recreation areas, green space and open space areas within the District boundaries are available for use by the general public unless otherwise posted or in accordance with District's General Use Policy. It shall be unlawful for any person, except those involved in District-sponsored programs or having valid permits, to enter or remain in any park, recreation area, green space or open space other than between those hours. Hours of use may vary due to maintenance, construction, watering, or other variables.

## **SECTION 218- FLORA AND TURF**

Removing or injuring any form of plant life on park property, including the removal of wood, turf, grass or plants, soil, rock, sand, and gravel is prohibited except by a duly authorized District employee in the performance of his/her duties or unless specifically authorized by the General Manager.

- a. It is unlawful for any person to injure or destroy any tree growing within the District boundaries by any means, including, but not limited to the following:



- a. Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn, or sidewalk.
- b. Posting any sign, poster, notice or other item on any tree, tree stake, or guard, or fastening any guy wire, cable, rope, nail, screw, or other device to any tree, tree stake, or guard without having first obtained a permit from the District.
- c. Causing any fire or burning near or around any tree or plant life

**SECTION 219- ARCHAEOLOGICAL FEATURES**

No person shall remove, injure, disfigure, deface, or destroy any object of paleontological, archaeological, or historical interest or value.

**SECTION 220- GEOLOGICAL FEATURES**

No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, minerals, rocks, or features of caves.

**SECTION 221- DOMESTIC ANIMALS**

- a. No person owning or having charge, care, custody, or control of any dog (or cat) shall cause, permit, or allow same to be or to run at large upon any lands, properties, or within facilities of the District unless such animal is securely fastened on a leash a not exceeding six feet in length and is held continuously in the care, custody, or control of a competent person. Pets not properly leashed may be impounded by Animal Control and the owner cited.
- b. No person shall walk with more than 4 dogs (or cats) at any given time
- c. The removal of feces of animals that defecate on park property shall be the responsibility of the owner or custodian of said animal.
- d. Horses, mules, goats, donkeys, or similar animals may be ridden or led under specified restrictions and in designated areas with the permission of the General Manager.
- e. No animal shall graze in any park except on property leased for such purpose.
- f. No animal shall be killed, harmed, or removed from any park unless by a District employee during the performance of his/her official duties, except when necessary to avoid bodily harm.
- g. Animals may be prohibited from specific parks at specific times or events at the discretion of the General Manager.

- h. Specific provisions of this section may be modified in specific instances with written permission of the General Manager.

### **SECTION 222- ALCOHOLIC BEVERAGES, INTOXICATED PERSONS, DANGEROUS DRUGS**

No person may be on District property while under the influence of intoxicating liquors or dangerous drugs as defined under California Vehicle Code, Section 23152(a) (b), as amended. Under specific circumstances, consumption of alcohol is permitted on District property as outlined in Sections 223 and 410 and 508.

### **SECTION 223- SALE OF ALCOHOLIC BEVERAGES**

A group desiring to sell or provide alcoholic beverages on District Lands must obtain a District-issued alcoholic beverage permit at the time of application for facility permit as contained in Articles IV and V herein. An alcoholic beverage permit shall be issued only to an individual of legal drinking age upon proof that adequate safeguards will be provided to prohibit consumption by minors and excessive consumption by adults. Security guards may be required as defined under Section 512. Alcohol is not permitted at any time if the primary purpose of an event or function is for minors, i.e., debuts, dances or birthday parties for participants under the age of 21 years. Alcoholic beverages may be present at an event for a maximum of four hours and the provision of alcohol must end a minimum of one hour prior to the end of the event.

To obtain an alcoholic beverage permit the Applicant must first secure all such permits or licenses required by other governmental agencies including but not limited to the State of California Alcoholic Beverage Control Board and the Ventura County Public Health Department. If a request for the alcoholic beverage permit is denied by the staff, provisions in Section 110, Right of Appeal, shall apply. The General Manager may stipulate additional conditions relating to the permitted use of alcoholic beverages as necessary for the protection of individuals and property.

### **SECTION 224- LITTER AND RUBBISH**

Depositing garbage, trash, or other refuse on park property other than in a receptacle provided therefore is prohibited. Throwing or leaving bottles, glass, or sharp pointed articles is prohibited. Throwing or disposing of wastepaper or combustible refuse in any place in a park other than in a receptacle maintained for that purpose is prohibited. It is unlawful to use any park receptacle for the depositing of garbage, trash, or other refuse not generated and/or used within the park boundaries.

### **SECTION 225- FIRES AND BARBEQUES IN DISTRICT PARKS**

Open fires and use of barbeques on District Lands space areas are prohibited except in designated areas. Briquettes are the only combustible material authorized for barbecue or brazier use. Wood fires are not permissible. It is the responsibility of every person igniting a fire in a District installed barbeque to completely extinguish it (dead out) before leaving the park.

Upon notice of park closure due to a fire hazard warning by the fire district, all reservations shall be cancelled and affected areas closed to the public.

#### **SECTION 226- DUMPING**

Dumping rocks, soil, grass clippings, branches, leaves, equipment, vehicles, furniture or accessories, or any other items or material on District Lands is prohibited without prior written approval of the General Manager.

#### **SECTION 227 - TRESPASSING**

Trespassing into areas designated "No Trespassing" is prohibited. This includes, but is not limited to, rooms in District buildings or structures, swimming pools during specific hours, fenced control areas such as storage areas, shop areas, holding areas, construction sites, and all posted areas.

#### **SECTION 228- PARK CLOSURE**

The General Manager may close a park area or recreation facility at any time when there is an apparent danger to the persons using the property, the property itself, or for any cause which could affect the safety and welfare of the public. This section may be enforced without the concurrence of those persons or organizations then using the property or facility.

#### **SECTION 229- ENTRY TO ACTIVITIES**

The General Manager may enter any reserved park area or recreation facility at any time to inspect the premises for safety, compliance of use, hazards, or in the course of normal duties.

#### **SECTION 230- UNLAWFUL ADVERTISING**

It shall be unlawful for any person to place or maintain any sign, banner, billboard, or advertisement on any District property without the Board's or General Manager's written permission.

It shall be unlawful for any person to paint or attach any sign or advertisement to or upon any District property.

Any sign, billboard, advertisement, defacement, or damage existing in violation of the provisions of this section will be removed immediately.

Exceptions to the provisions of this section shall be pre-approved by the General Manager.

#### **SECTION 231- USE OF DISTRICT VEHICLES AND EQUIPMENT BY NON-DISTRICT GROUPS**

District vehicles and equipment are provided for the express purpose of carrying out District functions. Requests received from groups or organizations for the use of District vehicles or equipment shall be made in writing to the District. Such requests may be granted by the General Manager provided that such use does not interfere with District operations.

### **SECTION 232- UNLAWFUL CONSTRUCTION**

No person shall erect, construct, install, or place any structure, building, shed, fence, trail, equipment, material, sign, banner, or apparatus of any type for any purpose on, below, over, or across District property, except by written permission from the General Manager, or designated representative, specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such an authorization.

### **SECTION 233- PUBLIC URINATION**

It is unlawful for any person to urinate or defecate in any public place except when using a urinal, toilet, or commode located in a bathroom, restroom, portable restroom, or other structure screened from public view.

### **SECTION 234- SKATEBOARD, IN-LINE SKATING AND ROLLER SKATING REGULATIONS**

With respect to any facility provided by the District for skateboarding, in-line skating, or roller skating:

- a. No person shall skateboard, in-line skate, or roller skate on or within District skating facilities without wearing a helmet, elbow and knee pads.
- b. Skateboarding, in-line skating, roller skating, scooters, bicycles or similar devices are permitted only at designated District facilities. Any device not specifically listed is prohibited.
- c. No smoking is permitted on District property. No alcohol is allowed within 50 feet, of any facility provided for skateboarding, in-line skating, or roller skating.
- d. No glass beverage containers or food are allowed within the skating facility.

Skateboarders, in-line skaters, and roller skaters shall at all times yield to pedestrians. No person shall skateboard, in-line skate, or roller skate in any area where signs are posted, or known to have been posted, prohibiting such activity.

### **SECTION 235- DOG PARK RULES AND REGULATIONS**

Properly licensed and tagged (i.e. ownership identification) dogs without vicious, dangerous, or aggressive propensities may be exercised without a leash in the designated

areas and at the designated times established by the District and subject to the following rules and regulations:

- a. Dog Park hours of operation are 7:00 a.m. to Dusk unless otherwise posted. The Dog Parks may be closed at the discretion of the General Manager.
- b. The Dog Park may be closed periodically during the year for special events and maintenance as needed.
- c. Enter at your own risk. Adults and children assume all risks associated with the off-leash Dog Park. No children under 16 are allowed without adult supervision. Small children must be within arm's reach of a supervising adult.
- d. Each dog must display a current license and be properly inoculated, healthy (no contagious conditions), and parasite-free. No dog that is sick, in heat, vicious, aggressive or has previously bitten any person is permitted in the off-leash area.
- e. Dogs are to be kept on a leash with a leash length not exceeding 6' when OUTSIDE the Dog Park fence at all times. Do not have your dog unleashed between your vehicle and gated entrance.
- f. Leash and unleash your dog inside the double-gated holding area, not inside the Dog Park.
- g. All dog owners must carry a leash, but no dogs shall be leashed once inside the park.
- h. No spiked collars or the like that have the potential of injuring another dog or person are permitted.
- i. Dogs left unattended at the Dog Park will be impounded with Animal Control. Close supervision of your dog is required. Close supervision means that the dog is within voice command range at all times. Failure to closely supervise dogs may result in the dog being banned for an appropriate period of time, as determined in the General Manager's sole discretion.
- j. Owners must clean up after their pets. If you see someone who forgets to clean up, please remind him/her to help keep the park clean.
- k. **AGGRESSIVE DOGS** must be removed from the Dog Park area **IMMEDIATELY WITHOUT DEBATE**. You are responsible for your actions and those of your dog. Aggressive dogs may be banned for appropriate periods of time, as determined in the General Manager's sole discretion. Aggressive dogs are defined as either potentially dangerous or vicious dogs as defined in the California Food and Agricultural Code Section 31602 and 31603. An aggressive dog is also defined as any dog that

is determined by the District to pose a threat to dogs or people by virtue of a single incident or history of unprovoked acts of aggression against people or animals. Violation of these provisions is an infraction.

- l. No air horns or bullhorns are allowed.
- m. No food of any kind is allowed inside the Dog Park, including people food.
- n. Three dogs per dog owner is the maximum allowed inside the Dog Park. Due to inability to closely supervise their dogs, owners may not have one or more dogs in the large dog section and one or more dogs in the small dog section, if so designated.
- o. No female dogs in heat or puppies under five months of age, due to their vulnerability to disease and injury, are allowed in a Dog Park.
- p. No grooming of dogs at a Dog Park.
- q. When leaving the park, please remove all tennis balls, toys, or other personal items or they will be discarded.
- r. The District reserves the right to designate certain parks with signage, as “off-leash” parks, allowing for dogs to run free without a leash.
- s. The entrance into an off-leash area within the District constitutes an agreement to comply with the rules contained in this section as well as all those regulations posted with respect to the use of such off-leash areas.
- t. The entrance into an off-leash area within the District constitutes an agreement to protect, indemnify, defend and hold harmless the District from any claim, injury or damage arising from or in connection with such use of District property.

#### **SECTION 236- DISORDERLY CONDUCT**

No person shall engage in boisterous, threatening, intimidating, abusive, insulting, discriminatory, profane or indecent language; threaten or engage in fighting or physical altercation or engage in any disorderly conduct or behavior tending to a breach of the peace and interfering with the enjoyment of other persons on the premises. Person(s) exhibiting these behaviors will be required to leave the premises immediately. The District reserves the right to refuse services and prohibit entry on District property.

#### **SECTION 237- TENNIS COURTS**

No person shall engage in any activity on tennis courts owned or operated by the District other than the playing of tennis and activities incidental to the playing of tennis. Private instruction for personal gain is expressly prohibited. Organized instruction is permitted only for classes/instruction/clinics approved by the District.

## **ARTICLE III**

### **PLEASANT VALLEY OPEN SPACE AREAS**

#### **SECTION 301- EXCLUSIVE USE**

District open spaces shall not be made available for exclusive use by any person, group, or organization.

#### **SECTION 302- ACCESS**

The primary form of access into open space areas shall be by foot traffic or horseback on assigned equestrian trails. No person shall block, obstruct, impede free access to, encroach upon, or construct anything whatsoever across or upon any equestrian trail or easement owned or operated by the District. Vehicular access to serve as an emergency vehicle may be authorized. Under such circumstances, one vehicle per area may be permitted. Entry by District vehicles, emergency vehicles, and vehicles of agencies and individuals holding easement or permits is authorized.

Persons entering District Lands owned, managed, and controlled by the District may remain as long as they abide by these regulations, applicable laws of the State of California; applicable ordinances of the County of Ventura and City of Camarillo; and lawful instructions of authorized employees of the District. Failure to leave District Lands when requested to do so by an authorized employee of the District for violation of any of these regulations is a further violation of these regulations.

#### **SECTION 303- OPENING AND CLOSING TIMES**

Open space areas and equestrian trails will be available to the general public as otherwise posted or in accordance with District's General Use Policy.

#### **SECTION 304- APPLICATION FOR USE**

Applications to reserve areas of park and green space areas will be processed in accordance with District procedures established in this Ordinance.

#### **SECTION 305- FIRES AND SMOKING IN DISTRICT OPEN SPACE**

In addition to the regulations in Section 225, the following policies shall apply to all District open space:

- a. Briquettes shall be the only permitted fuel for District installed barbecues; wood is prohibited. It shall be the responsibility of every person igniting a fire in a District installed barbecues pit to completely extinguish it (dead out). All open fires are prohibited.
  1. Only District installed barbecues are allowed on District Lands.



- b. Smoking of tobacco and marijuana is prohibited on all District Lands.

### **SECTION 306- GROUP USE**

Reservations are required for use of District Lands by organized groups in accordance with District procedures established in this document.

### **SECTION 307- OFF TRAILS**

Unauthorized travel off designated trails is prohibited.

### **SECTION 308- CLOSURE/TRESPASS**

Any and all open space areas are subject to closure when deemed necessary by the General Manager (inclusive of all Park Patrol staff), to protect public safety and/or protect the resources from damage or threat of damage. Any violation will constitute civil trespass.

### **SECTION 309- BICYCLES**

Bicycles shall be allowed in parks and open space areas under the following restrictions:

- a. Bicycles must stay on designated bike paths and roadways.
- b. No person shall operate a bicycle in a reckless or negligent manner so as to endanger public property, or the life, limb, or property of any person or animal. A reasonable and prudent speed limit will be observed.
- c. Bicyclists must yield when meeting pedestrians. "Yield" means slow down, establishes communication, be prepared to stop, and/or move aside to allow other users to pass, and pass safely.
- d. No person shall possess or operate a bicycle or similar device in open space or on District land in areas designated or signed to restrict such activity.
- e. All state and local regulations regarding helmet use, for minors or adults, shall be followed.

### **SECTION 310- VEHICLES**

No vehicle may be operated or parked on any open space lands except where specifically permitted unless authorized by the District for such use.

### **SECTION 311- NATURE PRESERVES**

The District has the authority to designate an area as a "nature preserve" to protect the resources and/or flora and fauna. Entrance to such an area shall be prohibited, except with written permission for the purposes of scientific study, a docent-led hike, or other authorized activities. These areas may be posted as "no trespassing." Alcohol is prohibited in "Nature Preserves."

**ARTICLE IV**  
**REGULATIONS GOVERNING THE USE OF RECREATION**  
**BUILDINGS,**  
**ATHLETIC FIELDS, SPORTS PARKS/COMPLEXES,**  
**AND PICNIC AREAS**

**SECTION 401- USE OF RECREATION BUILDINGS, ATHLETIC**  
**FIELDS, SPORTS PARKS/COMPLEXES, AND PICNIC AREAS**

Recreation centers, reservable picnic areas, athletic fields within the District's community parks, are available for the use of persons and groups subject to the issuance of a permit and payment of fees therefore. All applications for use shall be made in accordance with Section 109 and must be signed by an adult, who shall agree to be responsible for said use. No use permit shall be granted if there is a conflict with a prior reservation or a District-sponsored event. Appeal of a decision may be made in accordance with Section 110 herein. Use of District facilities is subject to the rules and regulations established in District's GENERAL USE POLICY.

Any request that will place a major impact on a given facility, as determined by the General Manager, will be subject to Board approval. All requests are subject to the District priority-ranking classification (Section 406) and fee schedule (Section 502). The General Manager reserves the right to cancel a permit with 30 days written notice.

Applications are immediately revocable and all deposits forfeited if false statements are made in reserving a facility, or if the individual or group violates any rule or regulation established by the District, or any other applicable law or regulation. Applicants shall be responsible for the condition in which they leave District premises. If District property has been damaged or abused beyond normal wear, the Applicants shall be responsible for the reasonable costs to replace, repair, or clean such property. Any individual, organization, or group that is responsible for damages to the District's facilities shall pay for all such charges as determined by the District. No individual, group, or organization owing any outstanding debts or obligations to the District shall be permitted to use District facilities until such debts are paid.

District personnel will open, close, and supervise the use of the buildings and, when required, monitor the use of the grounds.

**SECTION 402- APPLICATION FOR USE AND SCHEDULING**

Applications for use shall be made in accordance with Sections 109-114. Exceptions will be based on event size, type, and location requested. Exception requests may be waived if requests for waiver are submitted in writing and require the General Manager's approval.

### **SECTION 403- EXTENDED USAGE**

Facility usage may be granted for a maximum period of six months. Requests for facility usage exceeding six months require the General Manager's approval. Scheduled groups may be subject to cancellation on 30 days' written notice or when a determination is made in accordance with Section 109. When cancellation is necessary, the District will attempt to relocate the activity.

### **SECTION 404- HOURS**

Buildings, park areas, and athletic facilities are available for individual and group use during normally scheduled hours (dawn to dusk unless otherwise posted) of operations pursuant to the District's General Use Policy. Sports parks and complexes equipped with field lighting can be utilized until 10 p.m. with a permit. Exceptions are subject to General Manager for approval.

### **SECTION 405- RENTAL PERIODS**

Minimum building rental periods are two or four hour increments depending on facility. The time indicated on the application will reflect the actual facility use time, which includes setup and cleanup. Charges for additional time beyond the two or four hour block will be based on an hourly rate. Exceptions are subject to General Manager approval.

### **SECTION 406- PRIORITY OF USE**

Use of facilities is based on when the application is received, rental availability, and priority ranking. Groups ranked at a low priority may be subject to rescheduling with 30 days' written notice. In that case, the District will attempt to relocate the group to another District facility.

Group priority rating shall be as defined in Section 504:

- a. Class 0- District activities
- b. Class 1- Community Service Organization
- c. Class 2 - Resident Organization
- d. Class 3- In-District Resident
- e. Class 4- Out of District or Non-Resident

### **SECTION 407- DAMAGE TO DISTRICT PROPERTY**

Individuals or groups causing damage or excessive wear and tear to any building, turf, grounds, fixtures, furniture, or appurtenances shall be required to reimburse the District for all costs involved to clean, repair, restore, or replace the building, grounds, fixtures,

furniture, or appurtenances to the original conditions. The individual and/or group may be removed and/or banned from future use of facilities.

#### **SECTION 408- USE OF RESERVABLE PICNIC AREAS**

Certain areas within the District's community parks may be reserved for picnics by persons or groups. All applications must be signed by an adult who shall agree to be responsible for said use. No use permit shall be granted if, at the time of application, there is a conflict with a prior reservation or a District-sponsored event taking place at the same time and place. No use permit shall be granted for reservable picnic areas outside normally scheduled hours of operations pursuant to the District's General Use Policy, unless the park has appropriate lighting.

An organized group (25 or more) must obtain a permit for all reservable picnic areas. Groups that have less people than an organized group may use any designated reservable or non-reservable area of any park on a first-come, first-served basis, however, such groups must vacate any reservable area at the time a permit group arrives. Neighborhood parks may be non-reservable. Individual picnic tables are available on a first-come, first-served basis in all non-reservable areas (Section 113.)

#### **SECTION 409- PROHIBITION ON USE OF TOBACCO- OR MARIJUANA-RELATED PRODUCTS**

No smoking of any kind on District property to include all tobacco- and marijuana-related products and all forms of electronic smoking devices, and other vaporizing products.

#### **SECTION 410-ALCOHOL IN RECREATION BUILDINGS AND PARKS**

The sale, serving, or consumption of alcohol is prohibited in a District building except by a group receiving all necessary permits, insurance and paying all applicable fees.

Alcohol may not be possessed or consumed on District parks and facilities unless allowed by a permit issued by the District. The sale or serving of alcohol is not permitted in parks except by a group receiving all necessary permits have been approved and paying all applicable fees. The sale or serving of alcohol is prohibited at all sporting and youth events except as approved by the General Manager.

#### **SECTION 411- USE OF RESERVABLE ATHLETIC FIELDS**

Certain athletic fields may be reserved for use of persons and groups. All applications for use must be signed by an adult over 18 years of age who shall agree to be responsible for said use. No use permit shall be granted if, at the time of application, there is a conflict with a District-sponsored event taking place or a prior reservation at the same time and place. No use permit shall be granted for the use of any reservable field before 8:00 a.m., or as determined by the General Manager, or beyond sunset unless the field has appropriate lighting.

- a. No person shall engage in any activity on an athletic field owned or operated by the District other than the playing of specific activities for the designated fields.
- b. Private instruction for personal gain is expressly prohibited.
- c. Organized instruction is permitted only for classes/instruction/clinics approved by the District.

#### **SECTION 412- USE OF SPORTS PARKS/COMPLEXES**

Sports parks/complexes in the District are the following: Pleasant Valley Fields, Bob Kildee Park, Freedom Park, and Mission Oaks Park. These are complexes of 10 acres or more in size primarily used for competitive activities which, through casual or organized participation, provide competition and have governing bodies.

A permit is required for the use of these facilities by any organized group.

#### **SECTION 413 - EXCLUSION FROM DISTRICT AREAS AND FACILITIES**

In the interest of public health, safety, and welfare, it may be necessary to exclude persons or groups from District areas and/or facilities. Such action may be taken by a designated representative of the General Manager, subject to appeal to an Administrative Hearing with the General Manager.

Any person who has been excluded from District areas and/or facilities pursuant to this section, who enters upon the District areas and/or facilities during the period of the exclusion without the written permission of a designated representative, is guilty of a misdemeanor.

## ARTICLE V

### FEES AND DEPOSITS

#### SECTION 501- PURPOSE

Fees and charges may be levied to offset District expenses incurred in providing services.

#### SECTION 502- FEES

The District's Board of Directors shall establish reasonable fees for the use of District property. Full payment is due 30 days prior to the use date. Fees will be reviewed annually.

#### SECTION 503- BASIC RATE

##### Building

During normal hours of operation of facilities as defined in Section 404, rates will include the use of rooms, chairs, tables, setup, and cleanup. The following services are also available for an additional fee: security, custodial service, and other services identified in advance of permittee's use as set forth in the District's General Use Policy. Use at a time when the facility is normally closed will result in the assessment of additional fees.

##### Athletic Facilities

During normal hours of operation, basic rates include the following:

- a. Use of the athletic fields and supporting structures.
- b. Use of onsite restrooms.
- c. Basic turf management such as watering, mowing, and edging fields.
- d. Staffing costs.

Basic rates do not include:

- a. Diamond preparation and ball field lining.
- b. Lighting.
- c. Removal or installation of athletic field equipment (bases, pitcher's mound, goals, etc.) and special location of base anchors, goals, bleachers, or other equipment.
- d. Sporting equipment such as balls, nets, gloves, etc.

- e. Cleaning of the area following the event.

Picnic Areas

During normal hours of operation as set forth in the District's General Use Policy, rates include picnic tables and barbecues, if available, and outdoor restrooms. Rates do not include supervision or special setup of tables. Outside items, i.e., tables, chairs, and barbecues etc. are not permitted without approval by the General Manager.

**SECTION 504- CLASSIFICATION OF FACILITY USES AND FEE CHARGES**

Class 1

- a. For a recognized District Community Service Organization as approved by the District's Board of Directors, fees are subject to the individual group's Memorandum of Understanding (MOU) with the District.

Class 2 - Half of Basic Rate (50%)

- a. Resident Organization

Local school districts, government agencies, and non-profit organizations may have fees waived for reciprocal services as approved by the General Manager.

Class 3 - Full Basic Rate (100%)

- a. In-District Resident
- b. Individuals, groups, and organizations that hold private functions
- c. Any individual or group reserving Fridays and Saturdays

Class 4 - Full Basic Rate plus 25 Percent (125%)

- a. Out of District
- b. Non-resident

**SECTION 505- ADDITIONAL CHARGES OVER BASIC RATE**

Additional charges will be levied over basic rates as defined in Section 503 and as set forth in the District's General Use Policy under the following conditions:

- a. When extraordinary use requires field renovation or rehabilitation.
- b. All non-residents will pay a 25 % additional fee.



- c. An additional fee is required when alcohol will be served or sold at a function.
- d. Additional administrative fees may be charged on all applicant-initiated changes, including cancellations.
- e. The District may require security guards for certain events or functions at an additional fee. The District will make the arrangements with an approved vendor.
- f. When a facility is not normally open and recreation staff or custodian is required to be on duty additional fees accrue. The minimum hourly coverage for custodian is two hours.
- g. When recreation staff is needed for facility control additional fees accrue.
- h. When ball field lights or other special equipment are required additional fees accrue.
- i. When facility damage and/or liability insurance fees are required additional fees accrue.
- j. Outdoor facilities including picnic shelters and sporting facilities may be subject to additional fees required for dumpsters and portable toilets to accommodate groups of people that exceed a facility's maximum occupancy.
- k. The determination of requirements for additional personnel and associated charges thereof shall be made by the General Manager or designee.

**SECTION 506- REFUNDABLE DEPOSITS AND CANCELLATION  
REFUND POLICY**

The application fee is non-refundable. Cancellations must be made through the District office no later than days prior to the use date to qualify for a refund of other paid rental fees minus the non-refundable application fee.

Cancellations must be made through the District office no later than 30 days prior to the use date to qualify for a refund of rental fees paid, less the non-refundable application fee. Additional fees may apply for "no shows".

**SECTION 507- PAYMENT OF DEPOSITS AND FEES**

The park, field, or facility is reserved only when a completed Application is accepted and approved by the District office after applicable fees are paid.

A payment equal to 50% of the total applicable fees must be paid at the time the application is approved by the District, as set forth in the District's General Use Policy. If the

reservation is made 30 days or less prior to the event, full payment is due at time of application.

### **SECTION 508- ALCOHOL PERMITS**

A State Alcohol Beverage Control Board permit is required when alcoholic beverages are sold. Such permit shall be obtained by the group using the facility and filed with the District.

### **SECTION 509- SETUP**

The District will perform setup and breakdown unless otherwise stated in the application. Basic cleanup, including placing all trash in bins provided, will be the responsibility of the group utilizing the facility. When District personnel are required for setup, finalized setup instructions must be submitted a minimum of 15 business days prior to the event date or additional fees may apply.

### **SECTION 510- DECORATIONS**

When decorations are to be used, prior approval shall be obtained by the user from the District's Parks Services Manager. No duct tape, tacks, nails or glue are allowed on any walls, columns, counter or floor surface. Use of blue painters tape is allowed, with full removal at the end of the event. If confetti is used at the event, all evidence of use must be removed. Use of lighted candles or any other open or enclosed flame is prohibited.

### **SECTION 511- SECURITY**

To ensure proper use and control of facilities and equipment, security may be required under the following circumstances:

- a. If an event places a major impact on the facility as determined in the General Manager's sole discretion.
- b. When alcohol is being served, sold, or consumed.
- c. When additional precautions are deemed necessary due to the nature of the event as determined in the General Manager's sole discretion.

The District will arrange for any required security guards at the event at the Applicant's cost.

If security is required, security guards must begin their shift a ½ hour before the scheduled event starts and remain on duty for a ½ hour after the event is scheduled to end and must stay until all attendees have left.

When security is required by the District or requested by the Applicant, the application requires approval by the General Manager.

#### **SECTION 512- WAIVERS**

The requirements in this Article V may be waived if requests for waiver are submitted in writing and require the General Manager's approval.

#### **SECTION 513- FILMING**

A filming permit and application must be approved prior to filming taking place. Individuals engaged in the making of movies, still photography, or television films for commercial purposes shall observe the following procedures. Permission to film on District property pursuant to this section may be granted by the General Manager as set forth in the District's General Use Policy.

#### **SECTION 514- LIABILITY INSURANCE**

A certificate of insurance evidencing required coverage amounts and additional requirements as set forth in the District's General Use Policy and naming the District, its elected officials, officers, and employees as an additional insured must be submitted 5 working days prior to date of building use by any group for commercial purposes, and by any group conducting an event where there is a major impact for any event scheduled more than 5 days in advance. The amount of liability insurance required shall be determined by the District.

#### **SECTION 515- PARKING FEES**

District parking facilities are typically available to patrons at no charge, however, in select situations, the General Manager with approval by the Board of Directors may establish parking fees. The General Manager is authorized to determine when that fee shall be implemented.

Vehicles entering Camarillo Grove Park must pay a parking fee by purchasing a daily or annual pass.

**ARTICLE VI**

**GENERAL**

**SECTION 601—REPEAL OF PRIOR VERSIONS OF ORDINANCE NO. 8**

This Ordinance repeals and supersedes any prior versions of Ordinance No. 8, which are no longer of any force or effect.

**SECTION 602—EFFECTIVE DATE**

This Ordinance shall be effective 30 days after its adoption by the District Board of Directors.

**SECTION 603—PUBLICATION AND POSTING**

The Board's Clerk shall certify to the passage of this Ordinance and cause the same to be posted and published in accordance with law.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Neal Dixon, Chairperson

Board of Directors

ATTEST:

\_\_\_\_\_  
Bob Kelley, Secretary

Board of Directors

Certificate of  
Publication

RECEIVED

SEP 21 2017

Ad #1755310

BY: \_\_\_\_\_

In Matter of Publication of:

Public Notice

State of California)

)§

County of Ventura)

I, **Maria Rodriguez**, hereby certify that the **Ventura County Star Newspaper** has been adjudged a newspaper of general circulation by the Superior Court of California, County of Ventura within the provisions of the Government Code of the State of California, printed in the City of Irwindale, for circulation in the County of Ventura, State of California; that I am a clerk of the printer of said paper; that the annexed clipping is a true printed copy and publishing in said newspaper on the following dates to wit:

Sept. 19, 2017

I, Maria Rodriguez certify under penalty of perjury, that the foregoing is true and correct.

Dated this Sept. 19, 2017; in Camarillo, California, County of Ventura.



**Maria Rodriguez**  
(Signature)

**PUBLIC NOTICE OF PROPOSED ORDINANCE OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT GOVERNING USE OF PARKS, RECREATION AREAS AND FACILITIES**

NOTICE IS HEREBY GIVEN that the Pleasant Valley Recreation and Park District (District) at 6:00 p.m. on October 4th, 2017, the Board of Directors of the Pleasant Valley Recreation and Park District will hold a public hearing in the City Hall Council Chambers, 601 Carmen Drive, Camarillo, CA 93010, to consider an ordinance updating the District's rules and regulations governing the activities and uses of the District's facilities. The full text of the proposed ordinance is available from review Monday through Friday 8:00 a.m. to 5:00 p.m. at the District's office located at 1605 East Burnley Street, Camarillo, CA. Any grounds for opposing this ordinance must be stated or submitted in writing before or at the time of the hearing. If you challenge this matter in court, you may be limited to raising only those issues that you or someone else raised during the hearing. You may contact Mitchell Cameron for further information regarding this matter at (805) 586-9123  
Publish: Sept. 19, 2017 Ad No.1755310

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Lanny Binney, Recreation Supervisor**

**DATE: October 4, 2017**

**SUBJECT: TWO YEAR COMMUNITY SERVICE GROUP  
AGREEMENT BETWEEN THE DISTRICT AND  
COMMUNITY SERVICE GROUPS**

**RECOMMENDATION**

It is recommended the Board approve the updated two-year Agreement between the District and Community Service Groups.

**BACKGROUND**

In 2008, the Board of Directors approved a one-year agreement between the District and seven Community Service Groups (Camarillo Eagles Soccer Club, American Youth Soccer Organization, Camarillo Pony Baseball, Camarillo Girls Softball, Camarillo Youth Basketball, Cosmos Track Club and Cougars Football) with a generic boilerplate agreement for all groups. This agreement was to provide clear criteria and gather information regarding the various groups as well as provide a checklist of items that each organization would need to provide to the District. There were approximately 19 items for the group to review and initial to be considered a Community Service Group. The agreement was renewed on an annual basis if the group complied with all the terms and conditions as stated in said agreement. The Recreation Services Department, specifically the Sports Division, handled the renewal of the agreements based upon the terms outlined in the agreement and the annual presentation to the Board of Directors. The agreement was then signed by the organization's president and the District's general manager.

Since 2008, the District has expanded sports facilities to include Pleasant Valley Fields (2010) and the renovation at Freedom Park (2013). With the addition of Pleasant Valley Fields, the District also developed a Concession Agreement that was signed by the Eagles Soccer Club in 2010.

Over the years additional agreements/rules have been developed and discussed with each group, but have not been included in the annual community service group agreement.

**ANALYSIS**

Due to the outdated annual agreements, changes in Ordinance 8 and direction from the Board, staff was tasked with updating these agreements. The updated document contains language from the original agreement and new language that outlines the following areas: 1) Field/Facility Use, 2) Insurance, 3) Safety, 4) Coaches and Volunteers, 5) Financial Contributions, 6) Advertising, 7) Programming, and 8) Administrative along with six attachments (Attachments A-F).

The District's Policy Committee met in May and August to provide staff direction for changes to the Community Service Group Agreements regarding the following items:

1. Field/Facility Use:

- a. The Community Service Group must submit a permit for a sports field/park to reserve for games, practices, trainings, tournaments, friendlies/scrimmage, and/or special events.
- b. No oversized or personal vehicle shall be driven or parked on District playfields, grass areas or infields without the express written consent of District staff.

2. Insurance:

Organization must provide District with proof of one million dollar (\$1,000,000) commercial general liability insurance policy (CGL) on an "occurrence" basis. Pleasant Valley Recreation and Park District, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Organization. Proof of additional insured should be provided by endorsement to the Organization's CGL policy. This signed or stamped original endorsement shall be provided to the Pleasant Valley Recreation and Park District, 1605 E. Burnley, Camarillo, CA 93010 no later than 30 days prior to start of season (or as requested per District requirements).

- a. If Community Service Group stores equipment or materials on District property or within District facilities, the group shall provide evidence of renter's insurance to the District evidencing coverage in an amount not less than the replacement value of the equipment/materials so stored.
- b. Storage areas per group
  1. PV Fields Storage middle and east (AYSO)
  2. PV Fields Storage middle (Eagles)
  3. Bob Kildee Park 6 Storage Containers and area in Aquatic Center (CPBA)
  4. Freedom Park Sheds – 2 by Field 2 and Field 4 (CPBA)
  5. Liberty Building (CPBA)
  6. Mission Oaks Park Storage near Field 1 (CGSA)
  7. Mobile Snack Bar Trailer at Freedom Pool Parking Lot (Cougars)

3. Safety:

- a. Shall complete an Accident/Incident report for any participants, spectators, volunteers, umpires, referees or paid staff that may reflect in any claims against the District. The District requires a copy of the completed form within 72 hours of the accident/incident or within 72 hours of when the organizational volunteer and/or staff is first alerted.
- b. AB 2007 compliance required "[a] youth sports organization that elects to offer an athletic program" to comply with all of the following: (located in Attachment C – AB 2007 Concussions and other head injuries of this Agreement). A letter must be submitted each year to the District that the organization has complied.

4. Annual Financial Contributions:

- a. Community Service Group agrees to pay a lump sum of \$\_\_\_\_\_ annually for the duration of this agreement. This annual contribution will be reviewed annually and is subject to increases. Contributions based on but not limited to: field usage and/or maintenance, utilities, storage, etc. (to be determined with direction from GM/Board of Directors).



5. Advertising:
  - a. All banners must meet District Ordinances as well as Municipal codes.
6. Programming:
7. Administrative:
  - a. Community Service Group shall be financially audited/reviewed by an independent party approved by a Certified Public Accountant (CPA) or the organization's governing body. This financial audit/review shall be presented at an annual District Board Meeting.
  - b. Organization shall submit a copy of non-profit status, or tax filing status, such as ESCORP, LLC, etc. to District staff upon renewal of this agreement.

Any items not specifically mentioned will be governed by Ordinance 8 and the General Use Policy.

The attachments are identified as:

Attachment A - The Field Use Schedule allows the organizations to utilize District facilities, but still allows the community access to use other parks.

Attachment B - The Field Lining Policy has been in place since 2010 when Pleasant Valley Fields was established to keep consistency of lines between AYSO and Eagles, but also applies to any organization that utilizes lined fields.

Attachment C – AB 2007 Concussions or other head injuries is a State of California law enacted in 2016 that protects participants under the age of 18 from further play if a head injury occurs. On a yearly basis each organization must provide injury information to each athlete, offer injury education to all administrators and coaches and complete either online or in person the process set within the law.

Attachment D – Approximate Field Closure Dates which notify presidents or directors of the periods in which the District will close fields and facilities for rest and/or renovation.

Attachment E – Snack Bar Agreement will be used for those specific groups that utilize a District owned facility for the purpose of concessions. The agreement will be made between the District and the specific snack bar in which the Community Service Group runs and operates. Each snack bar must have a designated person that has completed an EHD-TFF food safety course to run the snack bar.

Attachment F – A copy of the District Accident Report will be attached.

In addition, the updated agreement identifies the term as two years, with a one-year renewal, or whenever a president terms out or if the organization changes the scope of their service.

### **FISCAL IMPACT**

There currently is no fiscal impact at this time however, there could be a fiscal impact depending on the finalization of the Community Service Agreements.

### **RECOMMENDATION**

It is recommended the Board approve the updated two-year Agreement between the District and Community Service Groups.

### **ATTACHMENTS**

- 1) Agreement between District and the Community Service Groups (2017 version) (17 pages)
- 2) Agreement between District and the Community Service Groups (2008 version) (3 pages)

**Pleasant Valley Recreation and Park District  
Community Service Group Agreement  
(Name of Organization)**

**Introduction**

In consideration of its designation as a **Community Service Group** by the **Pleasant Valley Recreation and Park District (District)**, the **Community Service Group (also known as Organization)** during the term of this agreement agrees to comply with all of the requirements herein. Renewal of this agreement is at the sole discretion of the **District** beginning on the date this agreement is signed by the president and vice-president of **Community Service Group**.

**TERM:** The term of this agreement shall be for a two (2) year agreement starting on \_\_\_\_\_ and ending on \_\_\_\_\_. A one-year renewal may be renewed should the **Organization** state in writing, at least 90 days prior to expiration that it wishes to continue with no changes to the agreement. At any time should the nature or scope of the **Community Service Group** change, or the President or designee change, a new **Community Service Group Agreement** must be renewed and signed by the **District**.

**Field/Facility Use**

1. **Organization** understands that all field/facility reservations are for the sport fields/facilities during regular season practice and games. Games shall be played at \_\_\_\_\_. Additional tournaments, events or post season practice and play need to be proposed at the Calendar Meeting and approved, in writing, at least one month prior to the event by the **District**. **Community Service Group** will be allowed reserved use of **District** facilities, as outlined in **Attachment A - Field Use Schedule**. An Application for Permit for a sports field must be received by the **District** Sports Supervisor or designee to reserve a sports complex or park for games, practices, trainings, tournaments, friendlies/scrimmage, and/or special events. Facilities and fields may be closed for rest and renovation at various times throughout the year. These closure periods will be announced during the Calendar Meeting and can be seen in **Attachment D - Approximate Field Closure Dates**.
2. **District** reserves the right to cancel or suspend outdoor facility or field use permits for games, practices and other uses whenever field conditions could result in injury to players or damage to the fields. Permits may also be cancelled when the health and safety of participants are threatened due to impending conditions, including but not limited to heavy rains, smog alerts, fire, emergency situations and wind or pesticide application.
3. **District** has the right to cancel, change or postpone any of the scheduled dates; the **District** will work to give the **Organization** 72-hour notice. However, every effort will be made to adhere to the scheduled dates and times. All games and practices shall take place between the hours of 8:00AM and 10:00PM, unless approved by **District** with prior written approval.

4. The **District** will recognize the following Winter Rules from (late November – early March). These “winter” rules will be as follows: 1. Turf/tennis shoes must be worn for all practices for ages of U12 and above at PV Fields soccer fields. 2. Tournaments take precedence over practice in terms of playability during the winter period. 3. Tournaments take precedence over league play in terms of scheduling.
5. **Community Service Group** shall enforce that referees wear turf shoes and perform reverse diagonal assignments to assist with minimizing wear patterns on the turf at Pleasant Valley Fields. During the course of the fall season, the **Organization** shall pinch or widen the field lines to help eliminate the referee Assistant/Referee (A/R) lines. The times to do this can be worked out with the **District Sports Supervisor** or designee. (See Attachment B – Field Lining Policies).
6. **Organization** agrees to clean up debris/trash in and around the reserved facility on a daily basis. **District** shall charge the **Organization** the established hourly rate of a **District** staff or designee for cleanup of debris found to be in excess of normal usage.
7. **District** shall prepare all fields into playable condition for tournaments and/or seasonal play. **Organization** shall be responsible for: limited field maintenance, such as dragging, watering, field lining, etc., for the duration of this agreement, unless otherwise specified in writing. Any additional field maintenance issues requested by the **Organization** which may include but may not be limited to field renovations, soil additions, portable fences, storage areas, mowing, fence repair, moving of **District** property, etc. must be submitted in writing with a 30 to 60-day notice, to **District General Manager**. **Organization** will be charged the cost of labor and materials.
8. No oversized or personal vehicle shall be driven or parked on **District** playfields, grass areas or infields without the express written consent of **District** staff.
9. **District** facilities are intended for use by the entire community and although the **Organization** is being granted reserved use of designated facilities for practices and games. It must be understood that cooperative use of **District** facilities by the **Organization, District Sponsored Programs** and the community is expected.
10. It is **MANDATORY** that Field Coordinators, the President, Vice-President or any other significant/essential members of the **Organization** meet with the **District Sports Supervisor** or designee at least once, or as needed for a Calendar Meeting to plan the use of the facilities for the upcoming season/year. Failure to attend annual calendar meeting may result in loss of field/facility space.

11. At no time, shall the **Organization** sublet **District** property for monetary gain, or use for bargaining, trade for services, or other agreements with outside user groups.
12. An **Organization** that operates a Snack Bar shall comply with **Attachment E – Snack Bar Agreement**.
13. **Community Service Group** may reserve **District** classrooms or facilities with no charge at the following locations: Pleasant Valley Fields East Meeting Room and Skyway Room at Freedom Park. Reservations taking place at a different location will be charged at the **Community Service Group Rate** as outlined in the **District's** Fee Schedule. Cancellations with less than 24 hours' notice, and late reservations (less than 72 hours' notice) may result in a \$25 penalty to be billed to the **Organization**.

### **Insurance**

14. **Organization** must provide **District** with proof of one million dollar (\$1,000,000) commercial general liability insurance policy (CGL) on an "occurrence" basis. Pleasant Valley Recreation and Park District, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the **Organization**. Proof of additional insured should be provided by endorsement to the **Organization's** CGL policy. This signed or stamped original endorsement shall be provided to the **Pleasant Valley Recreation and Park District, 1605 E. Burnley, Camarillo, CA 93010** no later than 30 days prior to start of season (or as requested per **District** requirements).
  - a. If **Community Service Group** stores equipment or materials on **District** property or within **District** facilities, the group shall provide evidence of renter's insurance to the **District** evidencing coverage in an amount not less than the replacement value of the equipment/materials so stored.
  - b. Storage areas are listed per group
    1. PV Fields Storage middle and east (AYSO)
    2. PV Fields Storage middle (Eagles)
    3. Bob Kildee Park 6 Storage Containers and area in Aquatic Center (CPBA)
    4. Freedom Park Sheds – 2 by Field 2 and Field 4 (CPBA)
    5. Liberty Building (CPBA)
    6. Mission Oaks Park Storage near Field 1 (CGSA)
    7. Mobile Snack Bar Trailer at Freedom Pool Parking Lot (Cougars)

### **Safety**

15. **Organization** shall complete an Accident/Incident report for any participants, spectators, volunteers, umpires, referees or paid staff that may reflect in any claims against the **District**. The **District** requires a copy of the completed form

within 72 hours of the accident/incident or within 72 hours of when the organizational volunteer and/or staff is first alerted.

16. **Community Service Group** agrees to notify **District** of any facility damage, repairs needed, injuries or accidents, vandalism, suspicious activity, etc., within 24 hours. Emergency issues may be called in to the **District** and followed up in writing.
17. Concession sales by outside vendors or proprietors on any park facility hosted by **Community Service Group**, or other sub-contractor, must be approved in advance by **District** General Manager or designee. Concessions must meet all **District, City of Camarillo, and Ventura County Health Department** licensing, liability and safety codes. Vendors with electrical cords must have them covered. Vendors with generators must place on non-flammable protective surfacing to contain all spills and also protect from damaging **District** property.
18. **Organization** shall develop and implement an Incident Weather and Emergency Action Plan that gives directions to **Community Service Group** officials, parents, umpires and players what to do during a storm, natural disaster or situation that may put some or all individuals in harm's way. These documents shall be given to the **District** on an annual basis or each time this agreement is renewed as a reference to have on file.
19. AB 2007 compliance required "[a] youth sports organization that elects to offer an athletic program" to comply with all of the following: (located in **Attachment C – AB 2007 Concussions and other head injuries** of this Agreement). A letter must be submitted each year to the **District** that the **Organization** has complied.

### COACHES AND VOLUNTEERS

20. **Organization** must fingerprint and/or perform adequate background screening for all coaches/volunteers associated with the **Organization**. **Organization** shall provide the **District** with a letter on an annual basis stating they comply with performing a screening process. (*LiveScan*, as an example, but not limited to).
21. The **Organization** is responsible for patrol, control and supervision of spectators and participants at **Community Service Group** events, including making sure park rules and regulations are adhered to. Failure of league officials to control parents, volunteers, participants and visitors is sufficient reason to cancel, at any time, approved use of **District** facilities by **Community Service Group**.

### ANNUAL FINANCIAL CONTRIBUTIONS

22. **Community Service Group** agrees to pay a lump sum of \$ \_\_\_\_\_ (to be determined with direction from GM/Board of Directors) annually for the duration of this agreement. This annual contribution will be reviewed annually and is subject to increases. The Board may propose the annual fee at their presentation or with staff recommendation.

- a. **Contributions based on but not limited to: field usage and/or maintenance, utilities, storage, etc.**

23. **Organization** with a snack bar agree to comply with and refer to **Attachment E - Snack Bar Agreement**.

### **ADVERTISING**

24. **Community Service Group** may advertise in the **PLEASANT VALLEY RECREATION AND PARK DISTRICT** quarterly *Activity Guide* and pay the Community Service Group Rate.

25. **Organization** shall not erect any advertising signage, sponsor banners, etc. without express written permission of the **District**. All advertising signage shall be consistent with the **District** guidelines and the **District's** Sales, Solicitation, and Unlawful Advertising as stated in the **District** Ordinance 8. **Community Service Group** shall provide the **District** with installation and removal dates of approved signage. All banners must meet **District** Ordinances as well as City of Camarillo Municipal codes.

### **PROGRAMMING**

26. **Organization** shall provide the **District** with a season game schedule no later than **10 days prior to start of season**. Re-scheduled games need to be submitted in writing to the **District** Sports Supervisor or designee. Changes submitted less than 10 days' notice may result in additional costs.

27. Field/Facility Coordinators, Coaches, the President and/or any other significant/essential members of the **Community Service Group** must meet with the **District** Sports Supervisor or designee **prior** to the start of the primary season to review facility issues. A follow-up meeting will be conducted at the end of each season to discuss the facility conditions. **Organization** shall restore each facility utilized during the season back to an acceptable condition. **Community Service Group** agrees to reimburse **District** for facility damage that is a direct result of that **Organization's** facility use.

28. A charge will be assessed (according to **District** Fee Schedule) to open or close a **District** facility outside of business hours (before 6am and after 9:30pm).

### **ADMINISTRATIVE**

29. **Community Service Group** shall be financially audited/reviewed by an independent party on an annual basis. This financial audit/review shall be presented at an annual **District** Board Meeting.

30. **Community Service Group** shall present an Annual Update Presentation to the **District** Board of Directors on an annual basis. The **District** will provide an Annual Update Sheet and Financial Statement Forms to the **Organization** to be

completed before the presentation. The Annual Update and Financial Statement Forms should be correct and provide transparency for the public.

31. **Community Service Group** is required to pay for sport field lighting per the **District Fee Schedule**. **Community Service Group** shall be responsible for all costs associated with the use of School District facilities. **District** fees for sports field rental may be waived. Light schedules shall be submitted to the **District Sports Supervisor** on a weekly or regular basis by the **Organization**. Changes to light schedules after 6pm can incur for an additional fee as outlined on page 8 in the **General Use Policy** that can be found on our website at [www.pvrpd.org](http://www.pvrpd.org).
32. All fees must be paid within 30 days of invoice. Failure to comply with any or all these guidelines may result in the **Community Service Group** jeopardizing their Community Service Group status with the Pleasant Valley Recreation and Park District.
33. **Organization** shall submit a copy of non-profit status, or tax filing status, such as ESCORP, LLC, etc. to **District** staff upon renewal of this agreement.

**COMMUNITY SERVICE GROUP** ACCEPTS RESPONSIBILITY FOR ALL APPLICABLE CONDITIONS, AS WELL AS ALL **DISTRICT** RULES AND REGULATIONS NOT LISTED IN THIS AGREEMENT. **COMMUNITY SERVICE GROUP** ASSUMES ALL RISK FOR LOSS, DAMAGE, LIABILITY, INJURY, COST OR EXPENSE THAT MAY ARISE DURING, OR BE CAUSED IN ANY WAY BY SUCH USE OR OCCUPANCY OF **DISTRICT** FACILITIES.

**COMMUNITY SERVICE GROUP** SHALL, TO THE FULLEST EXTENT PERMITTED BY LAW, SAVE DEFEND (BY COUNSEL ACCEPTABLE TO DISTRICT) AND HOLD DISTRICT, ITS DIRECTORS, AGENTS AND EMPLOYEES FREE AND HARMLESS FROM ANY LOSS, CLAIMS AND LIABILITY FOR DAMAGES AND/OR INJURIES TO PERSONS AND PROPERTY, INCLUDING INJURY TO GROUP'S PARTICIPANTS OR DAMAGE TO GROUP'S PROPERTY THAT IN ANY WAY ARISE FROM OR ARE CAUSED BY **COMMUNITY SERVICE GROUP** USE OR OCCUPANCY OF **DISTRICT** FACILITIES.

ANY ITEMS NOT SPECIFICALLY MENTIONED WILL BE GOVERNED BY THE FACILITY USE POLICY OR ORDINANCE 8.

Attachments:

- A. **Field Use Schedule**
- B. **Field Lining Policy**
- C. **AB2007 Concussion or other Head Injuries**
- D. **Field Closure Dates (approximate dates)**
- E. **Snack Bar Agreement**
- F. **Accident Report**



Print Name \_\_\_\_\_ Title \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

President, Community Service Group

Print Name \_\_\_\_\_ Title \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Vice President, Community Service Group

ADDRESS of Organization: \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

APPROVED:

\_\_\_\_\_

MARY OTTEN  
DISTRICT GENERAL MANAGER

**ATTACHMENT A**

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**FIELD USE SCHEDULE – Different for each Organization**

**Sports Complexes**

**Park and Address**

**Time of Year/Season**

Sports Complex/main facility – based on agreement    Primary season/possibly  
secondary season

**Fields available to Community Service Group at no charge**

Encanto Park	Primary/secondary season
Foothill Park	Primary/secondary season
Heritage Park	Primary/secondary season
Laurelwood Park	Primary/secondary season
Lokker Park	Primary/secondary season

**Basic Sports Field – charge Community Service Group Rate**

Arneill Ranch Park	Primary/secondary season
Calleguas Creek Park	Primary/secondary season
Charter Oak Park	Primary/secondary season
Woodside Park	Primary/secondary season
Dos Caminos Park	Primary/secondary season

**ATTACHMENT B**  
**FIELD LINING POLICY**

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1. The lining of ball fields (baseball, softball, soccer, etc.) will require **District** approval prior to performing the work.
2. No lining will take place unless prior approval is received from the Sports Supervisor or designee. **Organization** will submit for approval, a rendering, drawing, or graphic representation of the proposed fields with dimensions in relationship to the park. This must be submitted with any future or current reservation requests/permits four (4) weeks prior to the league/tournament or event.
3. Upon approval of the rendering, the **Organization** will submit a proposed date and time for lining/marketing of the fields to the Sports Supervisor or designee.
4. Paint that is made for field marking is required. Level 1 or Level 2 type of paint which is environmentally formulated water base paint, VOC (volatile organic compounds) compliant and is safe for grass is required. Level 3 type paint will not be allowed on the turf. The lines shall be no wider than 4 inches.
5. Every effort will be given to the use of existing common field lines within and/or between multiple users.
6. Soccer groups shall move field lines one or two times each season, depending on the wear and at direction of **District Staff**, to give the referee lines (AR Lines) a chance to grow back during the season.

## ATTACHMENT C

### AB 2007 CONCUSSIONS OR OTHER HEAD INJURIES

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#### CHAPTER 516

An act to add Article 2.5 (commencing with Section 124235) to Chapter 4 of Part 2 of Division 106 of the Health and Safety Code, relating to youth athletics.

[ Approved by Governor September 23, 2016.  
Filed with Secretary of State September 23, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2007, McCarty. Youth athletics: youth sports organizations: concussions or other head injuries.

Existing law requires a school district, charter school, or private school, if it offers an athletic program, to immediately remove an athlete from an athletic activity for the remainder of the day if the athlete is suspected of sustaining a concussion or head injury, and prohibits the athlete from returning to the athletic activity until the athlete is evaluated by a licensed health care provider, trained in the management of concussions, and acting within the scope of his or her practice, and the athlete receives written clearance from the licensed health care provider to return to the athletic activity. Existing law also requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and athlete's parent or guardian before the athlete's initiating practice or competition.

This bill would apply these provisions to athletes participating in youth sports organizations, as defined to include organizations, businesses, nonprofit entities, or local governmental agencies that sponsor or conduct amateur sports competitions, training, camps, or clubs in which persons 17 years of age or younger participate in any of 27 designated sports. The bill would require youth sports organizations to notify the parents or guardians of athletes 17 years of age or younger who have been removed from athletic activities due to suspected concussions, as specified. The bill would require youth sports organizations to offer concussion and head injury education, or related educational materials, or both, to each of their coaches and administrators on a yearly basis, as prescribed. The bill would require each of these coaches and administrators to successfully complete the concussion and head injury education offered under the bill at least once either online or in person.

The bill would also require a youth sports organization to identify procedures for ensuring compliance with the bill's requirements for providing concussion and head

injury education and a concussion and head injury information sheet. The bill would additionally require the youth sports organization to identify procedures to ensure compliance with the athlete removal provisions and the return-to-play protocol, as specified. The bill would specify that it applies to all persons participating in the activities of a youth sports organization, irrespective of their ages.

**DIGEST KEY**

Vote: MAJORITY Appropriation: NO Fiscal Committee: NO Local Program: NO

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**BILL TEXT**

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.**

Article 2.5 (commencing with Section 124235) is added to Chapter 4 of Part 2 of Division 106 of the Health and Safety Code, to read:

**Article 2.5. Youth Sports Concussion Protocols  
124235.**

(a) A youth sports organization that elects to offer an athletic program shall comply with all of the following:

(1) An athlete who is suspected of sustaining a concussion or other head injury in an athletic activity shall be immediately removed from the athletic activity for the remainder of the day, and shall not be permitted to return to any athletic activity until he or she is evaluated by a licensed health care provider. The athlete shall not be permitted to return to athletic activity until he or she receives written clearance to return to athletic activity from a licensed health care provider. If the licensed health care provider determines that the athlete sustained a concussion or other head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.

(2) If an athlete who is 17 years of age or younger has been removed from athletic activity due to a suspected concussion, the youth sports organization shall notify a parent or guardian of that athlete of the time and date of the injury, the symptoms observed, and any treatment provided to that athlete for the injury.

(3) On a yearly basis, the youth sports organization shall give a concussion and head injury information sheet to each athlete. The information sheet shall be signed and returned by the athlete and, if the athlete is 17 years of age or younger, shall also be signed by the athlete's parent or guardian, before the athlete initiates practice or competition. The information sheet may be sent and returned through an electronic medium including, but not necessarily limited to, fax or electronic mail.

(4) On a yearly basis, the youth sports organization shall offer concussion and head injury education, or related educational materials, or both, to each coach and administrator of the youth sports organization.

(5) Each coach and administrator shall be required to successfully complete the concussion and head injury education offered pursuant to paragraph (4) at least once, either online or in person, before supervising an athlete in an activity of the youth sports organization.

(6) The youth sports organization shall identify both of the following:

(A) Procedures to ensure compliance with the requirements for providing concussion and head injury education and a concussion and head injury information sheet, as contained in paragraphs (3) to (5), inclusive.

(B) Procedures to ensure compliance with the athlete removal provisions and the return-to-play protocol required pursuant to paragraph (1).

(b) As used in this article, all of the following shall apply:

(1) "Concussion and head injury education and educational materials" and a "concussion and head injury information sheet" shall, at a minimum, include information relating to all of the following:

(A) Head injuries and their potential consequences.

(B) The signs and symptoms of a concussion.

(C) Best practices for removal of an athlete from an athletic activity after a suspected concussion.

(D) Steps for returning an athlete to school and athletic activity after a concussion or head injury.

(2) "Licensed health care provider" means a licensed health care provider who is trained in the evaluation and management of concussions and is acting within the scope of his or her practice.

(3) "Youth sports organization" means an organization, business, nonprofit entity, or a local governmental agency that sponsors or conducts amateur sports competitions, training, camps, or clubs in which persons 17 years of age or younger participate in any of the following sports:

(A) Baseball

(B) Basketball

(C) Bicycle motocross (BMX)

- (D) Boxing
- (E) Competitive cheerleading
- (F) Diving
- (G) Equestrian activities
- (H) Field hockey
- (I) Football
- (J) Full contact martial arts
- (K) Gymnastics
- (L) Ice hockey
- (M) Lacrosse
- (N) Parkour
- (O) Rodeo
- (P) Roller derby
- (Q) Rugby
- (R) Skateboarding
- (S) Skiing
- (T) Soccer
- (U) Softball
- (V) Surfing
- (W) Swimming
- (X) Synchronized swimming
- (Y) Volleyball
- (Z) Water polo
- (AA) Wrestling

(c) This section shall apply to all persons participating in the activities of a youth sports organization, irrespective of their ages. This section shall not be construed to prohibit a youth sports organization, or any other appropriate entity, from adopting and enforcing rules intended to provide a higher standard of safety for athletes than the standard established under this section.

**ATTACHMENT D**  
**Approximate Field Closure Dates**

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**PV Fields Soccer Zones**

Mid – March to end of April

3<sup>rd</sup> week of June to 4<sup>th</sup> week of July

Thanksgiving week to end of the year

**Freedom Baseball Fields**

Second week of December to mid-January

August 1 to Thursday before Labor Day weekend

Various weekdays during fall season

**Bob Kildee**

Second week of December to mid-January



**ATTACHMENT E**  
**SNACK BAR AGREEMENT**

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This document will serve as an agreement between the **Pleasant Valley Recreation and Park District (District)** facilities and the **Community Service Group**. Renewal will be subject to **Community Service Group** satisfying requirements outlined in this agreement.

**TERM:** The term of this agreement shall be for a two (2) year agreement starting on \_\_\_\_\_ and ending on \_\_\_\_\_. A one-year renewal may be renewed should the organization state in writing that it wishes to continue with no changes to the agreement. At any time should the nature or scope of the Community Service Group change, or the President or designee change, a new **Community Service Group Agreement** must be renewed and signed by the **District**.

- A. **District** has provided \_\_\_\_\_ snack bar(s) and the equipment that included within those snack bars.
  
- B. **District** reserves the right to cancel or suspend outdoor facility or field use permits for games, practices and other uses whenever field conditions could result in injury to players or damage to the fields. Permits may also be cancelled when the health and safety of participants are threatened due to impending conditions, including but not limited to, heavy rains, smog alerts, fire, emergency situations, and wind or pesticide application. The snack bar may not be operational at these times.
  
- C. **Community Service Group** agrees to pay the **District** the sum of \$ \_\_\_\_\_ annually for the use of snack bar(s).
  
- D. The **Community Service Group** shall pay for all services necessary or desirable to properly maintain and operate the snack bars during the term of the agreement including, although not limited to: Utility costs contribution, Inspections, Certification and Licensing or permits, Equipment operation and upkeep and such other services and costs as deemed appropriate by the General Manager of **Pleasant Valley Recreation and Park District**. The **Community Service Group** shall be responsible for reimbursing the **District** for all costs associated with the operation of the snack bar facilities. These costs include, but are not limited to: utility expenses, health permits, backflow testing, (soda machine), equipment maintenance and testing, and costs to repair any damage caused by **Community Service Group** to existing fixtures.

- E. **Community Service Group** understands that operation of the snack bar must be in compliance with the Ventura County Health Department codes and requirements and is responsible to pay all Ventura County Health Department fees, penalties or other costs during the term of this agreement. **Community Service Group** shall have a designated organizer complete an Environmental Health Division - Temporary Food Facility (EHD-TFF) food safety course during the term of this agreement and provide **District** with a copy of certification.
- F. **Organization** shall, exclusively, operate the snack bar(s) at all designated events within at above listed parks. Events may include scheduled league games for youth soccer, youth/ adult softball, baseball, etc. tournaments, competitions and/or special events as requested and agreed upon by both the **Organization** and the **District**. The **District** has the right to use the snack bar with prior notice to the **Organization** for **District** held events at that park.
- G. **Organization** is responsible for staffing the snack bar(s) with paid or volunteer staff. Volunteers/staff must be at least 16 years of age and be supervised at all times by an adult 18 year of age or older. Organization shall be in compliance with state and/or federal labor laws.
- H. **Organization** shall provide other **Community Service Groups** with ice from the ice machine during league play when requested by group.
- I. **Community Service Group** shall not allow other outside groups to operate snack bars during the term of this agreement.
- J. **Pleasant Valley Fields** snack bar operator agrees to be in compliance with staffing the snack bar within two – thousand (2000) “man hours” of volunteer and/or paid work. The **Operator** shall track the recorded number of hours worked by volunteers and paid staff and provide this information to District staff on a quarterly basis.
- K. **Community Service Group** will, after the completion of a term, upon termination, or upon a mutually agreed upon time with the **District**, leave all **District** owned equipment in original working condition and leave all permanent fixture inside snack bar(s).
- L. **Community Service Group** and **District** reserve the right to terminate this agreement with a 60-day written notice. If organization is terminated from this agreement, any outside food vendors must have prior approval from the **District**.

**ATTACHMENT F**  
**ACCIDENT REPORT**

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Accident Report to be attached.

## Pleasant Valley Recreation & Park District Community Service Group Agreement

This document will serve as an agreement between the Pleasant Valley Recreation & Park District (District) facilities and the Community Service Group. Renewal will be subject to COMMUNITY SERVICE GROUP satisfying requirements outlined in this agreement.

**TERM:** The term of this agreement shall be for one year. The agreement will annually renew for an additional one year based on compliance with all terms and conditions. The date of renewal shall be the Community Service Group's first board meeting after elections. DISTRICT staff will attend said meeting.

Sections that have no application to the respective Community Service Group (e.g. ball field maintenance in reference to youth basketball) shall be marked or noted as N/A (non-applicable) and initialed by both parties.

COMMUNITY SERVICE GROUP will be allowed reserved use of DISTRICT facilities, as outlined in the attached Field Use Schedule. DISTRICT must approve any changes to this schedule in writing.

\_\_\_\_\_ DISTRICT has the right to cancel, change or postpone any of the scheduled dates, with 72-hour notice. However, every effort will be made to adhere to the scheduled dates and times. All games and practices and games shall take place between the hours of 8:00 AM and 10:00 PM.

\_\_\_\_\_ COMMUNITY SERVICE GROUP understands that all field allocations are for regular season practice and games. Additional tournaments, events or post season practice and play need to be approved, in writing, at least one month prior to the event by the District.

\_\_\_\_\_ COMMUNITY SERVICE GROUP shall provide DISTRICT with proof of one million dollar (\$1,000,000) liability insurance policy and separate endorsement for the period of use, naming DISTRICT as additionally insured. This signed or stamped original certificate shall be forwarded to the District, 1605 E. Burnley, Camarillo, CA 93010 no later than 30 days prior to start of season. .

\_\_\_\_\_ COMMUNITY SERVICE GROUP shall provide the DISTRICT with an implementation process for the certification of all volunteer coaches, officials, and administrators. Certification shall include a background criminal investigation (i.e. fingerprinting or Live Scan).

\_\_\_\_\_ COMMUNITY SERVICE GROUP is responsible for patrol, control and supervision of spectators and participants at COMMUNITY SERVICE GROUP events, including making sure park rules and regulations are adhered to. Failure of league officials to control parents, volunteers, participants and visitors is sufficient reason to cancel, at any time, approved use of DISTRICT facilities by COMMUNITY SERVICE GROUP.

\_\_\_\_\_ COMMUNITY SERVICE GROUP shall provide the DISTRICT with a season game schedule no later than 7 days prior to start of season.

\_\_\_\_\_ Concession sales on any park facility by **COMMUNITY SERVICE GROUP**, or other sub-contractor, must be approved in advance by District General Manager. Concessions must meet all **DISTRICT, City, and Ventura County Health Department** licensing and safety codes.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** agrees to clean up debris in and around the reserved facility on a daily basis. **DISTRICT** shall charge **COMMUNITY SERVICE GROUP** the established hourly rate of a Park Maintenance Worker for **DISTRICT** cleanup of debris found to be in excess of normal usage.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** shall not erect any advertising signage, sponsor banners, etc... without express written permission of the **DISTRICT**. All advertising signage shall be consistent with the **District** guidelines and the **DISTRICT'S** sign ordinance. **COMMUNITY SERVICE GROUP** shall provide the **DISTRICT** with installation & removal dates of approved signage.

\_\_\_\_\_ **DISTRICT** shall prepare all fields into playable condition prior to the start of each season. **COMMUNITY SERVICE GROUP** shall be responsible for limited field maintenance, including dragging, watering, lining, etc., for the duration of this agreement, unless otherwise specified in writing. Additional field maintenance issues requested by **COMMUNITY SERVICE GROUP** including field renovations, soil additions, portable fences, storage areas, mowing, fence repair, moving of **DISTRICT** property, etc. must be approved in advance, in writing, by the District General Manager.

\_\_\_\_\_ Mowing of park turf will be the responsibility of **DISTRICT** and will usually be done on a weekly basis. With written permission from the General Manager, the **COMMUNITY SERVICE GROUP** may mow a designated facility.

\_\_\_\_\_ It is **MANDATORY** that Field Coordinators, Coaches, the President and/or any other significant/essential members of the **COMMUNITY SERVICE GROUP** organization meet with the **DISTRICT Sports Supervisor and Park Maintenance Staff** prior to the start of each season to review the issued to **COMMUNITY SERVICE GROUP** until said meeting has been commenced. A follow-up meeting will be conducted at the end of each season to discuss the facility conditions. **COMMUNITY SERVICE GROUP** shall restore each facility utilized during the season back to an acceptable condition. **COMMUNITY SERVICE GROUP** agrees to reimburse **DISTRICT** for facility damage that is a direct result of **COMMUNITY SERVICE GROUP** facility use.

\_\_\_\_\_ No vehicle shall be driven or parked on District property without the express written consent of **DISTRICT**.

\_\_\_\_\_ **DISTRICT** park and recreation facilities are intended for use by the entire community and although **COMMUNITY SERVICE GROUP** is being granted reserved use of park and school turf facilities for practices and games, it must be understood that cooperative use of the entire park facility by **COMMUNITY SERVICE GROUP, DISTRICT SPONSORED PROGRAMS** and the general community is expected.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** agrees to notify **DISTRICT** of any facility damage, repairs needed, injuries or accidents, vandalism, suspicious activity, etc., within 24 hours. Emergency issues may be called in to the **DISTRICT** and followed up in writing.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** is required to pay for light usage at a rate of \$15.00 per hour and all direct cost associated with the use of School District facilities.

**District** fees for sports field rental will be waived in addition to snack bar rental. All fees must be paid in a timely manner, not later than 30 days from the invoice date.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** could be requested to contribute on an annual basis to **DISTRICT'S** sports facility improvement program. **COMMUNITY SERVICE GROUP AND DISTRICT** shall meet on an annual basis and determine improvements and associated costs. These fees can include, but are not limited to: light fees, tournament fees, field use fees, maintenance fees or concession fees/payments.

\_\_\_\_\_ **DISTRICT** reserves the right to cancel or suspend outdoor facility or field use permits for games, practices and other uses whenever field conditions could result in injury to players or damage to the fields. Permits may also be cancelled when the health and safety of participants are threatened due to impending conditions, including but not limited to, heavy rains, smog alerts, fire, emergency situations, wind or pesticide application.

\_\_\_\_\_ **COMMUNITY SERVICE GROUP** ACCEPTS RESPONSIBILITY FOR ALL APPLICABLE CONDITIONS, AS WELL AS ALL DISTRICT RULES AND REGULATIONS NOT LISTED IN THIS AGREEMENT. **COMMUNITY SERVICE GROUP** ASSUMES ALL RISK FOR LOSS, DAMAGE, LIABILITY, INJURY, COST OR EXPENSE THAT MAY ARISE DURING, OR BE CAUSED IN ANY WAY BY SUCH USE OR OCCUPANCY OF DISTRICT FACILITIES.

**COMMUNITY SERVICE GROUP** WILL SAVE AND HOLD DISTRICT, IT'S AGENTS AND EMPLOYEES FREE AND HARMLESS FROM ANY LOSS, CLAIMS AND LIABILITY FOR DAMAGES AND/OR INJURIES TO PERSONS AND PROPERTY THAT IN ANY WAY MAY BE CAUSED BY **COMMUNITY SERVICE GROUP** OCCUPANCY OF DISTRICT FACILITIES.

\_\_\_\_\_  
PRINT NAME AND POSITION IN ORGANIZATION

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY

\_\_\_\_\_  
ZIP

APPROVED:

\_\_\_\_\_  
DAN LABRADO  
DISTRICT GENERAL MANAGER

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT/AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Kathryn Drewry, Human Resources Specialist**

**DATE: October 4, 2017**

**SUBJECT: APPROVAL OF UPDATED TECHNOLOGY USE  
POLICY**

**RECOMMENDATION**

It is recommended the Board approve the updated Technology Use Policy to include the Electronic and Telephone Usage and Privacy Policy.

**BACKGROUND**

Governor Schwarzenegger signed AB 474 in 2004, which authorizes the legislative body of a special district to approve a records retention schedule in compliance with guidelines prepared by the California Secretary of State. The District prepared a comprehensive review of the District's existing records retention policy in 2008 and adopted Resolution No. 433. In March of 2017, the California Supreme Court provided guidance on information (including emails and texts) located on private devices and in private accounts of public employees and included elected and appointed officials regarding the California Public Records Act (CPRA). Following the ruling, public agencies in California may be responsible for having its public officials and employees conduct a search on their private accounts and personal devices when responding to public records requests.

Staff presented this information to the Policy Committee on March 23, 2017 and August 24, 2017. During the March 23, 2017 Policy Committee meeting, staff presented a staff report to the committee that outlined the court case City of San Jose v. Superior Court. This court case will affect the future of cell phone text messages either on a personal device (employee receives a cell phone stipend) or a district issued cell phone/device and how, or if, the District Cell Phone Policy should be re-written.

The use of text messages for business communications has become a standard. California Public Records Act (CPRA) laws not only apply to email and official documents exchanged by officials that will need to be archived, but also includes text messages which are, and can be considered, a public record as they may contain business conversations related to government work. Sending text messages between mobile devices is now public business, and by law, the records should be preserved.

**ANALYSIS**

With these changes being made in the court system, staff brought forth this information before the Committee. There will be two items discussed: 1) Records Retention, E-Mail and Text and 2) Cell Phone Policy.

Currently, the District issues a cell phone stipend to full time and part time year-round employees whose job duties include the requirement and frequent need for a cell phone. These employees include: 1) management and other exempt staff, 2) employees in a Supervisor/Lead Worker capacity, and 3) staff members who may be away from their desks or not provided a landline for extended business hours. With personal devices being subject to subpoena or a public records request, the District must set up guidelines for a retention policy when business related items are located on a personal mobile device.

Some key points the District will need to consider when developing an updated Record Retention and Destruction Policy along with text messaging policy, procedures, and training:

- How does the District use text messages
- What devices do employees already use; personal vs. District issued
- Who's texting; full-time, part-time, board, community members
- How will the District archive these communications and what needs to be archived

With concern over the use of personal devices, staff worked with the attorneys to initiate an update to the current Technology Use Policy. With the changes in the CPRA, the District reviewed its Technology Use Policy. In 2016, District staff presented the Board with an updated Employee Manual which consisted of a Technology Use Policy. In light of the California Supreme Court Case that came out in March 2017, staff is recommending the District revise its policy to add the below language:

## *2. ELECTRONIC & TELEPHONE USAGE & PRIVACY POLICY*

*Use of District – owned cellular telephones shall also comply with all of the following:*

- 1. Employees with a District-issued cellular phone or employees that receive cellular phone stipends from the District for use of a cellular phone must provide, upon request of their supervisor or District management, copies of text messages, emails, or photos that are related to District business. Copies should be provided within twenty-four hours of the request.*
- 2. Employees are discouraged from using text messaging as a means of communication between District employees for District purposes during District hours as this makes it difficult to track, store and maintain text communication that may be deemed a public record.*
- 3. Employees are discouraged from using cellular phones for personal use during District hours unless there is an emergency.*
- 4. The District recommends that employees delete business related text messages on a regular basis (daily) as this is a tool for transmission of basic information, not a tool for storing information.*
- 5. Hourly employees are strictly prohibited from responding to work emails, text messages, or phone calls outside of compensated work hours. Hourly employees with District-owned cellular phones are encouraged to leave their District-issued cellular phones at work when they clock out.*
- 6. Employees are to strictly adhere to California State Laws regarding the use of hand held devices.*



7. *Employees do not have a right, nor should they have an expectation, of privacy while using any District information technology at any time.*
8. *Monitoring and Retention of the Email System shall be used for transmission of communication and not storage. The Email System is not a permanent storage system and is expressly forbidden to use it as such.*

*The Email System shall be used for transmission of communications and not storage. The Email System is provided to Authorized Users as a convenient and efficient method of rapidly communicating transitory information in an electronic format. The Email System is specifically intended and designed to be a tool for transmission of information, and not a tool for storage of information.*

*Related to Records Management, the Email System is not a permanent storage system and staff is expressly forbidden to use it as such. Email in-boxes and out-boxes shall be emptied on a regular basis, after records have been appropriately saved, as outlined below. Since all Emails are preliminary drafts, every Authorized User (sending or receiving any Email) shall delete the Email as soon as the information is no longer required or convenient for the discharge of the Authorized User's duties, and the Email shall be automatically purged by the District in accordance with the schedule set forth below.*

*Because the Email System is not designated for long term storage, Email communications which are intended to be retained as an official record (those that have a material impact on the conduct of the public's business) should be printed out and the hard copy filed in the appropriate subject file, or saved in an electronic file folder. Such saved copies of Email Communications shall be retained in accordance with the District's applicable records retention policy.*

*Since Email communications are transitory and not intended to be kept in the normal course of business and to ensure the reliability of the District's Email System, all Email Communications shall not be retained beyond 180 days by District electronic mail applications. The District's Email System would be configured to automatically delete all emails after 180 days.*

#### **FISCAL IMPACT**

There currently is no fiscal impact at this time.

#### **RECOMMENDATION**

It is recommended the Board approve the updated Technology Use Policy to include the Electronic and Telephone Usage and Privacy Policy.

#### **ATTACHMENTS**

- 1) Technology Use Policy (9 pages)



## **EMPLOYEE TECHNOLOGY USE POLICY**

**To Board for Final Approval October 4, 2017**

**Pleasant Valley Recreation and Park District**

**EMPLOYEE TECHNOLOGY USE POLICY**

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## INTRODUCTION

All of the technological tools furnished to District employees are public property, subject to the dominion and control of the District. Employees have no right or expectation of privacy in those tools, which may be inspected by District representatives without notice.

This policy establishes privileges and additional responsibilities for employees. It recognizes employees as responsible individuals who are the key to making government more responsive to its citizens. It allows employees to use District office equipment for non-government purposes when such use involves minimal additional expense to the government, is performed on the employee's non-work time, does not interfere with the mission or operations of a department and does not violate standards of ethical conduct.

District employees should be provided with a professional supportive work environment. They should be given the tools needed to effectively carry out their assigned responsibilities. Allowing limited personal use of these tools helps to enhance the quality of the workplace and helps the District retain highly qualified and skilled workers. The use of modern information technology has raised new opportunities for its use by employees to live their lives more efficiently in balance with the overriding imperative that taxpayers receive the maximum benefit for their tax dollars.

District business partners, contractors, or other individuals who utilize or access District-owned technology pursuant to District prior approval shall be required to sign and abide by the terms and conditions contained within this and all referenced District technology policies.

## 1. EMPLOYEE RESPONSIBILITIES

- A. Computer password(s) will be protected. Computer password(s) should not be shared with anyone unless there is a legitimate business requirement. Password(s) should be changed frequently. It is generally recommended to not write down passwords. However, if you must write down a password to document or remember it, do so in a secure manner. For example, do not write down passwords and post them on your monitor, under your keyboard, or in your work area. A password kept in your wallet would generally be secure.
- B. Access to computer systems, data, and networks: Employees may access data or other information for which they have been authorized in the normal performance of their job duties. Privacy of clients and co-workers should be respected by not sharing information unless required for business purposes. The only authorized method for remote access to the District computing network is through the equipment and security software provided by the Information Technology Services

Department. Knowledge of these resources, and employee use, should be in conformance with the District's policies for Internet Access, E-Mail, and Network Access.

- C. Only legally acquired and licensed computer software may be used. There is a significant financial liability to the District if computer software that has not been legally obtained is used on District-owned equipment. The documentation provided with the software should be checked to see if it was legally acquired before copies are made for others. Generally, copies of software should be made for back-up purposes only.
- D. Use of non-District-owned software must be authorized. There is a potential for introducing a virus into a District-owned system, and possibly even Districtwide, whenever outside software is used. If there is a need to use an outside software program for business purposes, permission should be obtained from the department head or his/her designee.
- E. Access and use of the District's computer systems, data, and networks shall be done only through a combination of a duly assigned login or username and computer password. This combination of a duly assigned login or username and computer password, when utilized to access software applications that automate or create official District records or business transactions, constitutes an electronic or digital signature. Use of an electronic or digital signature shall have the same force and effect as a manual signature.

## 2. ELECTRONIC & TELEPHONE USAGE & PRIVACY POLICY

- A. Use of District – owned cellular telephones shall also comply with all of the following:
  - Employees with a District-issued cellular phones or employees that receive cellular phone stipends from the District for use of a cellular phone must provide, upon request of their supervisor or District management, copies of text messages, emails, or photos that are related to District business. Copies should be provided within twenty-four hours of the request.
  - Employees are discouraged from using text messaging as a means of communication between District employees for District purposes during District hours as this makes it difficult to track, store and maintain text communication that may be deemed a public record.
  - Employees are discouraged from using cellular phones for personal use during District hours unless there is an emergency.
  - The District recommends that employees delete business related text messages on a regular basis (daily) as this is a tool for transmission of

- basic information, not a tool for storing information.
- Hourly employees are strictly prohibited from responding to work emails, text messages, or phone calls outside of compensated work hours. Hourly employees with District-owned cellular phones are encouraged to leave their District-issued cellular phones at work when they clock out.
- Employees are to strictly adhere to California State Laws regarding the use of hand held devices while operating a motor vehicle in the scope of employment.

### 3. “LIMITED PERSONAL USE” OF DISTRICT OFFICE EQUIPMENT

A. Employees are authorized limited personal use of District office equipment. This personal use must not result in loss of employee productivity or interference with official duties. Moreover, such use should incur only minimal additional expense to the District in areas such as:

- Communications infrastructure costs; e.g., telephone charges, telecommunications traffic, etc.
- Use of consumables in limited amounts; e.g., paper, ink, toner, etc.
- General wear and tear on equipment
- Data storage on storage devices
- Transmission impacts with moderate e-mail message sizes, such as e-mail with small attachments

B. Minimal additional expense means that the employee’s use of District office equipment is limited to those situations where the District is already providing equipment or services and the employee’s use of such equipment or services will not result in any additional expense to the District, or the use will result in only normal wear and tear or the use of small amounts of electricity, ink, toner, or paper. Examples of minimal additional expenses include making a few photocopies, using a computer printer to print a few pages of material, making occasional brief personal phone calls, infrequently sending personal e-mail messages, and limited use of the Internet for personal reasons.

C. Employees are expected to conduct themselves professionally in the workplace and to refrain from using District office equipment for activities that are inappropriate. Unless required in the performance of an individual’s job duties, inappropriate personal use of District office equipment includes:

- Any personal use that could cause congestion, delay, or disruption of services to any government system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network. “Push” technology on the Internet and other continuous data streams would also degrade the performance of the entire network and

be an inappropriate use.

- Using the District systems as a staging ground or platform to gain unauthorized access to other systems.
  - The creation, copying, transmission or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.
  - Using District office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but are not limited to, hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.
  - The creation, download, viewing, storage, copying or transmission of sexually explicit or sexually oriented materials.
  - The creation, download, viewing, storage, copying or transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities or activities otherwise prohibited.
  - Use for commercial purposes or in support of “for-profit” activities or in support of other outside employment or business activity (e.g., consulting for pay, sales or administration of business transactions, sale of goods or services).
  - Engaging in any outside fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited partisan political activity. State law makes it clear that a person improperly expending public funds for political purposes is personally liable to repay such funds. (*Stanson v. Mott* (1976) 17 Cal.3d 206.)
  - Use for posting District information to external newsgroups, bulletin boards or other public forums without authorization. This includes any use that could create the perception that the communication was made in one’s official capacity as a District employee (unless appropriate approval has been obtained) or uses at odds with the District’s mission or positions.
  - Any use that could generate more than minimal additional expense to the District.
  - The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information, including computer software and data, that includes privacy information, copyrighted, trademarked or material with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.
- D. It is the responsibility of employees to ensure that they are not giving the false impression that they are acting in an official capacity when they are using District office equipment for non-government purposes. If there is expectation that such



personal use could be interpreted to represent the District, then an adequate disclaimer must be used. One acceptable disclaimer is – *“The contents of this message are mine personally and do not reflect any position of the District.”*

- E. Limited personal use is to occur only during an employee’s non-work time, such as before or after scheduled work hours, lunch periods, weekends, or holidays.
- F. The types of equipment that may be used by employees for limited personal use include the following: personal computers and related peripheral equipment and software, library resources, telephones, facsimile machines, photocopiers, office supplies, internet connectivity and access to internet services, and e-mail.
- G. Use of District-owned cellular telephones, or other wireless telecommunication devices, shall be consistent with, and is governed by **Section 2 Electronic & Telephone Usage & Privacy Policy**.

### **3. SOCIAL MEDIA**

- A. District Departments may utilize social media and social network sites to further enhance communications in support of District goals and objectives. Social media facilitates further discussion of District issues, operations and services by providing members of the public the opportunity to participate in many ways using the internet.
- B. All District social media sites shall be (1) approved by a Department Manager or General Manager; (2) published using approved social networking platform and tools; and (3) administered by the designee of the Department Manager or General Manager. Designees can be any department employee or volunteer designated by the requesting Department Manager that has a complete understanding of this policy and has appropriate content and technical.
- C. All District social networking sites shall adhere to applicable state, federal and local laws, regulations and District policies.
- D. Freedom of Information Act and e-discovery laws and policies apply to social media content and therefore content must be able to be managed, stored and retrieved to comply with these laws.
- E. All social network sites and entries shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
- F. The District reserves the right to restrict or remove any content that is deemed in violation of the policy or any applicable law.



#### 4. DEPARTMENT RESPONSIBILITIES

- A. Ensure that their employees read and understand this policy, as well as the District's policies governing Internet, Network, Cellular Telephone, and E-Mail system access and use.
- B. All District employees using District technology covered by this policy, must sign this policy upon initial hire and on a reoccurring basis upon material changes to this policy, as recommended by the General Manager or their representative. Such signature affirms their understanding, acceptance and adherence to this and the referenced policies on Internet, Network, Cellular Telephone, and E-Mail system access and use.

#### 5. MONITORING AND RETENTION

District employees do not have a right, nor should they have an expectation, of privacy while using any District information technology at any time. The District retains the right to examine, retain, or limit the use of all electronic storage media, data files, logs, voice and data network transmissions, and programs used on District-owned computers and other information processing technological equipment. In addition, by using this technology, employees' consent to monitoring, recording, and data retention requirements is implied with or without cause. However, the District recognizes that certain departments have a duty of confidentiality imposed by law. For those departments, in the event that data or data files must be accessed, confidentiality will be maintained.

Monitoring shall only be authorized by the General Manager.

The Email System shall be used for transmission of communications and not storage. The Email System is provided to Authorized Users as a convenient and efficient method of rapidly communicating transitory information in an electronic format. The Email System is specifically intended and designed to be a tool for transmission of information, and not a tool for storage of information.

Related to Records Management, the Email System is not a permanent storage system and staff is expressly forbidden to use it as such. Email in-boxes and out-boxes shall be emptied on a regular basis, after records have been appropriately saved, as outlined below. Since all Emails are preliminary drafts, every Authorized User (sending or receiving any Email) shall delete the Email as soon as the information is no longer required or convenient for the discharge of the Authorized User's duties, and the Email shall be automatically purged by the District in accordance with the schedule set forth below.

Because the Email System is not designated for long term storage, Email communications which are intended to be retained as an official record (those that have a material impact on the conduct of the public's business) should be printed out and the hard copy filed in the appropriate subject file, or saved in an electronic file folder. Such saved copies of Email Communications shall be retained in accordance with the District's applicable records retention policy.

Since Email communications are transitory and not intended to be kept in the normal course of business, and to ensure the reliability of the District's Email System, all Email Communications shall not be retained beyond 180 days by District electronic mail applications. The District's Email System would be configured to automatically delete all emails after 180 days.

## 6. POLICY CHANGES AND EMPLOYEE DISCIPLINE

This Technology Use Policy is intended as a starting point and may be modified by the District to include additional restrictions. This policy is subject to conditions and limitations which may be imposed by the District Counsel whenever the District Counsel determines that any use of the District's technological tools covered by this policy is subject to applicable state or federal laws and regulations concerning electronically stored information. Any violation of this Technology Use Policy may result in disciplinary action.

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I acknowledge that I have read, do understand, accept, and will adhere to the requirements of this policy.

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**Print Name**

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**Date**

---

**Signature**

**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Bob Cerasuolo, Park Services Manager**

**DATE: October 4, 2017**

**SUBJECT: CONSIDERATION AND APPROVAL OF BID AWARD  
FOR THE ADMINISTRATION OFFICE AND ROOMS 6-  
7 ROOFS**

**RECOMMENDATION**

It is recommended the Board approve and authorize the General Manager to enter into an agreement with Falcon Roofing to replace the roofs on the Administration Office and Rooms 6-7 in the amount of \$133,091.

**BACKGROUND**

This Capital Improvement Project was identified in the FY 2017/2018 budget workshops and funded with the approval of the 2017/18 budget. The Board appropriated capital funds in the amount of \$125,000 to replace the roofs located at the Administrative Office and Rooms 6-7.

The District built the Community Center in 1969 at which time Room 6 was considered the Administrative Office and the current Administration Office was an open courtyard leading to Room 7. In 1989 the current Administration Office was built to include the enclosure of the office building. These buildings are all original, with minor repairs to the roofs over the years. The roofs have survived 48 years from the original design and 28 years respectively on the building additions. Over the course of the past few years and especially this past year with the increased rain, the roof has begun to have increased water leaks.

In August of 2017 staff sent out an RFP (Request for Proposal) and seven companies came to the mandatory job walk which was held on August 11, 2017. Of the seven (7) companies that were solicited for bids, only five (5) submitted bids with the low bidder being Falcon Roofing in the amount of \$133,091.

**ANALYSIS**

Roofs, like any improvement, have a projected service life based on construction methods, maintenance levels, and a number of other key factors. The District is responsible for the maintenance and upkeep of several buildings throughout the District. The systematic repair and maintenance of these required infrastructure items will extend their service life. This project will complete the repair and maintenance at this site and set a starting point for scheduled preventative maintenance practices. There is a twenty (20) year manufacture warranty on this project and a two (2) year contractor warranty that was included with the bid specifications.

The bids ranged from \$133,091 to \$219,100. The low bid received from Falcon Roofing meets all the required specifications. Recommendation for an award is based on the base bid. Falcon Roofing is a qualified Contractor, with a C-39 Roofing Contractor license and has performed

projects of similar size and scope including the following projects: County of Santa Barbara Fire Department, Apex Contractors, Pleasant Valley School District and Oxnard Union High School District.

**FISCAL IMPACT**

The District allocated \$125,000 from Capital funds for this project; these funds were designated in the FY 2017-2018 budget.

**RECOMMENDATION**

It is recommended the Board of Directors approve and authorize the General Manager to enter into an agreement with Falcon Roofing to replace the roofs on the Administration Office and Rooms 6-7 in the amount of \$133,091.

**ATTACHMENT**

- 1) Job Qualifications (1 page)
- 2) Bid Abstract (1 page)

Requirements Categories	Proposal #1 Falcon Roofing Yes C-39	Proposal #2 Best Contracting Yes C-39	Proposal #3 Channel Islands Yes C-39	Proposal #4 Rey-Crest Yes C-39	Proposal #5 Chapman Coast Yes C-39	Proposal #6	Proposal #7
Current California Contractor License	Yes C-39	Yes C-39	Yes C-39	Yes C-39	Yes C-39		
Classifications							
Workers Compensation	Yes	Yes	Yes	Yes	Yes		
Contractor's Bond	Yes	Yes	Yes	Yes	Yes		
Insurance	Yes	Yes	Yes	Yes	Yes		
References	Excellent	Excellent	Excellent	Excellent	Excellent		
Location	Camarillo	Gardena	Oxnard	Los Angeles	Orange		
D.I.R number (Department of Industrial Relations)	Yes	Yes	Yes	Yes	Yes		
Cost	\$133,091	\$157,100	\$178,136	\$183,500	\$219,100		



**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Mitchell Cameron, Administrative Analyst**

**DATE: October 4, 2017**

**SUBJECT: CONSIDERATION AND APPROVAL OF REGULAR  
BOARD MEETING DATES FOR 2018**

**RECOMMENDATION**

It is recommended the Board review and approve the dates for the Regular Board Meetings for calendar year 2018.

**BACKGROUND**

The meeting dates for the new year are traditionally reviewed at the December meeting. However, this year there are multiple scheduling conflicts that staff believes should be addressed earlier to allow for necessary accommodations. Typically, the Board meets the first Wednesday every month at the City Hall Council Chambers. Due to scheduling conflicts, the District is not able to reserve Council Chambers the first Wednesday in July, September, and December. Staff have identified two options to account for the scheduling conflict. Schedule Option 1 would be for Board meetings to take place the first Wednesday of every month except for July, September, and December. Staff is recommending the Board to meet the first Thursday of the month for those three months. Schedule Option 2 proposal would be for all of the Board meetings to take place the first Thursday of the month. The City has confirmed that the listed dates are compatible with the City Hall Council Chambers 2018 schedule.

It is recommended the Board review all the meeting dates and make recommendations for any additional changes due to holidays and/or conflicts.

**RECOMMENDATION**

It is recommended the Board review and approve the dates for the Regular Board Meetings for calendar year 2018.

**ATTACHMENTS**

- 1) Board of Directors Regular Meeting Dates 2018 Calendar (1 page)

**PLEASANT VALLEY RECREATION AND PARK DISTRICT**

**BOARD OF DIRECTORS REGULAR MEETING DATES**

**CITY OF CAMARILLO, CITY HALL COUNCIL CHAMBERS**

**601 CARMEN DRIVE, CAMARILLO**

*(unless otherwise noted)*

**2018 DATES**

<b>Option 1</b>	<b>Option 2</b>
Wednesday, January 3, 6:00pm	Thursday, January 4, 6:00pm
Wednesday, February 7, 6:00pm	Thursday, February 1, 6:00pm
Wednesday, March 7, 6:00pm	Thursday, March 1, 6:00pm
Wednesday, April 4, 6:00pm	Thursday, April 5, 6:00pm
Wednesday, May 2, 6:00pm	Thursday, May 3, 6:00pm
Wednesday, June 6, 6:00pm	Thursday, June 7, 6:00pm
<b>Thursday, July 5, 6:00pm</b>	Thursday, July 5, 6:00pm
Wednesday, August 1, 6:00pm	Thursday, August 2, 6:00pm
<b>Thursday, September 6, 6:00pm</b>	Thursday, September 6, 6:00pm
Wednesday, October 3, 6:00pm	Thursday, October 4, 6:00pm
Wednesday, November 7, 6:00pm	Thursday, November 1, 6:00pm
<b>Thursday, December 6, 6:00pm</b>	Thursday, December 6, 6:00pm



**PLEASANT VALLEY RECREATION AND PARK DISTRICT  
STAFF REPORT / AGENDA REPORT**

**TO: BOARD OF DIRECTORS**

**FROM: MARY OTTEN, GENERAL MANAGER**  
**By: Mitchell Cameron, Administrative Analyst**

**DATE: October 4, 2017**

**SUBJECT: Developer Fees for the Proposed St. John's Seminary  
Residential Community Project**

**RECOMMENDATION**

It is recommended the Board accept the negotiated value of land that will be subdivided for the St. John's Seminary Residential Community Project and authorize the General Manager to draft a letter declining acceptance of a parking lot at the corner of Upland Road and Somis Road.

**BACKGROUND**

A vital tool for California public agencies to acquire public parkland is known as the "Quimby Act". The general purpose of this act is to provide parks, recreational facilities, and open space areas for the health, safety, and general welfare of future residents and owners of property and to encourage the orderly development of the City. The state law is codified in California Government Code section 66477 et.seq. By code, Quimby fees must be expended for acquisition, rehabilitation, and/or development of parklands.

The St. John's Seminary Residential Community Project will have conditions for the subdividers to either dedicate land, pay a fee in-lieu thereof to Pleasant Valley Recreation and Park District, or both. The proposed project site is generally bound by agricultural land and Calleguas Creek to the west and north. The southern perimeter of the proposed project site is generally formed by Upland Road and Lewis Road, while the eastern perimeter of the proposed project site is dominated by existing residential subdivisions.

The proposed project will allow for the development of up to 300 residential units on 44.80-acres of the 88.45-acre proposed project site. Within the 44.80-acre development, implementation of the proposed St. John's Seminary Residential Community Project would be the focus of a senior citizen housing development.

In the case of the St. John's Seminary Residential Community Project, the subdivider has planned to provide a trailhead/parking lot and HOA owned recreational and open space areas as well as in-lieu fees. This parking lot and HOA owned park space allows the subdivider to receive credit for 50% of the projects' required park space.

A brief description of the St. John's Seminary Residential Community Project is included in the attachments.

## ANALYSIS

The local ordinances which implement this state law are codified in the City of Camarillo's Municipal Code Title 18 Subdivision 18.30. - *Park Land Dedication* which includes conditions for subdividers to either dedicate land, pay a fee in-lieu thereof to Pleasant Valley Recreation and Park District, or both. The ordinance also states that the amount of land to be dedicated for parks shall be 217.8 square feet for each person anticipated to be living in the development.

The Quimby Act authorizes the City of Camarillo to require the dedication of land or to impose fees for park or recreational purposes as a condition of the approval of a tentative or parcel subdivision map. Existing law requires any fees collected to be committed within 5 years after the payment of the fees or the issuance of building permits on 1/2 of the lots created by the subdivision, whichever occurs later. Existing law requires any fees not committed to be distributed and paid to the then record owners of the subdivision, as specified. The District refers to the fees collected thru the Quimby Act as "Fees".

The District has received \$5,989,760.70 in Park Dedication Fees since 2014 and expects to receive additional fees and land thru the Quimby Act in the future.

Per the City Code the in-lieu fees are calculated as follows:

1. Determine the amount of people expected to occupy the new development.
2. Multiply the result from step one by 217.8 to determine the amount of park space required in square feet.
3. Subtract any park land that will be donated or part of the HOA (up to 50%) from the result of step 2.
4. Determine the value of land to be subdivided in square feet.
5. Multiple the result of step 3 by step 4.
6. Then calculate the cost for infrastructure; historically, the City has used 15% of the result of step 5.
7. Then add the results of step 5 with step 6 to determine the total amount of in-lieu fees for a new subdivision.

The other 50% will be paid in fees to the District per the calculation outlined earlier. The subdivider provided an appraisal to the City that suggested the value of land to be subdivided was \$2,280,000. With this appraisal, the City calculated the fees to be \$61,134.77.

The City's code gives the District very little control over the calculation of in-lieu fees or land dedication with new subdivisions. Step number 4 (the value of the land to be sub-divided) of the in-lieu calculation, is a step where the District can exhibit some level of control. The City's code outlines the following process for determining the value of the land:

1. The fair market value shall be determined by the application of accepted appraisal methods upon the advice of the Ventura County assessor; or
2. The Planning and Community Development Department, the Pleasant Valley Recreation and Park District and the subdivider may agree to the fair market value; or
3. If the subdivider, Planning and Community Development Department or the Pleasant Valley Recreation and Park District objects to the fair market value determined in subsection (1), any party may, at the subdivider's expense, obtain an appraisal of the property by an impartial qualified real estate appraiser approved by the Planning and Community Development Department, which appraisal shall be considered by the Planning Department in reaching a decision as to fair market value.

Per the code, District staff negotiated with the Community Development Department and the subdivider to determine a more appropriate land value. The negotiation resulted in a value of \$47,159,091 from the initial appraisal of \$2,280,000. This increased valuation results in an in-lieu fee of \$1,264,500 that shall be paid to the District prior to approval of the final subdivision map.

The Board has two options regarding in-lieu fees:

1. Accept the value of the land to be subdivided at \$47,159,091.
2. Request that the developer obtain another appraisal.

Option 1: Will secure an in-lieu fee of \$1,264,500 or \$4,500 per unit.

Option 2: Could result in a higher in-lieu fee if the land is determined to be worth more than \$47,159,091 or a lower in-lieu fee if the land is determined to be worth less.

The subdivider has also agreed to provide a parking lot at the site outlined below. District staff has assessed that this site may make a good trail head for Calleguas Creek Trail and that it would be more logical for the City to take ownership and provide ongoing maintenance as they own and maintain the current trail system.



**FISCAL IMPACT**

If the District Board elects to move forward with the staff recommended actions, staff does not anticipate an immediate fiscal impact. District staff does not anticipate receiving the in-lieu fees until FY 19-20.

**RECOMMENDATION**

It is recommended the Board approve and accept the negotiated value of land that will be subdivided for the St. John's Seminary Residential Community Project and authorize the General Manager to draft a letter declining acceptance of a parking lot at the corner of Upland Road and Somis Road.

**ATTACHMENTS**

- 1) City of Camarillo's Municipal Code Title 18 Subdivision 18.30 (5 pages)
- 2) City of Camarillo's Notice of Completion / Notice of Availability for St. John's Seminary Residential Community Project (1 page)

## Chapter 18.30 - PARK LAND DEDICATION

### Sections:

#### 18.30.010 - General.

The provisions of this chapter are enacted pursuant to the authority granted by Section 66477 of the Government Code of the state of California. The park and recreational facilities for which dedication of land and/or payment of a fee is required by these sections are in accordance with the definite principles and standards contained in the adopted recreation element of the general plan of the city.

(Ord. 570 § 3 (part), 1984.)

#### 18.30.020 - Requirements.

- A. As a condition of approval of a tentative subdivision map or land division, the subdivider shall dedicate land, pay a fee in lieu thereof to the Pleasant Valley Recreation and Park District, or both, at the option of the city, for park or recreational purposes at the time and according to the standards and formula contained in these sections. Only the payment of fees may be required in subdivisions of fifty or fewer parcels, except that when a condominium project, stock cooperative, or community apartment project exceeds fifty dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than fifty.
- B. Subdivisions containing less than five parcels and not used for residential purposes shall be exempted from the requirements of this section; provided, however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit.

(Ord. 678 § 21, 1989; Ord. 570 § 3 (part), 1984.)

#### 18.30.030 - General standard.

It is found and determined that the public interest, convenience, health, welfare and safety require that five net acres of property for each one thousand persons (or 217.8 square feet per person) residing within this city be devoted to local park and recreational purposes and that the amount of the existing neighborhood and community park area as calculated pursuant to this chapter exceeds that limit.

(Ord. 570 § 3 (part), 1984.)

#### 18.30.040 - Standards and formula for dedication of land.

- A. Where a park or recreational facility has been designated in the city's park and recreation element of the general plan, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for a local park sufficient in size and topography to serve the residents of the subdivision.
- B. The amount of land to be dedicated for parks shall be 217.8 square feet for each person anticipated to be living in the development. The number of persons anticipated to be living in the development is calculated by multiplying the number of units within the development of a particular class by the average household size of such class of unit and adding the calculated figures for each class of unit

within the development. There shall be a rebuttable presumption that the average size of each class of household is the same as that disclosed by the most recent available federal census, or census taken pursuant to Government Code Section 40200, et seq.

- C. In the event the area to be dedicated is bounded or abutted by existing or proposed street frontage, the subdivider shall, at the time of approval of the tentative map or land division, obligate himself by condition to said map to provide curbs, gutters, sidewalk, drainage facilities, street lighting, stoplights, street signs, pavement, six-foot high wall or chain link fence between the park and homes abutting on the park, and street trees to full city standards. In such event, the subdivider shall also obligate himself to stub-in requested utility line services to the parkway and to perform the initial on-site grading required for developing the park facility. The subdivider shall bond to guarantee construction of such improvements as part of the land dedication.

(Ord. 570 § 3 (part), 1984.)

18.30.050 - Amount of fee in lieu of land dedication.

- A. When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of usable park land which would otherwise be required to be dedicated pursuant to Section 18.30.040 and shall be determined in accordance with the following formula: Number of acres of land which would otherwise be required to be dedicated multiplied by the average fair market value of an acre of usable park land within the subdivision which shall be determined as of the time of filing of the parcel or final map and which shall be consistent with the zoning applicable to the land at that time. Fair market value shall be determined as follows:
  - 1. The fair market value shall be determined by the application of accepted appraisal methods upon the advice of the Ventura County assessor; or
  - 2. The planning and community development department, the Pleasant Valley recreation and parks district and the subdivider may agree to the fair market value: or
  - 3. If the subdivider, planning and community development department or the Pleasant Valley recreation and parks district objects to the fair market value determined in subsection (1), any party may, at the subdivider's expense, obtain an appraisal of the property by an impartial qualified real estate appraiser approved by the planning and community development department, which appraisal shall be considered by the planning department in reaching a decision as to fair market value.
- B. The in-lieu fee shall also include an amount sufficient to provide curbs, gutters, drainage facilities, street lights, stop-lights, street signs, sidewalks, pavement and street trees to full city standards, as well as for stubbing-in of utility services to the park property and initial on-site grading required for developing the park facility or rehabilitation of existing parks.
- C. If plans have been established for a park site to be purchased totally or in part with said funds, the funds may be used at the discretion of the planning and community development department and the park district for development of the planned site on a pro rata basis in the same ratio as the cash paid in lieu of dedication bears to the total cost of the planned park.
- D. If a park is indicated on the general plan within the subdivision, the site shall be reserved for purchase by the park district. The developer may choose to dedicate the appropriate amount of land in lieu of the required fees.
- E. If a park site is shown within or partially within the subdivision and the park area exceeds the amount of land area required to be dedicated based on this title, the additional land would be reserved on the map for purchase by the park district.

(Ord. 570 § 3 (part), 1984.)

18.30.060 - Criteria for requiring both dedication and fee.

In subdivision of over fifty lots, the subdivider may be required to both dedicate land and pay a fee in lieu thereof in accordance with the following formula:

- A. When only a portion of the land to be subdivided is shown on the city's park and recreation plan as the site for a local park, such portion shall be dedicated for local park purposes and a fee computed pursuant to the provisions of Section 18.30.050 shall be paid for any additional land that would have been required to be dedicated pursuant to Section 18.30.040.
- B. When a major part of the local park or recreational site has already been acquired by the park district and only a small portion of land is needed from the subdivision to complete the site, such remaining portion shall be dedicated and a fee computed pursuant to the provisions of Section 18.30.050 shall be paid in an amount equal to the value of the land which would otherwise have been required to be dedicated pursuant to Section 18.30.040, such fees to be used for the improvement of the existing park and recreation facility or for the improvement of other local parks and recreational facilities in the area serving the subdivision.

(Ord. 570 § 3 (part), 1984.)

18.30.070 - Credit for private open space.

Where usable private open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the homeowner's association of the subdivision, partial credit, not to exceed fifty percent of the park land dedication requirement may be given against the requirement of land dedication or payment of fees in lieu thereof if the city council finds that it is in the public interest to do so and that all of the following standards are met:

- A. That yards, setbacks and other open areas required to be maintained by the zoning and building provisions of this title shall not be included in computing the amount of such private open space;
- B. That the private ownership and maintenance of the open space shall be adequately provided for in writing;
- C. That the use of the private open space shall be restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of the property within the subdivision and which cannot be eliminated without the consent of the city;
- D. That the proposed private open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, space, topography, geology, access and the location of the private open space;
- E. That the facilities proposed for private open space are in substantial compliance with the provisions of the recreation element of the city of Camarillo general plan, the requirements of the city and the park district;
- F. Before credit is given, the city council shall make written findings that the above standards are met;
- G. Open space covenants for private park or recreational facilities shall be submitted to the city prior to approval of the final subdivision map and shall be recorded contemporaneously with the final subdivision map;
- H. Said credit may be accumulated over an entire project and allocated to various phases of a multi-phase map when the open space for an individual phase is not sufficient to meet the requirements. A cash deposit will be required equal to phase requirements to guarantee future dedication or open space credit.

(Ord. 570 § 3 (part), 1984.)

18.30.080 - Method of dedication of land and/or payment of fees.

The procedure for determining whether a subdivider is to dedicate land, pay a fee, or do both shall be as follows:

- A. When land dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act and of Section 18.30.040 of this chapter. When fees are required, they shall be deposited directly with the Pleasant Valley Recreation and Park District, which is to receive the fee prior to recordation of the parcel or final map and shall be held until such time as the parcel or final map is approved, rejected or withdrawn by the subdivider. If the parcel or final map is rejected or withdrawn, the funds shall be returned by the district. A copy of the district's receipt shall be presented to the city engineer prior to the final map being approved and recorded.
- B. In cases of residences, in-lieu fees shall be paid to the Pleasant Valley Recreation and Park District at the earlier of the city's final inspection or the city's issuance of the certificate of occupancy, in accordance with Government Code Section 53077.5. A copy of the district's receipt shall be presented to the city at the time of the final inspection or the issuance of the certificate of occupancy. Nothing herein prevents the district from collecting fees at an earlier time if the conditions of Government Code Section 53077.5 (b) are met.

(Ord. 664 § 1, 1988; Ord. 570 § 3 (part), 1984.)

18.30.090 - Conveyance of land.

Real property dedicated under the provisions of Section 18.30.040 et seq. of this title shall be conveyed by grant deed in fee simple absolute to the park district by the subdivider free and clear of all encumbrances except those which will not interfere with use of the property for park and recreational purposes and which the district agrees to accept. Required deeds shall be deposited with the park district prior to recordation of the parcel or final map, who shall indicate their intent to accept the deeds. The deeds shall be held by the park district until such time as the parcel or final map is approved, rejected or withdrawn by the subdivider. If the parcel or final map is rejected or withdrawn, the deeds shall be returned to the subdivider. The subdivider shall provide all fees and instruments required to convey the land plus a preliminary title report and title insurance in favor of the park district in an amount equal to the value of the property being conveyed.

(Ord. 570 § 3 (part), 1984.)

18.30.100 - Time of commencement of development.

At the time the tentative map or tentative parcel map is approved, the planning commission or the city council, whichever acts last on the tentative map, upon the recommendation of the park district, shall designate the time when development of the park or recreational facilities should be commenced and where the fees will be utilized for park or recreational purposes. Development of park or recreational facilities shall be committed in not more than five years after payment of such fees or issuance of building permits on one-half of the lots of the subdivision created, whichever occurs later. In the event the park district does not commit the fees within the required time period, the fees shall be returned, without interest, in accordance with state law.

(Ord. 570 § 3 (part), 1984.)

18.30.110 - Limitation on use of land and fees.

The land and fees received under Sections 18.30.040 et seq., of this title shall be used only for the purpose of developing new or rehabilitating existing park and recreational facilities, and the amount and



location of land to be dedicated, the fees to be paid in-lieu thereof, or any combination of dedications and fees shall bear a reasonable relationship to the use of park and recreational facilities by the future inhabitants of the subdivision. The interest earned on the accumulated in-lieu fees required by this chapter may be used for the maintenance of any existing park within the city.

(Ord. 570 § 3 (part), 1984.)

18.30.120 - Industrial and commercial subdivisions.

The provisions of this chapter do not apply to commercial or industrial subdivisions; nor do they apply to condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added.

(Ord. 570 § 3 (part), 1984.)



### NOTICE OF COMPLETION / NOTICE OF AVAILABILITY

**Subject:** Notice of Completion of a Draft Environmental Impact Report  
**Project Title:** St. John's Seminary Residential Community Project  
**Project Location:** 88.45 acres in the City of Camarillo, Ventura County  
**Lead Agency:** City of Camarillo  
**Date:** June 8, 2017

Pursuant to Sections 15085 and 15087 of the *California Environmental Quality Act (CEQA) Guidelines*, and Public Resources Code Section 21092, the City of Camarillo as the Lead Agency is circulating a Draft Environmental Impact Report (DEIR) for public comment on the St. John's Seminary Residential Community Project.

**Project Description (brief):** The City of Camarillo is considering the St. John's Seminary Residential Community Project (proposed project) which would be processed as a Residential Planned Development (RPD), zone change, and General Plan Amendment to identify potential land uses, phasing, design standards, and circulation patterns for approximately 88.45 acres, located at the north side of Upland Road, easterly of Lewis Road and Somis Road. The proposed project will allow for the development of up to 300 residential units on 44.80 acres of the 88.45-acre proposed project site. Within the 44.80-acre development envelope, implementation of the proposed St. John's Seminary Residential Community Project would permit a mix of residential, open space, and recreational land uses. The project also proposes the provision of a new 0.26 acre (11,297 square foot) trailhead located off of Upland Road, along the southern boundary of the proposed project site.

**ENVIRONMENTAL TOPICS EVALUATED:** The DEIR evaluates the potential impacts associated with the proposed project with respect to the following topics:

- Aesthetics
- Agricultural & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use & Planning
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation & Traffic
- Utilities & Service Systems
- Tribal Cultural Resources
- Other CEQA Considerations

**PROJECT IMPACTS:** The proposed project will result in unavoidable significant impacts with regard to the following areas:

- Agricultural & Forestry Resources
- Cultural Resources

**DEIR DOCUMENT AVAILABILITY:** The DEIR is available for review at the following locations:

- City of Camarillo Department of Community Development, 601 Carmen Drive, Camarillo, CA 93010
- City of Camarillo Public Library, 4101 Las Posas Road, Camarillo, CA 93010
- City of Camarillo website: [http://www.cityofcamarillo.org/departments/community\\_development/pending\\_projects/index.php](http://www.cityofcamarillo.org/departments/community_development/pending_projects/index.php)

Hard or electronic copies of the DEIR can be purchased at the City of Camarillo Department of Community Development for the City's cost of production.

**REVIEW PERIOD:** The 45-day public review period for the DEIR begins on June 13, 2017 and ends on July 28, 2017.

**COMMENTS:** Written comments may be sent to:

Attention: David Moe, Assistant Director of Community Development  
 City of Camarillo  
 601 Carmen Drive  
 Camarillo, CA 93010

Comments may also be sent by fax to 805.388.5388 or by e-mail to [dmoe@cityofcamarillo.org](mailto:dmoe@cityofcamarillo.org). Please put "St. John's Seminary Residential Community EIR" in the subject line.

**PUBLIC HEARING:** Written and oral comments regarding the DEIR may also be submitted at public hearings that will be held before the City of Camarillo Planning Commission and City Council. The date, time, and place of future public hearings will be appropriately notified per City and CEQA requirements.

**IF YOU CANNOT ATTEND:** You can send a letter to the City of Camarillo Department of Community Development, 601 Carmen Drive, Camarillo, CA 93010. You can also hand deliver it prior to the meeting or email comments to [dmoe@cityofcamarillo.org](mailto:dmoe@cityofcamarillo.org).

**FOR MORE INFORMATION:** You may contact David Moe, Assistant Director of Community Development, at 805.388.5366 or via e-mail at [dmoe@cityofcamarillo.org](mailto:dmoe@cityofcamarillo.org) (please put "St. John's Seminary Residential Community EIR" in the subject line). You can also come to the City of Camarillo Department of Community Development to review the project file. The office is open Monday through Friday from 8:00 AM to 5:00 PM.

**INDIVIDUALS WITH DISABILITIES:** In accordance with the Americans with Disabilities Act, if you wish to attend a public meeting and, due to a disability, require assistance in order to understand or participate in the meeting, please contact the City Clerk's office at 805.388.5353 at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to the meeting.

**10. INFORMATIONAL ITEMS, which do not require action, will be reported by members of the Board and staff:**

- A. Chairman Dixon
- B. Ventura County Special District Association/California Special District Association
- C. Santa Monica Mountains Conservancy
- D. Standing Committees – Finance, Liaison and Policy
- E. Foundation for Pleasant Valley Recreation and Parks
- F. General Manager's Report