



Livermore Area
Recreation and Park District
An independent special district

Board of Directors

Maryalice Faltings
Director

David Furst
Director

Jan Palajac
Chair

Philip Pierpont
Vice Chair

Beth Wilson
Director

Welcome to the Board of Directors' Meeting

You are welcome to attend all Board of Directors' meetings. Your interest in the conduct of public business is appreciated. Any citizen desiring to speak on any item not on the agenda may do so under Item 2 "Public Comment" when the Chair requests comments from the audience.

If you wish to speak on an item listed on the agenda, please wait until the item is up for discussion, the opening staff or committee presentation has been made, and the Board has concluded its initial discussion. Then, upon receiving recognition from the Chair, please state your name, and tell whether you are speaking as an individual or for an organization. Each speaker is limited to three minutes.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the District office, 4444 East Avenue, Livermore, during normal business hours.

Pursuant to Title II of the Americans with Disabilities Act and section 504 of the Rehabilitation Act of 1973, LARPD does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs or activities. To arrange an accommodation in order to participate in this public meeting, please call (925) 373-5725 or e-mail Lvanbuskirk@larpd.org by noon on the day of the meeting.

AGENDA

REGULAR MEETING

WEDNESDAY, JUNE 24, 2020, 2:00 P.M.

NOTICE: Coronavirus COVID-19

In accordance with Governor Newsom's Executive Orders, the Livermore Area Recreation and Park District Board of Directors and staff will be participating in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting electronically, and shall have the right to observe and offer public comment at the appropriate time during this special meeting.

We have also provided a call in number, as identified on this Agenda, and encourage you to attend by telephone.

PARTICIPATION:

Zoom Webinar ID: 912 3250 3174

Please click the link below to join the webinar:

<https://zoom.us/j/91232503174>

Or Telephone: Dial 1 669 900 9128

1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

3. CONSENT ITEMS (Motion)

- 3.1 Approval of the Minutes of the Special Board Meeting: Budget Workshop of June 9, 2020
- 3.2 Approval of the Minutes of the Special Board Meeting of June 9, 2020

4. DISCUSSION AND ACTION ITEMS

4.1 PUBLIC HEARING: AMENDMENT TO ORDINANCE NO. 8 – DISTRICT RULES AND REGULATIONS

The Board will conduct a public hearing to consider amended Ordinance No. 8; consider waiving the 2nd reading; and consider adopting amended Ordinance No. 8. (Public Hearing and Resolution)

Resolution No. _____, approving amended Ordinance No. 8 - Rules and Regulations Governing Conduct on Use of Parks and Other District Facilities.

4.2 SALARY AND BENEFIT RESOLUTION FOR FISCAL YEAR 2020-21

The Board will consider approving employee salary and benefit levels for the Fiscal Year 2020-21, effective July 1, 2020. (Resolution)

Resolution No. _____, approving employee salary and benefit levels for the Fiscal Year 2020-21, effective July 1, 2020.

4.3 RENEW SPECIAL TAX 97-1 AND SET THE NEW RATE FOR FISCAL YEAR 2020-21

The Board will consider approving a resolution to renew Special Tax 97-1 and set the Equivalent Dwelling Unit (EDU) rate at \$36.45 for FY 20-21. (Resolution)

Resolution No. _____, authorizing renewal of Special Tax 97-1 and setting the Equivalent Dwelling Unit (EDU) rate at \$36.45 for FY 20-21.

4.4 PUBLIC HEARING: FISCAL YEAR 2020-21 FINAL OPERATING BUDGET

The Fiscal Year 2020-21 Preliminary Operating Budget was adopted on June 9, 2020. Staff will present the recommended Final Operating Budget. A public hearing will be held to receive public comment. (Public Hearing and Resolution)

Resolution No. _____, adopting the Final Operating Budget for Fiscal Year 2020-21.

4.5 PUBLIC HEARING: FISCAL YEARS 2020-23 FINAL CAPITAL IMPROVEMENT PLAN BUDGET

The Fiscal Years 2020-23 Preliminary Capital Improvement Plan Budget was adopted on June 9, 2020. Staff will present the recommended Final Capital Improvement Plan Budget. A public hearing will be held to receive public comment. (Public Hearing and Resolution)

Resolution No. _____, adopting the Final Capital Improvement Plan Budget for Fiscal Years 2020-23.

4.6 **LARPD CONTRIBUTION TO THE ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION 401(h) SUB-ACCOUNT FOR RETIREES' MEDICAL FOR THE 2020-21 FISCAL YEAR**

The Board will consider approving a resolution authorizing the funding of the 401(h) Sub-Account for Retirees' Medical with the Alameda County Employees' Retirement Association (ACERA) in the amount of \$329,550.84 for the 2020-21 Fiscal Year. (Resolution)

Resolution No. _____, authorizing the funding of the 401(h) Sub-Account for Retirees' Medical with the Alameda County Employees' Retirement Association (ACERA) in the amount of \$329,550.84 for the 2020-21 Fiscal Year.

4.7 **ESTABLISHING THE FISCAL YEAR 2020-21 ANNUAL APPROPRIATIONS LIMIT**

The Board will consider approving a resolution establishing the FY 2020-21 Annual Appropriations Limit at \$24,004,056. (Resolution)

Resolution No. _____, establishing the FY 2020-21 Annual Appropriations Limit at \$24,004,056.

5. **COMMITTEE REPORTS**

6. **MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS**

7. **MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER**

8. **ADJOURNMENT**



Livermore Area
Recreation and Park District
An independent special district

LIVERMORE AREA RECREATION AND PARK DISTRICT

SPECIAL MEETING: BUDGET WORKSHOP

2:00 P.M.

DRAFT MINUTES

WEDNESDAY, JUNE 9, 2020

VIA ZOOM WEBINAR

DIRECTORS PRESENT: Directors Faltings, Furst, Pierpont, Wilson and Chair Palajac

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mathew Fuzie, Patricia Lord, Jeffrey Schneider, Jill Kirk, Fred Haldeman, Allie Ikeda, David Weisgerber, Joseph Benjamin, Julie Dreher, Linda VanBuskirk, Lynn Loucks, Megan O'Connor, Megan Shannon, Michelle Newbould, Natalie Kaaiawahia, Patrick Lucky, Sandra Kaya, Stacey Kenison, Vicki Wiedenfeld

1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chair Palajac called the meeting to order at 2:00 p.m. All Directors were present. Director Pierpont led the Pledge of Allegiance.

2. BUDGET WORKSHOP

2.1 REVIEW OF PRELIMINARY FISCAL YEAR 2020-21 OPERATING BUDGET

2.2 REVIEW OF RELIMINARY FISCAL YEAR 2020-23 CIP BUDGET

The Board reviewed and discussed with staff the Preliminary Operating Budget for FY 2020-21 along with the Preliminary CIP Budget for FY 2020-23. Administrative Services Manager Jeffrey Schneider presented a detailed view of the District's preliminary budgets and recommendations in a presentation entitled "Preliminary Financial Plans and Assumptions for FY20-21". Due to the impacts of the COVID-19 pandemic and resultant shelter-in-place orders, the District forecasts net operating results for the preliminary FY 20-21 budget to be **(\$352,861)**. In order to reach a balanced budget, the District will need to tap into the use of reserves, although there will be a continued focus

on identifying opportunities to manage expenses and implement creative, new revenue sources that will minimize the need to deplete reserves . Quarterly updates will be implemented during FY20-21 and will serve as the District's updated plan of record given the uncertainty within which financial plans are being developed.

- Chair Palajac asked that a discussion on ACERA and other options be reviewed at an upcoming Finance Committee meeting.
- The Board will review and discuss the final Operating and CIP Budgets at the June 24, 2020 Regular Board Meeting.

3. ADJOURNMENT: The Budget Workshop was adjourned at 3:20 p.m.

APPROVED,

Jan Palajac
Chair, Board of Directors

ATTEST:

Mathew L. Fuzie
General Manager and
Ex-officio Clerk to the Board of Directors



Livermore Area
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LIVERMORE AREA RECREATION AND PARK DISTRICT

SPECIAL MEETING

DRAFT MINUTES

TUESDAY, JUNE 9, 2020

3:30 P.M.

ROBERT LIVERMORE COMMUNITY CENTER
4444 EAST AVENUE, LIVERMORE, CALIFORNIA
And via Zoom teleconference

DIRECTORS PRESENT: Directors Faltings, Furst, Pierpont, Wilson and Chair Palajac

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Mat Fuzie, Patricia Lord, Jeffrey Schneider, Jill Kirk, Fred Haldeman, Allie Ikeda, David Weisgerber, Joseph Benjamin, Julie Dreher, Linda VanBuskirk, Lynn Loucks, Megan O'Connor, Megan Shannon, Michelle Newbould, Nancy Blair, Natalie Kaaiawahia, Sandra Kaya, Stacey Kenison, Vicki Wiedenfeld, Rod Attebery

MEMBERS OF THE PUBLIC: Tony Kukulich

- 1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE:**
Chair Palajac called the meeting to order at 3:30 p.m. All Directors were present. Director Pierpont led the Pledge of Allegiance.
- 2. PUBLIC COMMENT:** There were no public comments.
- 3. PRESENTATION**
General Manger Mathew Fuzie gave a presentation to the Board regarding LARPD's Response to COVID-19.

4. CONSENT ITEMS (Motion)

4.1 Approval of the Minutes of the Special Board Meeting of May 13, 2020

4.2 General Manager’s Monthly Update to the Board – June 2020

Moved by Director Faltings, seconded by Director Furst, approved the Consent Agenda, by the following roll call vote:

AYES: *Directors Faltings, Furst, Pierpont, Wilson,
and Chair Palajac*

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

5. CONSENT AGENDA RESOLUTIONS

5.1 DISTRICT ELECTION

Director Furst asked to pull the item for clarification to the staff report and draft resolution. He advised that the Board made a decision three years ago revising the policy for collection of costs of handling candidates’ statements for Board elections, to the effect that candidates pay \$500 and the District pays the remainder of the cost, if any. That language should be captured in the current resolution at paragraph 7.

Moved by Director Wilson, seconded by Director Faltings, adopted Resolution No. 2687, calling for the District’s election on November 3, 2020 and requesting that the Board of Supervisors of Alameda County permit consolidation with the statewide general election on November 3, 2020, with revisions to paragraph 7 as discussed, by the following roll call vote:

AYES: *Directors Pierpont, Wilson, Faltings, Furst,
and Chair Palajac*

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

6. DISCUSSION AND ACTION ITEMS

6.1 DISCUSSION AND CONSIDERATION OF AMENDMENTS TO ORDINANCE NO. 8 – DISTRICT RULES AND REGULATIONS

The Board considered the introduction of amended Ordinance No. 8. Assistant General Manager Patricia Lord presented the staff report which highlighted the need to amend the District’s Ordinance No. 8 – Rules & Regulations Governing Conduct on Use of Parks and Other District Facilities at Chapter 300-Access: Section 301-Hours of Operation. She explained that current hours of operation have raised concerns over safety, vandalism and unwanted activities with park use after dark and inconsistent practices within the park system. The proposed amendment states at §301(a) that “. . . hours of operation shall be Sunrise to one half (1/2) hour after Sunset, except for lighted sports facilities that are permitted for use until 10:30 PM.”

The proposed amendments to Ordinance No. 8 were reviewed and recommended by the Facilities committee at its May 7, 2020 meeting. Staff recommended that the Board conduct a public hearing and consider adopting amended Ordinance No. 8 at its next meeting scheduled on June 24, 2020.

Chair Palajac opened public comment. No public comments were received. Public comment was closed.

Moved by Director Wilson, seconded by Director Pierpont, waived the introduction and the first reading, and instructed Staff to publish a Notice of Hearing indicating that amendments to Ordinance No. 8 will be considered by the Board at its next meeting on June 24, 2020, by the following roll call vote:

AYES: *Directors Wilson, Pierpont, Furst, Faltings,
and Chair Palajac*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *None*

6.2 PRELIMINARY FISCAL YEAR 2020-21 OPERATING BUDGET

The Board reviewed and considered the adoption of a resolution approving the District's Preliminary Fiscal Year 2020-21 Operating Budget. Administrative Services Manager Jeffrey Schneider gave a presentation to the Board on the Preliminary Operating Budget entitled "Preliminary Financial Plans and Assumptions for FY20-21" which was discussed in detail with the Board at its Special Meeting: Board Budget Workshop on June 9, 2020.

Staff recommends approval of the Preliminary Operating Budget as presented. ASM Schneider also suggested quarterly updates with a new set of forecasts to operate against, due to COVID-19 uncertainty.

Board members commended Staff for their efforts in producing a complete and excellent budget presentation.

Chair Palajac opened public comment. No public comments were received. Closed public comment.

Chair Palajac stated that Items 6.2 and 6.3 should be taken together. They were both discussed during this presentation by ASM Schneider and at the previously held Special Meeting: Board Budget Workshop.

Moved by Director Pierpont, seconded by Director Furst, adopted Resolution No. 2688, approving the District's Preliminary FY 2020-21 Operating Budget, by the following roll call vote:

AYES: *Directors Furst, Pierpont, Wilson, Faltings,
and Chair Palajac*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *None*

6.3 PRELIMINARY FISCAL YEAR 2020-23 CAPITAL IMPROVEMENT PLAN (CIP) BUDGET

As mentioned in Item 6.2 above, Chair Palajac stated that Items 6.2 and 6.3 should be taken together. The items were both discussed during the presentation by ASM Schneider and at the previously held Special Meeting: Board Budget Workshop.

Moved by Director Pierpont, seconded by Director Furst, adopted Resolution No. 2689, approving the District's Preliminary FY 2020-23 Capital Improvement Plan (CIP) Budget, by the following roll call vote:

AYES: *Directors Furst, Pierpont, Wilson, Faltings,
and Chair Palajac*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *None*

6.4 REVISION TO BOARD MEETING SCHEDULE FOR REMAINDER OF 2020

The Board reviewed and discussed revising the 2020 Board Meeting Schedule as adopted by the Board on December 11, 2019. Due to the COVID-19 pandemic and resultant shelter-in-place orders, the District has opted to hold its board meetings via Zoom teleconferences during business hours. These may continue for the remainder of the year.

GM Fuzie added that while holding board meetings virtually has been a challenge, it has been convenient having staff attend these meetings during working hours to be available to work directly with the Board on issues.

Chair Palajac confirmed that the Board consensus is to continue to hold normally scheduled board meetings on Wednesdays as originally listed, but changing the meeting time to 2:00 p.m. via Zoom teleconference for as long as the pandemic continues. Board members expressed a desire to maintain the three Pubic Meetings in Parks at the scheduled time of 6:00 p.m. Those meetings may need to be canceled at a later date, according to Alameda County Health Officer orders.

Moved by Director Furst, seconded by Director Wilson, approved revisions to the 2020 Board Meeting Schedule for the remainder of 2020 in accordance with the Alameda County Health Officer orders, holding regular board meetings at 2:00 p.m. via virtual online meetings, but keeping the Public Meetings in Parks as listed, by the following roll call vote:

AYES: *Directors Wilson, Furst, Pierpont, Faltings,
and Chair Palajac*
NOES: *None*
ABSTENTIONS: *None*
ABSENT: *None*

6.5 TRI-VALLEY COMMUNITY TELEVISION RECORDING OF BOARD MEETINGS

The Board reviewed and considered video production services provided to LARPD by Tri-Valley Community Television during the COVID-19 pandemic and shelter-in-place order. AGM Patricia Lord presented the staff report. Due to the Alameda County Health Officer order to shelter-in-place, LARPD offices have been closed to the public, and board meetings have been conducted via Zoom since March 25, 2020.

Chair Palajac opened public comment. No public comments were received. Closed public comment.

The Board consensus was that, given the economic and financial situation the District is facing during the COVID-19 pandemic, it is appropriate during this time to cancel the contract with the option to reconsider services once normal business and live board meetings can resume.

6.6 BOARD LETTER IN SUPPORT OF H.R. 7073

The Board reviewed and considered a draft letter of support for H.R. 7073, suggested by California Special Districts Association (CSDA). H.R. 7073 is the Special Districts Provide Essential Services Act, which would bring much-needed relief resources to special districts in our community, throughout California, and across the nation.

Moved by Director Furst, seconded by Director Faltings, adopted Resolution No. 2690, approving the submittal of a letter in support of H.R. 7073, with revisions as discussed, by the following roll call vote:

AYES:	<i>Directors Wilson, Pierpont, Faltings, Furst, and Chair Palajac</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>None</i>

7. INFORMATIONAL ITEMS (No Action Required): None

8. COMMITTEE REPORTS

- a) Directors Faltings and Pierpont reported on the May 18, 2020 Finance Committee meeting.
- b) Director Furst reported on the June 4, 2020 Facilities Committee meeting.
- c) Director Furst reported on the May 21, 2020 Program Committee meeting.
- d) Director Furst reported on the June 3, 2020 Livermore Chamber of Commerce Business Alliance meeting.
- e) Director Furst reported on the May 19, 2020 LARPD Foundation meeting, which he attended on behalf of Director Faltings.
- f) Chair Palajac reported on the May 12, 2020 Intergovernmental Liaison Committee meeting between LARPD and East Bay Regional Park District. This meeting was also reported on by Director Pierpont during the Special Board of Directors Meeting on May 13, 2020.

- g) Director Wilson reported on the June 3, 2020 Livermore Cultural Arts Council meeting.
- h) Chair Palajac reported on the June 19, 2020 Livermore Downtown, Inc. meeting.
- i) Chair Palajac reported on the May 28-29, 2020 CARPD virtual event.

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- a) Director Faltings suggested that when the Ravenswood historic program is brought before the Program Committee, that Staff reach out to Conni Naylor, the current president of the Ravenswood Progress League, to invite her to join the conversation.

10. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

GM Fuzie made the following announcements:

- a) The Sprinkler in the Park program was tested at Almond Park on Friday, June 5th. Parents in attendance were able to give feedback to staff by way of a survey.
 - Director Wilson asked that this be discussed at the Program Committee.
- b) Staff and Board members have been working incredibly hard on staying diligent during this pandemic. Kudos to all!

11. ADJOURNMENT: The meeting was adjourned at 5:26 p.m.

APPROVED,

Jan Palajac
Chair, Board of Directors

ATTEST:

Mathew L. Fuzie
General Manager and
Ex-officio Clerk to the Board of Directors

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie General Manager

PREPARED BY: Patricia Lord, Assistant General Manager

DATE: June 24, 2020

SUBJECT: Amendments to Ordinance No. 8 District Rules and Regulations

RECOMMENDATION: That the Board of Directors conduct the Public Hearing and consider amended Ordinance No. 8 – Rules and Regulations Governing Conduct on Use of Parks and Other District Facilities; waive the 2nd reading; adopt amended Ordinance No. 8 by approval of Resolution No.____.

BACKGROUND: The District’s Rules and Regulations (Ordinance No. 8) was adopted in April of 2008 and subsequently amended in February 2009, January 2012, September 2016, and January 2018. Periodic amendments are required to reflect:

1. Changes in Federal, State and County laws.
2. The need to clarify or correct existing rules and regulations.
3. Changes within the community such as, technology, behaviors, interests, etc.
4. New District facilities, programs, technology or services that require new or changes to existing rules or regulations.

The proposed amendments concern hours of operations. The current hours of operation has raised concerns about safety, vandalism, and unwanted activities with park use after dark and inconsistent practices throughout the Parks system. The legal definition of dark is one half (1/2) hour after sunset. Best practices with other public park agencies hours of operation are sunrise to one half (1/2) hour after sunset. Recommended revisions are incorporated into Ordinance No. 8 Rules and Regulations, Section 301- Hours of Operation, Section 301(a) (See Attachment A)

At its June 9, 2020 meeting, the Board of Directors introduced amended Ordinance No. 8, waived the first reading and directed staff to post a Notice of Hearing indicating that amendments to the ordinance will be considered by the Board at a future meeting.

DISCUSSION: The remainder of the approval process for amending Ordinance No. 8 is as follows:

- A Notice of Hearing, including a summary of the proposed amended Ordinance, was published in the June 18, 2020 edition of The Independent newspaper. A Notice of

Hearing was also posted at the LARPD District Office, 4444 East Avenue, Livermore, California from June 18 through June 24, 2020. Both published and posted Notices indicated that a certified copy of the entire text of the proposed amended Ordinance was available for use and examination by the public at the LARPD District office. In addition, the Notice of Hearing and a certified copy of the entire text of the proposed amended Ordinance were posted on the LARPD website from June 18 through June 24, 2020. These actions meet the requirements that the Notice of Hearing be posted at least five days prior to the Public Hearing and that the text of the proposed amendments be made available to the public. A Certificate of the Clerk of the Board of Directors, attesting to the above, is attached (Attachment B).

- A public hearing is being conducted at the June 24, 2020 Board meeting, during which the Board will consider approving amendments to Ordinance No. 8.
- Assuming that the amendments are approved on June 24, 2020, staff will publish and post a legal notice within 15 days, summarizing the amended Ordinance and indicating who voted for and against the amendments.
- The amended ordinance becomes effective thirty (30) days from the date on which the amendments were approved. Assuming that the amendments are approved on June 24, 2020, the amended rules and regulations become effective on July 26, 2020.

FISCAL IMPACT: The estimated cost for publishing two legal notices and cost for printing of the Ordinance No. 8 Rules and Regulations booklet is \$1,800. Additional costs for updating the existing high-pressure laminate park rules signage in parks is estimated at \$10,000.

ATTACHMENTS:

Attachment A - Ordinance No. 8 on Chapter 300-Access: §301(a) Section 301 – Hours of Operation –amendments indicated

Attachment B – Certificate of the Clerk of the Board of Directors



LIVERMORE AREA RECREATION AND PARK DISTRICT

ORDINANCE NO. 8

RULES & REGULATIONS

Adopted April 9, 2008
Effective May 12, 2008
Revised February 25, 2009
Revisions Effective March 27, 2009
Second Revision January 25, 2012
Second Revision Effective February 24, 2012
Third Revision September 14, 2016
Third Revision Effective October 14, 2016
Fourth Revision January 31, 2018
Fourth Revision Effective March 2, 2018

Ordinance No. 8 Chapter Summary

Chapter 100 – General Provisions

Chapter 200 – Definitions

Chapter 300 – Access

Chapter 400 – Permits

Chapter 500 – Dangerous or Prohibited Activities

Chapter 600 – General Operations

Chapter 700 – General Nuisance

Chapter 800 – Vehicles

Chapter 900 – Trail Uses

Chapter 1000 – Domestic Animals

Chapter 1100 – Natural & Cultural Resource Protection

**Livermore Area Recreation and Park District
Rules and Regulations - Ordinance 8**

In order that residents of the Livermore Area Recreation and Park District (LARPD or District) may use and receive maximum benefit from District facilities, parklands and programs, the Board of Directors of the Livermore Area Recreation and Park District hereby establishes the following rules and regulations concerning use of District facilities and parklands.

Chapter 100 – General Provisions

Section 101 - Authority

§101(a) Authority: All sections of this Ordinance are adopted pursuant to Section 5780, *et seq.*, of the Public Resources Code of the State of California and apply to all District facilities and parklands. A title, where used, does not limit the language of a section.

Section 102 - Exceptions

§102(a) The following regulations shall apply to all persons except:

(1) They shall not apply to employees of the District, District volunteers, or to its concessionaires or their employees engaged in and acting within the scope of their authorized duties and concession activities. However, District employees, District volunteers and District concessionaires and their employees shall abide by the laws of the State of California and all applicable county and/or municipal ordinances.

(2) They shall not apply to persons possessing a special use permit or contract, granted by the District, when such permits or contracts specifically suspend a section or sections of the regulations, providing said permittees are in compliance with all conditions of the permit or contract and all other regulations.

(3) They shall not apply to lease holders where such use is expressly provided for in the terms and conditions of their leases and where they are in compliance with all other regulations.

(4) They shall not apply to public safety employees of Federal, State, County, or Municipal governments acting within the scope of their authorized duties and with the knowledge of the District.

Section 103 - Application

§103(a) Special regulations enacted for an area or a subject do not preclude the application of general regulations unless expressly so indicated.

§103(b) Any judge or commissioner of a judicial District lying wholly or in part within the District, shall have jurisdiction over all prosecutions under this article for violations adopted by the Board of Directors.

- §103(c)** All persons entering upon District facilities or parklands shall abide by the rules and regulations of the District, the laws of the State of California and all applicable County and/or municipal laws or ordinances that pertain. In District facilities and parklands, District rules and regulations will supersede all other local ordinances when they are in conflict, as per section 5786.1(j) of the Public Resources Code.
- §103(d)** Parents or guardians shall be held responsible for the acts of minor children in their custody or control. Damage to property of the District shall be the financial responsibility of the minor child(ren)'s parents or guardians as set forth in the Civil Code 1714.1.
- §103(e)** The District or its authorized representatives shall diligently enforce the provisions of these regulations and may withdraw or revoke the privilege of access to District parklands or the use of any District facility for reasons of safety, security or resource protection, or from any person or group violating any provision of these regulations or any other law or ordinance.
- §103(f)** Uniformed District Rangers are empowered to enforce all District rules and regulations and all laws of the State of California and all applicable county and/or municipal laws or ordinances when the violation is committed within a District owned or managed Facility or Parkland.
- §103(g)** Unless otherwise specified, a violation of these rules is an infraction punishable by a fine not to exceed \$250 (two hundred fifty) dollars for each such violation.
- §103(h)** If a person has previously been issued 2 (two) or more infraction citations for the same offense described in these regulations during the 12 (twelve) month period immediately preceding the date of commission of the violation to be charged, the previous convictions shall also be charged in the accusatory pleading and, if found to be true by the court upon a court trial or if admitted by the person, said violation shall be deemed a misdemeanor punishable by a fine not to exceed \$1,000.00 dollars or by imprisonment in the County jail for a period not to exceed one month, or by both such fine and imprisonment.
- §103(i)** Where specified, a violation of these rules will not be considered an infraction but a misdemeanor. Any violation considered a misdemeanor will be punishable by a fine not to exceed \$1,000.00 dollars or by imprisonment in the County jail for a period not to exceed one month, or by both such fine and imprisonment.

- §103(j)** The following sections shall be considered misdemeanors:
- §303(b), failure to obey an evacuation order
 - §501(d), dumping into/near water body
 - §501(e), depositing commercial quantities of waste
 - §514(a), reckless behavior
 - §517(a), possession/use of firearm
 - §518(c), failure to obey an evacuation order due to fire hazard
 - §520(a), possession/use of fireworks
 - §521(a), vandalism
 - §704(a), failure to obey authorized personnel/disturbing the peace
 - §705(a), failure to obey ejection order
 - §802(l), reckless operation of motor vehicle
 - §1003(j), domestic animal abandonment
 - §1003(n), vicious animal
 - §1003(o), training animal for attack
 - §1101(a), harming wildlife
 - §1101(f), releasing wildlife
 - §1102(a), harming/collecting flora
 - §1103(a), harming/collecting geological features
 - §1104(a), harming/collecting cultural artifact
- §103(k)** Section 801(b) shall be subject to civil penalties as noted in the California Vehicle Code §40200(a).
- §103(l)** Headings, divisions and references to specific code sections are for convenience only and shall not be considered in the interpretation or application of this ordinance and shall not in any way affect the conduct or activities covered in other sections of this ordinance. Some rules may be duplicated in multiple sections.
- §103(m)** If any chapter, section, subsection, subparagraph, sentence, or clause of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance; and the Board of Directors declares that this paragraph, sentence, and clause thereof would have been adopted irrespective of such possible finding of invalidity or unconstitutionality and, to that end, the provisions of this ordinance are hereby declared to be severable.
- §103(n)** Where a section herein or rule or regulation adopted pursuant thereto is amended or repealed, acts and commissions occurring prior thereto may be prosecuted as though such section, rule or regulation had not been so amended or repealed.
- §103(o)** The failure to enforce any provision of this Ordinance shall not constitute a waiver of any right to enforce that provision or any other provision of this Ordinance.

§103(p)

These Rules and Regulations shall take effect and be in force upon their adoption by the District's Board of Directors.

Chapter 200 – Definitions

Unless the context otherwise requires, the definitions hereinafter set forth shall govern the construction of this ordinance.

Adult	Any Person aged 18 (eighteen) or older, or a legally emancipated minor.
Aircraft	Any machine or device, with or without an engine, supported for flight in the air by buoyancy or by the dynamic action of air on its surfaces. Includes but is not limited to airplanes, helicopters, gliders, dirigibles and blimps.
Airsoft	An activity in which participants attempt to shoot each other with spherical non-metallic pellets launched via replica firearms.
Alcoholic Beverage	Includes any liquid or solid material intended to be ingested by a person which contains ethanol, also known as ethyl alcohol, drinking alcohol, or alcohol, including but not limited to, alcoholic beverages as defined in Section 23004 of the Business and Professions Code, intoxicating liquor, malt beverage, beer, wine, champagne, spirits, liqueur, whiskey, rum, vodka, cordials, gin, scotch, brandy, any other distilled alcoholic beverage and any mixture containing one or more alcoholic beverages.
Ambling Gait (Horse)	See “Horse Gaits”
Artifact	Objects used or modified by humans, including but not limited to, arrow points, projectile points, dart points, stone, bone, wood or shell implements, utensils, tools, pottery, cloth, agricultural implements or any other prehistoric or historic objects.
All Terrain Scooter	See “Off-Road Scooter”
All Terrain Skateboard	See “Off-Road Skateboard”
All Terrain Vehicle (ATV)	See “Motor Vehicle”
Authorized Personnel / Representative	The General Manager of the District, any peace officer, or persons and/or employees of the District acting under the authority of the General Manager.
Bicycle (Bike)	A device upon which a person may ride, propelled exclusively by human power through a belt, chain or gears and having one or more wheels.

Bicycle Dirt Jump Course/Park	A dirt riding area with jumps designed to propel riders into the air. Differs from a BMX course in that jumps are designed to propel riders higher into the air than those of BMX courses and riders do not ride for fastest time but to perform the best tricks with the best style.
Bicycle Pump Track/Park	A closed-loop dirt course consisting of berms, rollers (smooth dirt mounds) and jumps allowing for a continuous ride without pedaling.
Bicycle Skills Course/Park	A riding area with obstacles intended to mimic those encountered in the natural environment.
Bicycle Strider Track/Park	A facility similar in design to a BMX or bicycle pump track, but smaller in scale and designed for young riders on bicycles without pedals that rely on scooting or “striding” to get around.
Bicycle Stunt Course/Park	A concrete or wooden “half pipe” area consisting of two quarter pipes (a ramp with a vertical face) set facing each other. Riders go up each jump and perform tricks in the air before landing to go back up the other ramp. Riders may also perform tricks on the lip of the ramp.
Bicycle Trials Course/Park	A riding area where a rider attempts to pass through obstacles without setting foot on the ground. Obstacles can be both natural and man-made
BMX Bicycle Course/Park	A dirt track composed of jumps and berms designed for races with a clear start hill and finish line.
Board	The Board of Directors of the Livermore Area Recreation and Park District.
Canter (Horse)	See “Horse Gaits”

Commercial Photography	<p>A photographer will be considered commercial when one or more of the following apply:</p> <ul style="list-style-type: none"> a) The photographer is known to take any video, film, photography or other capture of image, whether moving or still, taken with the objective of sale, profit or barter, including but not limited to documentaries, commercials, television series, television movie, motion picture, advertising, public service announcements, editorial, stock, portfolio, calendar, greeting card, fine art and portraiture. The commercial definition will apply to any photographer known to operate a photographic or film business for any session in any District facility or parkland. b) A photographer utilizes any equipment beyond a camera and tripod, whether selling for profit or not. This equipment includes, but is not limited to non-camera mounted external lighting (strobe or flash), light reflectors (disc, panel or other), breeze shields, soft boxes and umbrellas. c) A photographer is conducting more than 1 (one) photographic portrait session in a 90 (ninety) day period in any District facility or parkland, regardless of whether or not that photographer operates a business or is taking photographs for friends or family.
Concessionaire	<p>Any person who, through contract, lease or other written agreement with the District, is authorized to operate recreational facilities or programs or sell a product in District facilities or parklands.</p>
Cultural Feature	<p>Any item that is linked in some way to human history. This includes but is not limited to: buildings (entire or partial), foundation remnants, walls, mortar rocks, caves, hieroglyphics, art work, carvings, signs, letters and plantings, such as trees and landscaping.</p>
Dirt Board	<p>See “Off-Road Skateboard”</p>
Dirt Scooter	<p>See “Off-Road Scooter”</p>
Disc Golf	<p>An activity with the objective of throwing a flying disc at targets while traversing an established course.</p>
District	<p>The Livermore Area Recreation and Park District (LARPD), an independent special District. References to the District includes all lands, waters and facilities owned, controlled, operated or managed by LARPD, and are referred to in this Ordinance as Facilities or Parklands.</p>

Dog Control	<p>Dogs are presumed to NOT be under control when one or more of the following apply:</p> <ol style="list-style-type: none"> 1. They run at large in leash-required areas or enter dog-prohibited areas. 2. They threaten, harass or harm other animals or wildlife. 3. They display threatening behavior. This includes but is not limited to growling, barking, chasing, lunging or jumping. 4. They physically harm people or property directly or indirectly by their actions. 5. They touch or jump on other park users who have not invited or engaged in interaction with the dog. 6. They are not under voice control (as defined below) while in an approved Dog Run/Park/Off Leash Area. 7. They are out of sight of the owner or handler. 8. They are not handled by a person that is physically capable of restraining the dog.
Dog Run/Park	<p>Any area specifically designed for dogs to run without a leash. These areas are fully enclosed by fencing or other barriers. The area can be an entire park or facility or a portion thereof as designated by the District.</p>
Extreme Fire Hazard	<p>A combination of factors that leads to an increased risk of fire, including but not limited to: fuel conditions, air temperature, dew point, fuel moisture and wind speed.</p>
Electric Bicycle	<p>See “Motorized Bicycle”</p>
Electrically Motorized Board	<p>Any wheeled device that has a floorboard designed to be stood upon when riding that is not greater than 60 (sixty) inches deep and 18 (eighteen) inches wide, is designed to transport only one person and has an electric propulsion system averaging less than 1,000 (one thousand) watts, the maximum speed of which , when powered solely by a propulsion system on a paved level surface, is no more than 20 (twenty) miles per hour. The device may be designed to also be powered by human propulsion.</p>
Electronic Cigarette	<p>A vaporizer which simulates tobacco smoking by producing an aerosol that resembles smoke. These devices often, but not always, use a heating element (atomizer) that vaporizes a liquid solution that may or may not contain nicotine.</p>
Electronic Nicotine Delivery System (ENDS)	<p>See “Electronic Cigarette”</p>

Encroachment	Means and includes entering upon, over, under or using any District facility or parkland in such a manner as to prevent, obstruct, interfere or encumber normal use. This includes but is not limited to: excavating, erecting or maintaining any structure, any construction of any kind, accessing private property through parkland, impacting park infrastructure or impacting, in any way, use by the public.
Exotic Animal	Any animal not commonly and legally kept as a pet.
Facility	Any building, structure, parking area, picnic area, pool or campground owned, controlled or managed by the District for the benefit of the general public or necessary for its operational needs.
Fauna	See “Wildlife”
Fee Area	An entire facility, park or part thereof, where access is limited to persons who have paid a fee established by the District for the use of such area.
Feral Animal	Any domestic species that has reverted to a wild state.
Fire Trail/Road	A path that is used by emergency personnel in the event of fire, medical or other emergency. May be used as a trail by the public unless signed and posted as prohibited for public use.
Flora	All vegetation, including trees, dead or downed wood, shrubs, vines, wildflowers, seeds, acorns, grass, sedge, fern, moss, lichen, fungus or any other member of the plant, fungi or algae families or any parts thereof.
Frisbee Golf	See “Disc Golf”
Frolf	See “Disc Golf”
Gallop (Horse)	See “Horse Gaits”
Geocaching	An activity involving hiding and finding objects or locating specific landmarks or other points using a Global Positioning System (GPS) receiver and data to log the location of a geocache and share this data with other players.
Geocache	Container or marker deposited as an end goal for a person geocaching.

Graffiti (or Other Inscribed Material)	Any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, carved, drawn or painted on real or personal property.
Gravity Propelled Activities	Any activity that uses the power of gravity for acceleration or movement. This includes but is not limited to cardboard skiing/sliding, grass skiing, ice blocking and off-road skateboarding.
Grinding (Bicycles)	The sliding of a bicycle along a surface (such as a curb, bench, rail, coping, etc.) on any part of the bicycle including but not limited to pegs (front or back), pedals, cranks, chain or bike frame.
Grinding (Skates)	To ride or slide along an edge (such as a curb, bench, rail, coping, etc.) using any surface of the skate that is not a wheel.
Grinding (Skateboards and Scooters)	To ride along an edge (such as a curb, bench, rail, coping, etc.) using the axle(s) (trucks) of a skateboard instead of the wheels or deck.
Hazardous Conditions	Any factor or combination of factors that would contribute to or cause an unsafe environment. This includes but is not limited to flooding, fire, fire danger, falling or damaged trees, compromised trails, inimical wildlife, construction area or any other situation that presents a danger to public welfare.

Horse Gaits

Gaits are categorized into two groups: “natural” gaits and “ambling” gaits. Natural gaits are those that occur in nature across almost all horse breeds.

1. Walk – a four-beat gait that averages about 4 (four) mph. At the walk, the horse will always have one foot raised and the other three feet on the ground, save for a brief moment when weight is being transferred from one foot to another.
2. Trot – a two-beat gait that has a wide variation in possible speeds, but averages about 8 (eight) mph, or, very roughly, about the same speed as a healthy adult human can run. In this gait, the horse moves its legs in unison in diagonal pairs. Two feet are always off the ground.
3. Ambling - a collection of several smooth footfall patterns that may occur naturally in some individuals but which usually occur only in certain breeds and often require special training. Many are specific to particular horse breeds. They include, but are not limited to pace, fox trot, paso gaits, rack (racking), running walk, slow gait and tölt.
4. Canter (Lope) - a controlled, three-beat gait that usually is a bit faster than the average trot, but slower than the gallop. The average speed of a canter is 10–17 (ten to seventeen) mph, depending on the length of the stride of the horse. Listening to a horse canter, one can usually hear the three beats as though a drum had been struck three times in succession. Then there is a rest, and immediately afterwards the three-beat occurs again. The horse will have 3 (three) legs in the air and one leg on the ground. The faster the horse is moving, the longer the suspension time between the three beats.
5. Gallop (Run) - very much like the canter, except that it is faster, more ground-covering, and changes to a 4 (four) beat gait. All four legs will be off the ground for a brief moment during this gait. It is the fastest gait of the horse, averaging 25-30 (twenty five to thirty) miles per hour.

In-line Skate

A roller skate whose wheels are arranged in a straight line.

Juvenile

Any non-emancipated person under the age of 18 (eighteen) years.

Kick Scooter

Any device consisting of a long footboard between 1 (one) or more wheels on each end, controlled by an upright steering handle and designed to be stood or sat upon by the operator and powered exclusively by human propulsion.

Knife

An instrument for cutting, consisting of a sharp-edged (smooth or toothed) blade fitted with a handle.

Laser Tag	A team or individual activity where players attempt to secure points by “tagging” (shooting) targets which are typically worn by another player (though targets can be incorporated into terrain or an arena depending on game setting), typically with a hand-held infrared emitting targeting device.
Leash (Animal)	A device used to physically restrain, control or lead a dog or other animal. Must be capable of restraining the animal without breaking when the animal is pulling with all its strength. Does not include electronic collars and training devices.
Litter(ing)	The discarding, dropping or scattering of small quantities of rubbish, including but not limited to, beverage containers and closures, wrappers, wastepaper, facial tissue, toilet tissue, newspapers or magazines, charcoal, lighted or non-lighted cigarettes, cigars, matches or any flaming or glowing material or any garbage, trash, refuse, paper, containers or packaging, anywhere other than a place or container for the proper disposal thereof. This includes any matter which escapes or is allowed to escape from a container, receptacle, package, vehicle or clothing pocket.
Livestock	Domestic or useful animals normally kept or reared on a farm or ranch for work, breeding, fattening or other purposes including but not limited to horses, bovine, sheep, swine, and goats.
Lope (Horse)	See “Horse Gaits”
Major Impact	Shall apply when the nature of the activity, the use or proposed use is found to: <ol style="list-style-type: none"> 1. Limit the use of the facility or parkland. 2. Cause damage to the facility or parkland. 3. Cause a nuisance to the facility or parkland neighbors. 4. Cause a nuisance to other facility or parkland users. 5. Require parking beyond the capacity of the facility or parkland. 6. Proposed attendance will exceed the capacity of the facility or parkland. 7. Any use that is deemed extraordinary.
Motor Vehicle	A device by which any person or property may be propelled, moved or drawn, which is powered by an internal combustion engine or electric motor.
Motorcycle	A two or three-wheeled vehicle propelled by an internal combustion/electric engine including but not limited to, motor bike, mini bikes, pocket bikes or trail bikes.

Motorized Bicycle	<p>A bicycle equipped with fully operable pedals and an electric motor of less than 750 (seven hundred fifty) watts. Must be equipped so that the motor disengages when a switch or other mechanism is activated and/or when the brakes are applied. There are three classes of motorized bicycle:</p> <ol style="list-style-type: none"> 1. Class 1 (one): also known as a low-speed pedal-assisted motorized bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 (twenty) miles per hour. 2. Class 2 (two): also known as a low-speed throttle-assisted motorized bicycle is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. 3. Class 3 (three): also known as speed pedal-assisted motorized bicycle is a bicycle equipped with a motor that provides assistance when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 (twenty eight) miles per hour, and is equipped with a speedometer.
Motorized Scooter	<p>Any device consisting of a footboard between 1 or more wheels on each end, controlled by an upright steering handle and designed to be stood or sat upon by the operator and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion.</p>
Mountain Board	<p>See “Off-Road Skateboard”</p>
Off-Leash Area	<p>Any area, other than a dog run, that the District has designated as a place that dogs may be without a leash. The area may or may not be for the exclusive use of dogs and may or may not be enclosed by fencing. In any event, the boundaries will be indicated by either fencing, signs or a combination of both, with the rules and regulations of the area clearly posted. All dogs in such an area must be under voice control.</p>
Off-Road Scooter	<p>A kick scooter with pneumatic tires designed to be ridden on unpaved surfaces such as dirt or grass. Can be referred to by many names including but not limited to all-terrain scooter or dirt scooter.</p>
Off-Road Skateboard	<p>A deck with two or more wheels attached with pneumatic tires designed to be ridden on unpaved surfaces such as dirt or grass.</p>

Open Space	<p>Can be referred to by many names including but not limited to dirtboard, all-terrain skateboard or mountainboard.</p> <p>Shall mean all lands under the ownership, management or control of the Livermore Area Recreation and Park District that are left in a natural vegetative state with management emphasis on wildlife and habitat protection and having controlled public use and access.</p>
Organized Gathering	<p>Any assemblage of individuals that are gathered together for a specific purpose or activity including, but not limited to, sports, picnics, barbeques, celebrations, meetings, demonstrations or performances.</p>
Paintball	<p>An activity in which players compete in teams or individually to “tag” (shoot) other players or targets with paint pellets launched via replica weapons. Mimicked weapons may include but are not limited to firearms, grenades (balloons or other containers filled with paint), flamethrower (generally a water cannon filled with paint) and knives (paint markers). Includes a variety of game styles both indoor and outdoor.</p>
Parkland	<p>Any lands or waters, including but not limited to neighborhood parks, open space, preserves, sports parks, sports fields, trails, streams, creeks, wetlands or ponds which are owned, controlled or managed by the District for the benefit of the general public or necessary for its operational needs.</p>
Permission	<p>Unless otherwise expressly provided, means written authorization granted by the General Manager of the District or the General Manager's authorized designee.</p>
Permit	<p>A document issued by the District and approved by an authorized District representative, allowing the use of District facilities or parklands.</p>
Person	<p>Any natural person, partnership, firm, corporation, club, organization, municipality, District or public agency, and all associations or combinations of person whenever acting for themselves or by any agent, servant or employee.</p>
Personal Vaporizer (PV)	<p>See “Electronic Cigarette”</p>
Playground	<p>Any park or recreational area specifically designed to be used by children that has play equipment installed.</p>
Power-Driven Mobility	<p>Any of a large range of devices powered by batteries, fuel or</p>

Device	other engines/motors – whether or not solely for use by individuals with mobility impairments – that are used by individuals with mobility impairments for the purpose of locomotion.
Preserve	Any land, water or structure owned, managed or controlled by the District, whose use is limited or strictly controlled, in order to protect and preserve unique wildlife, flora, natural, historical, geological or archaeological resources of significant and/or special value.
Prohibited Animal	<p>Any of the following:</p> <ol style="list-style-type: none"> 1. Any animal, bird, fish, insect, reptile or amphibian which is toxic to human beings, whether the toxin is transmitted by bite, sting, touch or other means. 2. Any reptile or amphibian whether egg, larvae, juvenile or adult. 3. All livestock other than equine. 4. Any animal that, because of its size, disposition or other characteristic, would constitute, or could be perceived to constitute, a danger to persons, property, domestic animals or wildlife.
Retractable Leash (Animal)	A device used to physically restrain, control or lead a dog or other animal that allows the animal to go as far as 30 feet from the handler. Lead line retracts into a housing generally made of plastic or another stronger composite. Generally equipped with a locking mechanism allowing the handler to determine length of lead allowed out of housing. Must be capable of restraining the animal without breaking when the animal is pulling with all its strength.
Rock Board	See “Off-Road Skateboard”
Roller Skates	One or more wheels, attached to a framework, shoe, boot or other form of footwear, which can roll freely.
Run (Horse)	See “Horse Gaits”
Scooter	See “Kick Scooter”
Service Animal	An animal that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. This does not include animals that are used purely for emotional support. The ADA definition recognizes the domestic dog as the only species that qualifies as a service animal (miniature horses may be recognized, with specific limitations). Regardless of species, the animal must be “on duty” to qualify for service animal exemptions in any District facility or parkland.
Skateboard	A board having two or more wheels that is ridden in a standing or crouching position.

Skate Park

A purpose-built recreational environment made for one or more types of vehicle use including but not limited to skateboard, bicycle, kick scooter, wheelchair, roller skate and in-line skate use.

Sliding (Skateboards and Scooters)	To ride along an edge (such as a curb, bench, rail, coping, etc.) using the deck of a skateboard instead of the wheels or axle(s) (trucks).
Smoking	The igniting or heating of substances for the intended purpose of inhaling the smoke, steam or vapor.
Sound Amplifying Equipment	Any machine or device for the amplification of the human voice, instruments, music or any other sound. This shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the radio is installed or small personal/portable devices for playing music, compact discs or other digital music or radio e.g. "boombox."
Strikeball	See Airsoft
Sunrise and Sunset	Specific times published in the tide table predictions of the National Aeronautical and Oceanographic Commission and adjusted according to pacific daylight savings time.
Synthetic Sports Field	Any field used for athletic activities that consists of an artificial surfacing material.
Tot Lot	See "Playground"
Tobacco Product	Any item, in any form, that contains nicotine, tobacco or tobacco-like ingredients. This includes but is not limited to cigarettes, chewing tobacco, marijuana, pipes, cigars and electronic cigarettes (e-cigarettes).
Tobacco-like Product	Includes any natural plant product, other than tobacco, including leaves, stems, roots or fruiting body or derivatives, whether natural or synthetic.
Trail	All designated walking, hiking, biking, and equestrian paths, lanes, staging areas and related trail system facilities.
Trot (Horse)	See "Horse Gaits"
Unattended Pet	A pet that is unaccompanied or not under immediate control of an owner or other responsible person.

Unmanned Aerial Vehicle	Any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. Includes but is not limited to airplanes, helicopters, drones or gliders of any kind or description. Model Aircraft are those under 55 (fifty five) pounds flown strictly for hobby or recreation use. Any model aircraft between .55 (fifty five one hundredths) and 55 (fifty five) pounds must be marked with an FAA registration number. Any aircraft over 55 (fifty five) pounds or used for business purposes are considered commercial.
Vandalism	Any action that: <ol style="list-style-type: none"> 1. Defaces with graffiti or other inscribed material. 2. Damages or destroys any real or personal property.
Vehicle	A device by which any person or property may be propelled, moved or drawn.
Vicious Animal	Any animal that demonstrates any of the following behaviors is presumed vicious: <ol style="list-style-type: none"> 1. Any unprovoked attack which requires a defensive action by a person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully. 2. Any unprovoked attack which results in property damage or in an injury to a person when such person is conducting himself or herself peacefully and lawfully. 3. Any unprovoked threat of attack on another animal. 4. Any unprovoked attack on another animal. 5. Any aggressive behavior which constitutes a threat of bodily harm to a person when such person is conducting himself or herself peacefully and lawfully. This includes but is not limited to growling, barking, chasing, lunging, or jumping.

Voice Control (Dogs)	<p>A dog is considered to be under voice control when all of the following are met:</p> <ol style="list-style-type: none"> 1. The person in charge of the dog has the dog in sight at all times. 2. The dog responds to verbal commands at all times, regardless of distractions to the dog including but not limited to, wildlife, traffic, other animals, food, other people or noise. 3. The dog responds to verbal commands quickly and accurately. When called, the dog must return to and stay by the person charged with its control and allow itself to be handled and leashed immediately. 4. The dog does not jump on, act aggressively toward, or advance on people or other animals. The dog may not engage in uninvited contact with a person or display any threatening behavior, including but not limited to, repetitive barking, raised hackles, growling, ears laid back or curled lips.
Volunteer	<p>An unpaid citizen performing duties in support of, or on behalf of, the District, supervised by a District employee.</p>
Waste Matter	<p>Discarded, used, or leftover substance, including but not limited to, construction material, lawn or garden clippings, landscaping waste, tree/bush trimming or chip, dirt, rocks, sand, household appliance, carcass of a dead animal, excrement of any animal or human, or any nauseous or offensive matter of any kind.</p>
Water Areas	<p>Includes, but is not limited to, natural and artificial swimming pools, reservoirs, ponds, lakes, creeks, streams, and flood control channels.</p>
Walk (Horse)	<p>See “Horse Gaits”</p>
Weapon Sport	<p>Any activity that utilizes devices meant to mimic weapons. This includes but is not limited to paintball, airsoft, laser tag or other activities that mimic firearms, knife or sword use.</p>
Wheelchair	<p>A manually-operated or power-driven device, designed solely for use by an individual with a mobility impairment, for the primary purpose of locomotion.</p>
Wheeled Sports and Recreation Devices	<p>Include but are not limited to skateboards, non-motorized scooters, roller skates, in-line skates, bicycles and non-motorized wheelchairs.</p>

Wheeled Sports and
Recreation Parks/
Courses/Tracks

Any area built by the District for use by Wheeled Sports and Recreation Devices. Facilities may include but are not limited to skate parks, BMX bicycle courses/parks, bicycle stunt courses/parks, bicycle skills courses/parks, bicycle strider tracks/parks, bicycle trials courses/parks, bicycle pump tracks/parks and bicycle dirt jump courses/parks. Designated park/course/track areas will be clearly marked with one or more of the following: signage, fencing, curbing, paint, material or surface change or other method.

Wildlife

Any non-domesticated species of animal, bird, amphibian, reptile, fish, shellfish, aquatic life, invertebrate, mammal or insect, in any life stage, including but not limited to, egg, larva, pupa and adult.

Chapter 300 – Access

Section 301 – Hours of Operation

- §301(a) It shall be unlawful to enter or remain in or on any District Facility, Parkland or Trail, after said Facility, Parkland or Trail is closed for public use, without a Permit. All District Facilities, Parklands and Trails ~~shall be closed for public use during the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, except as may be otherwise posted~~ hours of operation shall be Sunrise to one half (1/2) hour after Sunset, except for lighted sports facilities that are permitted for use up until 10:30 PM.

Section 302 – Trespass

- §302(a) It shall be unlawful to enter into or exit from any District Facility or Parkland except at points designated by the District.
- §302(b) It shall be unlawful for any Person to enter into any District Facility or Parkland or area therein that is ordinarily closed to the public.

Section 303 – Area Closed

- §303(a) It shall be unlawful to enter any area in the District that has been closed due to Hazardous Conditions.
- §303(b) It shall be unlawful to fail to obey, in a prompt manner, an evacuation order, given by a District Ranger or other District staff, after any District Facility or Parkland or part thereof has been declared closed due to Hazardous Conditions. (Misdemeanor)
- §303(c) It shall be unlawful to enter on to any road, Bicycle, equestrian or hiking Trail that has been closed.
- §303(d) It shall be unlawful to enter, use or travel through areas of any District Facility or Parkland that have been closed.
- §303(e) It shall be unlawful for any Person to enter into an area after it has been declared prohibited or limited and all Persons within such area at the time it is so declared shall leave the same without any appreciable delay, and in so doing shall obey and abide by all instructions of any Authorized District employees.

Section 304 – Gates and Fences

- §304(a) If gates are locked or secured it shall be unlawful to climb over, under or through the gate or fence to enter or exit any District Facility or Parkland.
- §304(b) It shall be unlawful for any Person to cut any chain or lock from, or add a lock to, any District gate or fence.
- §304(c) It shall be unlawful for any Person to cut any fence within, or marking the boundary of, any District Facility or Parkland.

§304(d) It shall be unlawful for any Person to cut any fence that is surrounding a restricted or protected area.

§304(e) It shall be unlawful for any Person who opens a gate to fail to close and secure the same after passing through it.

Section 305 – Access and Keys

§305(a) It shall be unlawful for any Person other than one acting under written authorization, direction or Permission of the District, to duplicate keys used by the District for padlocks, door locks or any other lock of any type or description.

§305(b) It shall be unlawful for any Person issued a temporary gate card, entry pass, Permit or key for the purposes of conducting contracted services, special events or sporting events in any District Facility or Parkland to use those items to gain access for purposes other than conducting the contracted work or event.

§305(c) It shall be unlawful for any Person to use, or permit the use of, any gate card, entry pass, Permit or key issued to another Person for entry and use of District Facilities or Parklands.

§305(d) It shall be unlawful to fail to present and/or surrender a gate card, entry pass, Permit or keys when requested by Authorized Personnel.

§305(e) It shall be unlawful for any Person to display or present an expired, revoked or otherwise invalid gate card, entry pass or Permit as current and valid.

§305(f) If any person, group, commercial entity or agency, whether public or private, uses any key, gate card, entry pass or permit in a manner that does not adhere to District policy and causes a need for the District to re-key, re-configure or change any lock, padlock, gate or other entry or lock, that party shall be liable for any and all reasonable costs incurred by the District.

Chapter 400 – Permits

Section 401 – Facility Use Permit

§401(a) It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private, to use any District Facility, Parkland or part therein for any event or activity for which the District requires a Permit without having first obtained said Permit.

§401(b) It shall be unlawful for any Person or group, other than one with a Permit, to use, occupy, or otherwise remain in any District Facility or Parkland for which a fee is charged and/or a Permit required unless that Person has paid the required fee and/or possesses a valid Permit.

§401(c) No Person, group, commercial entity, or agency, whether public or private shall hold, conduct, organize, take part in or address, any meeting, Organized Gathering, celebration, parade, service, exercise, organized sporting event or any other group activity in or on District Facilities or Parklands without a Permit when the activity or event will have one or more of the following apply:

1. Is attended by 15 (fifteen) or more people affiliated in any way.
2. Is advertised or noticed in any newspaper or other publication, electronic posting or message, or poster or flyer.
3. Fees are collected, required or admission charged for participation.
4. Is an activity that is commercial or for profit.
5. Will utilize a Facility, Parkland or area therein that has been designated by the District as an area that requires a Permit.
6. Will involve an activity or use that is normally prohibited for the requested Facility, Parkland or area therein.
7. Is an ongoing/regularly occurring activity, whether drop-in or organized.

§401(d) It shall be unlawful for any sales to occur in or on District Facilities or Parklands without a Permit. Events shall not be authorized for the purpose of private financial gain without a Permit.

§401(e) It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private, to use any District Facility, Parkland or part therein to sell, or raise funds for any purpose without a Permit.

§401(f) All Persons to whom a Permit has been granted shall abide by all conditions set forth in the Permit as well as all District rules and regulations. Failure to do so will void the Permit with use privileges revoked, and may result in citation.

§401(g) Any person to whom a Permit has been granted shall have in their possession said Permit (or a legible copy) during the permitted event/activity. The Permit must be presented to any District employee or law enforcement officer upon request. If permittee does not have a Permit in their possession, the event or activity may be terminated at the discretion of the District.

§401(h) No Permit issued by the District shall be transferrable.

Section 402 – Sales Permit

§402(a) It shall be unlawful for any Person, group, commercial entity, or agency, whether public or private to provide services or products of any kind or description, utilizing any District Facility or Parkland, without a Permit.

§402(b) It shall be unlawful for any Person, group, commercial entity or agency, whether public or private, to use District Facilities or Parklands to sell, or raise funds for any purpose without a Permit. In no event may the Permittee group or member thereof solicit sales to a non-attending member of the general public.

§402(c) It shall be unlawful for any Person, group, commercial entity or agency, whether public or private, to solicit, sell, hawk or otherwise peddle or rent any goods, wares, merchandise, services, liquids or edibles for human consumption, or give any lessons, classes or instruction, whether for profit or otherwise, on any District Facility or Parkland without a Permit.

Section 403 – Encroachment Permit

§403(a) It shall be unlawful for any person, group, commercial entity, company, corporation, business or agency, whether public or private, to make or cause to be made any encroachment within, upon, over or under any District Facility or Parkland without a Permit.

§403(b) Permits required by section 403(a) shall be secured at least 15 (fifteen) working days before the work is commenced, except in case of emergency. If any cut, opening or excavation is made on an emergency basis, application for a Permit shall be made on the next working day.

Chapter 500 – Dangerous or Prohibited Activities

Section 501 – Littering and Waste Matter

§501(a) It shall be unlawful for any Person to Litter directly or indirectly any substance in or upon any District Facility or Parkland.

§501(b) It shall be unlawful for any Person to dump or cause to be dumped any Waste Matter in or upon any District Facility or Parkland.

§501(c) It shall be unlawful for any Person, firm, or business to dispose of household or industrial garbage, trash or Waste Matter in any trash can, dumpster or receptacle in any District Facility or Parkland.

§501(d) It shall be unlawful for any Person to discharge, dump, release, place, drop, pour, or deposit, or to cause to be discharged, dumped, released, placed, dropped, poured or deposited, any substance into any bay, lagoon, channel, river, creek, slough, canal, lake, reservoir or other stream or body of water or upon a bank, beach or shore within 200 (two-hundred) feet of the high water mark of any stream or body of water in any District Facility or Parkland. **(Misdemeanor)**

§501(e) It shall be unlawful to deposit in commercial quantities any substance in any District Facility or Parkland. Commercial quantities means an amount of Waste Matter generated in the course of a trade, business, profession or occupation; or an amount equal to or in excess of one cubic yard; or any amount of material greater than what would normally be considered acceptable as household waste volume, whichever is least. **(Misdemeanor)**

Section 502 - Camping

§502(a) It shall be unlawful for any Person or Persons to camp or otherwise stay overnight in any District Facility or Parkland without a Permit.

Section 503 – Golfing

§503(a) It shall be unlawful for any Person to drive, chip, putt or in any fashion play or practice golf on District Facilities or Parklands except in areas set aside for those specific activities.

Section 504 – General Sports

§504(a) It shall be unlawful to play any sport including, but not limited to, baseball, football or soccer in any District Open Space park or Preserve or other Facility or Parkland or area therein not intended for that use.

§504(b) It shall be unlawful to participate in any Weapon Sport including but not limited to Laser Tag, Airsoft or Paintball in any District Facility or Parkland.

Section 505 – Geocaching

§505(a) It shall be unlawful to place or maintain any Geocache of any style or description in any District Facility or Parkland without a Permit.

Section 506 – Model Crafts/Remote Control Vehicles

§506(a) It shall be unlawful to operate model crafts of any kind or description, whether powered or unpowered, that utilize an autonomous control system (onboard computer), a remote control guidance system or attached line operating system, on or over any District Facility or Parkland. This includes but is not limited to Unmanned Aerial Vehicles, drones, boats and automobiles.

§506(b) It shall be unlawful to operate any glider with a wingspan greater than 10 inches in any District Facility or Parkland. Regardless of wingspan these devices may not be used at Ravenswood Historic Site or in any District Open Space or Preserve.

§506(c) It shall be unlawful to operate any commercial Unmanned Aerial Vehicle of any kind or description, whether powered or unpowered, that utilizes an autonomous control system (onboard computer), a remote control guidance system or attached line operating system, on or over any District Facility or Parkland or to use any District Facility or Parkland as a launch, landing or tethering point.

Section 507 – Rockets

§507(a) It shall be unlawful to operate missiles, rockets, or similar projectiles powered by chemical motors including, but not limited to, black powder or composite propellants (i.e. ammonium perchlorate, potassium nitrate, aluminum powder and associated binders) in any District Facility or Parkland without a Permit.

Section 508 – Kites

§508(a) It shall be unlawful to operate or use kites with a string length of more than 400 (four-hundred) feet, in areas where they may become lodged in trees, towers, outdoor lights, power or any other utility towers or lines, or in parking areas or roadways. Kite flying or use is specifically prohibited at Ravenswood Historic Site, Murrieta Meadows Park, in any District Open Space or Preserve or at any District sports field with overhead lighting.

Section 509 – Skate Board/In-line Skate/Roller Skate/Scooter Use

§509(a) It shall be unlawful for any Person under 18 (eighteen) years of age to operate any wheeled device, including but not limited to Roller Skates, In-Line Skates, Skateboards or Scooters in any District Facility or Parkland without a properly fitted and fastened helmet. If any Person is operating a Wheeled Sports and Recreation Device in any District Wheeled Sports and Recreation Park/Course/Track, that Person shall also be required to wear elbow pads and knee pads in accordance with Section 605.

§509(b) It shall be unlawful to Grind or Slide any Skateboard, In-Line Skate, Roller Skate or Scooter across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.

§509(c) It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter to ride off of or jump onto or off of any object in any District Facility or Parkland not specifically intended for that use, including but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls.

§509(d) It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter in the courtyard area between the Community and Recreation Buildings at the Robert Livermore Community Center.

§509(e) It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 70 (seventy) feet of the main entrance of the Community Building at the Robert Livermore Community Center.

§509(f) It shall be unlawful to use any Skateboard, In-Line Skate, Roller Skate or Scooter within 25 (twenty-five) feet of any public entrance to any District Building.

Section 510 – Extreme Sports

§510(a) It shall be unlawful to hang glide, parachute, parasail, bungee jump in or from any District Facility or Parkland.

§510(b) It shall be unlawful to dive, jump or purposefully fall from bluffs, cliffs, rocks, or structures in any District Facility or Parkland.

§510(c) It shall be unlawful to take part in any activity, including but not limited to kite landboarding (aka kiteboarding, land kiteboarding or flyboarding), land sailing, wingsurfing or any other activity that will lift or move a person or animal using the power of air or wind in any District Facility or Parkland.

Section 511 – Gravity Propelled Activities

§511(a) It shall be unlawful to participate in any Gravity Propelled Activity in any District Facility or Parkland except where designated.

Section 512 – Climbing

§512(a) It shall be unlawful for any Person to climb, sit or hang upon any tree in any District Facility or Parkland.

§512(b) It shall be unlawful to walk, stand, sit or climb upon monuments, fountains, buildings, railings, fences, gates or any structure not designated for such use in any District Facility or Parkland.

§512(c) It shall be unlawful to rock climb, boulder, scramble, or ascend in any manner, any rocks, cliffs or bluffs within any District Facility or Parkland.

Section 513 – Swimming

§513(a) It shall be unlawful for any Person to enter any body of water of any kind or description, in any District Facility or Parkland, for the purpose of swimming, wading or bathing except in those areas and at times designated by the District.

Section 514 – Recklessness

§514(a) It shall be unlawful to engage in any activity in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any Person in any District Facility or Parkland. **(Misdemeanor)**

Section 515 – Fishing

§515(a) It shall be unlawful for any Person, regardless of age, to take or collect fish or any other aquatic life in any District Facility or Parkland. *A State fishing license does not supersede District rules and regulations in District Parklands and Facilities.*

Section 516 – Alcohol

§516(a) No Person shall possess, sell or consume any Alcoholic Beverage within any District Facility or Parkland, except for beer and wine, which may be possessed and consumed except as noted in section 516(b).

§516(b)

It shall be unlawful for any Person to possess, sell or consume any Alcoholic Beverage, including beer and wine, in any of the following District Facilities/Parklands:

1. Almond Park
2. Altamont Creek Park
3. Big Trees Park
4. Cayetano Park
5. Christensen Park
6. El Padro Park
7. Ernie Rodrigues Sports Field
8. Independence Park (Kellman Fields)
9. Karl Wente Park
10. Max Baer Park
11. May Nissen Park
12. Robertson Park
13. Robert Livermore Community Center
14. Robert Livermore Park
15. Sunken Garden Park
16. Vista Meadows Park
17. William (Bill) Payne Sports Park
18. Any District Open Space or Preserve
19. Any District Building
20. At any District Swimming Pool
21. Within 100 (one hundred) feet of the play surface of any District Playground
22. At any organized youth activity
23. At any organized sporting event/athletic contest
24. On or within 50 (fifty) feet of any District Trail, when container has been opened or a seal broken or the contents of which have been partially removed
25. In or within 50 (fifty) feet of any road or parking lot, when container has been opened or a seal broken or the contents of which have been partially removed

§516(c)

Pursuant to a Permit, organizations or individuals may be granted an exemption for the use of Alcoholic Beverages at locations noted in section 516(b)

Section 517 – Weapons

§517(a)

It shall be unlawful for any Person to possess within any District Facility or Parkland, or to fire or discharge, or cause to be discharged, across, within, or into any portion of a District Facility or Parkland, any firearm, gun, rifle, shotgun, bow and arrow, cross bow, sling shot, paintball gun, blowgun, BB gun, pellet gun, air or gas weapon, or any other projectile weapon. Such activity is punishable by imprisonment in county jail pursuant to Penal Code Section 246.3.

(Misdemeanor)

- §517(b)** It shall be unlawful for any Person to use or possess in any District Facility or Parkland any hatchet, ax, machete, Knife with a blade over 3 (three) inches, spear or any other edged weapon.
- §517(c)** It shall be unlawful to use or have in any District Facility or Parkland any weapon or instrument likely to, or capable of, producing great bodily injury by any means of force.
- §517(d)** It shall be unlawful to use or have any plastic, wood or metal object intended to mimic a weapon of any kind or description in any District Facility or Parkland without a Permit.
- §517(e)** The provisions of this section shall not apply to any of the following cases:
1. The possession of firearms or dangerous weapons at a place of residence or business located within the District by a Person in the lawful possession of the residence or business.
 2. The discharge of firearms designated by the General Manager specifically for the purposes of Wildlife management, pest control and the destruction of domestic animals presenting a danger to the public or Wildlife.
 3. Peace officers and authorized staff in the discharge of their duties.

Section 518 – Fire

- §518(a)** Upon the finding of an Extreme Fire Hazard by a District Ranger, local fire officer or District staff, no Person shall Smoke or build fires of any kind in any District Facility or Parkland.
- §518(b)** Upon the finding of an Extreme Fire Hazard by a District Ranger, local fire officer or District staff, any District Facility or Parkland may be closed to public use and/or evacuated.
- §518(c)** It shall be unlawful to fail to obey, in a prompt manner, an evacuation order after a finding of Extreme Fire Hazard has been rendered. **(Misdemeanor)**
- §518(d)** It shall be unlawful to enter, use or travel through areas of any District Facility or Parkland that have been closed by a District Ranger, local fire officer or District staff, upon finding an Extreme Fire Hazard exists.
- §518(e)** It shall be unlawful to build, light or maintain any open outdoor flame or fire or barbecue in any District Facility or Parkland, except in those devices provided and specifically designated for that purpose.
- §518(f)** It shall be unlawful to use any personal cooking appliances, including but not limited to, a gas or propane stove, portable barbecue, hibachi or tow-behind barbecue, in any District Facility or Parkland without a Permit.

- §518(g)** Sections 518(e) and 518(f) shall not apply to portable tabletop propane grill devices on picnic tables marked with yellow striping at both ends.
- §518(h)** It shall be unlawful to leave a fire unattended in any District Facility or Parkland at any time.
- §518(i)** It shall be unlawful to leave burning fuel such as wood or charcoal in an existing fireplace, fire pit or barbecue grill in any District Facility or Parkland.
- §518(j)** It shall be unlawful to dispose of coals in garbage cans or refuse bins. Fuels must be completely extinguished before being disposed of. If no disposal facility is available extinguished coals shall be left in the barbecue device.
- §518(k)** It shall be unlawful to dispose of lighted cigarettes, cigars, matches or any flaming or glowing material until completely extinguished and then only in a place or container for the proper disposal thereof.

Section 519 – Smoking/Tobacco Products

- §519(a)** It shall be unlawful to Smoke or in any way engage in the use of Tobacco or Tobacco-like Products in any District Facility or Parkland or part therein, unless in an area designated and posted for that use by the District. This includes, but is not limited to, cigarettes, cigars, pipes, chewing tobacco and Electronic Cigarettes. Smoking/Tobacco use is strictly prohibited in any area with unmowed grasses or vegetation, natural vegetation or other non-landscaped areas including but not limited to District Open Space Parks and Preserves and regional Trails.

Section 520 – Fireworks

- §520(a)** It shall be unlawful to use or possess fireworks of any kind in any District Facility or Parkland. **(Misdemeanor)**

Section 521 – Malicious Mischief

- §521(a)** It shall be unlawful for any Person to Vandalize any object in any District Facility or Parkland. **(Misdemeanor)**
- §521(b)** It shall be unlawful for any Person to purposefully rock or tip over any portable restroom in any District Facility or Parkland.
- §521(c)** It shall be unlawful for any Person to tie any rope or other item to or attach any swing, rope or otherwise, to any tree in any District Facility or Parkland.

Section 522 – Gambling

- §522(a)** It shall be unlawful to participate in any gambling of any kind or description in any District Facility or Parkland.

Section 523 – Facility Use Restrictions

- §523(a) It shall be unlawful for any Person aged 8 (eight) years or younger, unless otherwise posted, to use or be allowed to use any District Facility or Parkland unless accompanied by an Adult. In any District Dog Run/Park or Off Leash Area the minimum age shall be 12 (twelve) years for any Person.
- §523(b) It shall be unlawful for any conservator, guardian, care-taker or family member to leave any Person at any District Facility or Parkland unless said Person can take care of all of their own needs. This includes but is not limited to autonomous execution of bodily functions, mobility, medication needs and eating.
- §523(c) Section 523(b) shall not apply if the conservator, guardian, care-taker or family member stays with the Person and supplies any and all assistance the Person may need. LARPD staff has no care responsibilities unless the Person is a registered participant in an LARPD program or event where such care is part of the program or event.

Section 524 – Theatrical Re-enactments

- §524(a) It shall be unlawful to engage in theatrical re-enactments in any District Facility or Parkland without a Permit.

Section 525 – Filming/Commercial Photography

- §525(a) Commercial Photography shall be unlawful in any District Facility or Parkland without a Permit.
- §525(b) Section 525(a) shall not apply to the operation of cameras as part of bona fide reporting of news.

Section 526 – Hazardous Materials

- §526(a) It shall be unlawful to bring any hazardous, toxic or reactive material, whether liquid, gas, solid, powder, metal or any other form, into any District Facility or Parkland. This includes, but is not limited to, gasoline, paint thinner, turpentine, mineral spirits, propane, any acid or base, petroleum product, pesticide, herbicide, fertilizer or essential oil.
- §526(b) §526(a) does not apply to the normal and legal use of a Motor Vehicle, Wheelchair or Power-Driven Mobility Device.
- §526(c) Certain substances in §526(a) may be allowed, in small quantities, at the discretion of the District, by Permit only.

Chapter 600 – General Operations

Section 601 – Restrooms

- §601(a)** It shall be unlawful for any Person to use a restroom or locker room Facility intended for the opposite sex. This shall not apply to children aged 5 (five) and under accompanied by an Adult or caregiver authorized by the parent or guardian.
- §601(b)** It shall be unlawful to operate any photographic or video capture device of any kind in any District restroom or locker room Facility.
- §601(c)** It shall be unlawful for any Person to remain in or near any restroom or locker room Facility unless actively using said Facility for the purpose for which it is intended.

Section 602 – Picnic

- §602(a)** When no reservation has been made, picnic tables may only be claimed or held on a "one Person-one table" basis. "One Person-one table" means that there must be at least one Adult present for each table claimed or held.
- §602(b)** It shall be unlawful to move or remove any "RESERVED" sign(s), posted by the District, from any picnic area, day use area or campsite Facility.
- §602(c)** It shall be unlawful to willfully occupy or hold a picnic area, day use area, campsite or Facility which has been reserved by another Person through the District.

Section 603 – Wearing of Proper Footgear

- §603(a)** It shall be unlawful for any Person to wear footgear that will damage, injure or create the need for excessive maintenance on any field, court, deck, floor, turf or specialized surface for particular games or activities. In areas posted with a sign specifying footgear authorized or approved, it shall be unlawful for any Person to enter any such area other than with the footgear so designated.

Section 604 - Park Use Guidelines

- §604(a)** It shall be unlawful for any Person to disobey any posted or published District Facility or Parkland policies, restrictions or use guidelines.

Section 605 – Wheeled Sports and Recreation Parks/Courses/Tracks

- §605(a)** It shall be unlawful to enter or remain at any District Wheeled Sports and Recreation Park/Course/Track between Sunset of one day and 6:00 a.m. of the following day, unless otherwise posted.
- §605(b)** It shall be unlawful for any Person, regardless of age, to operate any Wheeled Sports and Recreation Device at any District Wheeled Sports and Recreation Park/Course/Track without a properly fitted and fastened helmet, elbow pads and knee pads.

- §605(c)** It shall be unlawful for any Person in possession of any Wheeled Sports and Recreation Device to be within the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track without also having in their possession a properly fitted helmet, elbow pads and knee pads. The possession of a Wheeled Sports and Recreation Device without a helmet, elbow pads and knee pads as noted above, shall be deemed a violation of this section.
- §605(d)** It shall be unlawful to have or operate a Motor Vehicle of any kind or description at any time in the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track.
- §605(e)** It shall be unlawful to engage in any activity that does not utilize a Wheeled Sports and Recreation Device in the designated park/course/track area of any District Wheeled Sports and Recreation Park/Course/Track.
- §605(f)** It shall be unlawful to use any Wheeled Sports and Recreation Device that is specifically prohibited at a District Wheeled Sports and Recreation Park/Course/Track. A list of devices that are prohibited will be posted at the boundary of the designated park/course/track area and published on the District website.
- §605(g)** It shall be unlawful to alter, in any way, any District Wheeled Sports and Recreation Park/Course/Track.
- §605(h)** It shall be unlawful to possess any glass bottle or container of any kind or description at any District Wheeled Sports and Recreation Park/Course/Track.
- §605(i)** It shall be unlawful to operate any Bicycle that has pegs or a kickstand on any District BMX Bicycle Course/Park.
- §605(j)** It shall be unlawful for any Person to utilize any device with pedals in any District Bicycle Strider Track/Park.

Section 606 – Camp Shelly

- §606(a)** Any Person who fails to comply with District rules and regulations may be cited and/or ejected from the campground. If a patron is ejected for failure to comply with District rules and regulations, they will not receive a refund.
- §606(b)** It shall be unlawful to occupy a campsite or parking area unless the site or space to be occupied has been designated for camping or parking by the District.
- §606(c)** It shall be unlawful for a Person who is a Juvenile to use a District campground unless accompanied by a parent or guardian.
- §606(d)** It shall be unlawful to have more than 8 (eight) people occupying any one camp site.

- §606(e)** It shall be unlawful to park more than 1 (one) Motor Vehicle at any campsite, or to park off the designated parking pad at the site, without a Permit.
- §606(f)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine or other device in such a manner as to disturb the peace, quiet and comfort of any campground user or Person of normal sensitivity in the area. The use of any such device or machine, such that the sound produced is audible in other camp sites, shall be deemed a violation of this section. In no event shall the above devices be operated between the hours of 10:00 p.m. and 8:00 a.m.
- §606(g)** It shall be unlawful to operate any generator in any District campground without a Permit. In no event may a generator be operated between the hours of 8:00 p.m. of one day and 9:00 a.m. of the following day.
- §606(h)** It shall be unlawful for any Person to use a chainsaw or similar device in any District campground.
- §606(i)** It shall be unlawful to build a fire in any location other than the provided fire pits. In no event shall any Person build or maintain a fire whose flame height exceeds 2 (two) feet or whose dimensions exceed the provided fire pit.
- §606(j)** It shall be unlawful to leave any fire within the campground unattended.
- §606(k)** It shall be unlawful to place any food, Litter or debris into any fire pit.
- §606(l)** It shall be unlawful to not properly store, in accordance with District policy or as directed by District staff, any food, food storage container or food preparation item. This includes but is not limited to pet food, ice chests, cups, plates, utensils, pots and pans. In no event shall any food or item with food residue be left unattended at any time.
- §606(m)** It shall be unlawful to wash any item, including but not limited to, dishes, utensils, cups, pots or pans at hose bibs or sinks.
- §606(n)** It shall be unlawful for any Person to permit any dog to be in any District campground unless such dog is securely restrained by a substantial Leash, not to exceed six feet in length and is under full control at all times. At no time may any dog be left unattended in any District campground.
- §606(o)** It shall be unlawful to allow, or fail to control, a barking dog within any campground of the District.
- §606(p)** It shall be unlawful to leave a dog unattended in any District campground at any time.

§606(q) It shall be unlawful to have or allow to remain in any District campground any animal that is deemed Vicious. Any Person that has the charge of any animal that is deemed Vicious will be required to remove the animal from the campground and may be cited and/or ejected from the campground.

§606(r) It shall be unlawful to leave any Vehicle or other item that in any manner blocks or impedes traffic on the road to, and within, the campground.

§606(s) It shall be unlawful for any Person to use any District campground Facilities or amenities without a Permit.

Section 607 – Synthetic Sports Fields

§607(a) It shall be unlawful to bring any dog or other animal onto any District Synthetic Sports Field.

§607(b) It shall be unlawful for any Person to bring onto or ride any Bicycle of any kind or description on the surface of any District Synthetic Sports Field.

§607(c) It shall be unlawful to bring any food or drink, except water, onto any District Synthetic Sports Field.

§607(d) It shall be unlawful to bring any glass container of any kind or description onto any District Synthetic Sports Field.

§607(e) It shall be unlawful to bring onto or consume any sunflower seeds, gum, candy or nuts while on the surface of any District Synthetic Sports Field.

§607(f) It shall be unlawful to bring onto, ride or use any stroller, skateboard, tri-cycle or motor vehicle of any kind or description on any District Synthetic Sports Field.

Section 608 – Playgrounds

§608(a) It shall be unlawful for any Alcoholic Beverage to be possessed, sold or consumed within 100 feet of the play surface boundary at any District Playground Facility.

§608(b) It shall be unlawful to allow any animal, even if securely Leashed, onto the play surface of any District Playground Facility.

§608(c) It shall be unlawful to bring any glass container of any kind or description onto the play surface of any District Playground Facility.

§608(d) It shall be unlawful to allow any Person aged 8 (eight) years or younger to use any District Playground Facility unless accompanied by an Adult.

Section 609 – Disc Golf Course

- §609(a)** It shall be unlawful for any Alcoholic Beverage, including beer and wine, to be possessed, sold or consumed at any District Disc Golf course.
- §609(b)** It shall be unlawful for any patron of any District Disc Golf course to fail to yield right-of-way to any other park or trail user.
- §609(c)** It shall be unlawful to enter onto or remain in any District Disc Golf course between sunset of one day and 6:00 a.m. of the following day, unless otherwise posted.
- §609(d)** It shall be unlawful for any patron of any District Disc Golf course to climb any fence or to trespass onto any private property bordering or near the course.
- §609(e)** It shall be unlawful to dig or excavate any dirt or to construct any structure of any kind or description or to cut, trim, mow or in any way alter the vegetation including but not limited to grass, shrubs and trees, growing on or near, any District Disc Golf course.

Chapter 700 – General Nuisance

Section 701 – Noise

- §701(a)** The use of all sound-amplifying equipment for any group or special event requires a District use Permit. The users of sound equipment shall abide by any specific limitations noted upon the use Permit, and shall abide by the orders and directions of District employees in the operation of such sound-amplifying equipment.
- §701(b)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine, or other device in such a manner as to disturb the peace, quiet and comfort of any park user or any reasonable Person of normal sensitivity in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of 100 (one hundred) feet, shall be deemed a violation of this section.
- §701(c)** It shall be unlawful to use or operate any radio receiving set, musical instrument, amplifier, CD player, television set, karaoke machine or other device at a volume greater than 80 (eighty) decibels at the device or speaker at any time.
- §701(d)** It shall be unlawful to willfully make or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet or which causes discomfort or annoyance to any reasonable Person of normal sensitivity utilizing any District Facility or Parkland or on adjacent private property.

Section 702 – Posting and Decorations

- §702(a)** It shall be unlawful for any Person to cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other District owned or managed property in any District Facility or Parkland, any bill, advertisement, directional or informational signs, or inscription whatsoever.
- §702(b)** It shall be unlawful in any District Facility or Parkland for any Person to attach or place any materials, devices or equipment to District owned or managed property for the purpose of decorating or for any other purpose without first having obtained a Permit.
- §702(c)** It shall be unlawful for any Person to distribute or place in or upon any Vehicle, left standing or parked, on any District Facility or Parkland any written materials, including but not limited to, advertisements, handouts, handbills, circulars, leaflets, pamphlets, paper, booklets or other printed or written material regardless of whether the content is commercial or non-commercial. Each deposit of any written or printed material shall be deemed a separate violation.
- §702(d)** It shall be unlawful for any Person to place, post, display, fasten to any tree, fence, gate, table, bench, wall, building, monument or other District property any sign, including but not limited to advertisements, directional signs, balloons, political signs, campaign signs, realty signs, banners, or any inscriptions whatsoever whether free-standing, in-ground, tied, taped, stapled, nailed or displayed in any other manner, in any District Facility or Parkland. No sign, banner or posting on any premises or business adjacent to any District Facility or Parkland may be placed in such a manner as to protrude into, hang over, or in any manner encroach upon, any District Facility or Parkland.

Section 703 – Unauthorized Storage

- §703(a)** No Person or group shall store, leave, or otherwise allow to remain on, at or in any District Facility or Parkland any materials, supplies, equipment, vehicle(s) or other items.
- §703(b)** Any materials, supplies, equipment, vehicle(s) or other personal property left for more than 24 (twenty-four) hours, may be moved or towed and stored at owner's expense. If the materials, supplies, equipment, vehicle(s) or other personal property is determined to cause a hazard or to limit the lawful use of a District Facility or Parkland by others the item(s) may be removed immediately.
- §703(c)** Any materials, supplies, equipment or other personal property that have been moved or towed and stored as noted in §703(b), that remains unclaimed after 60 (sixty) calendar days from date of notification or attempted notification of owner, shall become LARPD property and will be disposed of or sold, whichever is determined most appropriate, by the District.

Section 704 – Disturbing the Peace

§704(a) It shall be unlawful for any Person to engage in any course of conduct in any District Facility or Parkland after being advised by a Park Ranger or other District employee, Law Enforcement Officer, agent or Concessionaire having authority to regulate or manage the area, that such conduct does or could unreasonably or unnecessarily interfere with or obstruct the lawful use and enjoyment of such Facility or Parkland by other Persons or impairs the ability of any Park District employee, agent or Concessionaire to perform his or her authorized duties and activities. **(Misdemeanor)**

§704(b) It shall be unlawful to willfully use any threatening, abusive, boisterous, obscene, vulgar or loud behavior which are inherently likely to provoke an immediate breach of peace which impairs or could impair the lawful use and enjoyment of District Facilities or Parklands by other Persons.

Section 705 – Failure to Obey

§705(a) It shall be unlawful to refuse to leave the premises of any District Facility or Parkland when given a lawful order to do so by a District employee or a Law Enforcement Officer. **(Misdemeanor)**

Section 706 – Nudity

§706(a) It shall be unlawful for any Person to appear, swim, bathe, wade, sunbathe, walk or be in any District Facility or Parkland in such a manner that the genitals, vulva, pubis, symphysis, pubic hair, buttocks, cleft, perineum, anus, anal region, pubic hair region or any portion of the breast at or below the upper edge of the areola of any female Person be exposed to public view.

§706(b) Section 706(a) shall not apply to children under the age of 5 (five) years or a woman with breast(s) exposed in the process of breastfeeding an infant.

Section 707 – Air Jumps

§707(a) It shall be unlawful to have, install or use any air filled play device including but not limited to, air jumps, trampolines, slides and ball pits in any District Facility or Parkland without a Permit.

Section 708 – Generators

§708(a) It shall be unlawful to use or possess a generator or similar device in any District Facility or Parkland without a Permit.

Section 709 – Metal Detectors

§709(a) It shall be unlawful to use a metal detector or similar device in any District Facility or Parkland without a Permit.

Section 710– Unintended Use

§710(a) It shall be unlawful to use a District Facility or Parkland for a purpose other than that for which it is intended by the District without a Permit.

§710(b) It shall be unlawful to alter any District Facility or Parkland without a Permit. This includes but is not limited to digging, excavating, or constructing any obstacle, ramp or jump or removing any object, mowing, edging, trimming, cutting, pruning, removing or adding any plant material, soil or amendments of any kind or description or adding any markings or lines via chalk, paint, tape or other adhesive or any other medium for any purpose.

§710(c) It shall be unlawful to erect or build any structure or building of any kind or description in any District Facility or Parkland without a Permit. This includes but is not limited to tents, shade shelters, portable restrooms, tree houses or fencing.

§710(d) It shall be unlawful to drive, pound, hammer or place any stake, bar, post, fence post or other item into the ground at any District Facility or Parkland without a Permit.

Section 711– Encroachment

§711(a) It shall be unlawful for the owner or occupant of any premise or business adjacent to any District Facility or Parkland to fail or neglect to keep any tree, shrub, vine or groundcover controlled or trimmed so as not to infringe upon any District Facility or Parkland. The overhang of trees onto District property shall be trimmed to a minimum height of 8 (eight) feet over grade level of any District Facility or Parkland, with the exception of parking lots or streets, in which case the minimum height shall be 10 (ten) feet.

Chapter 800 – Vehicles

Section 801 – Parking

§801(a) Any Vehicle parked or left standing in violation of this section may be removed in accordance with the California Vehicle code §22650.

§801(b)

It shall be unlawful and punishable by civil penalties identified in Vehicle Code §40200(a) for any Person to park a Motor Vehicle in any District Facility or Parkland, except an authorized emergency Vehicle or when in compliance with the directions of a peace officer, in any of the following places:

1. Where prohibited by "No Parking" signs.
2. Where prohibited by "No Stopping" signs.
3. Adjacent to any curb painted red.
4. Adjacent to any curb beyond the time indicated by paint or signs.
5. Within 15 (fifteen) ft. of a fire hydrant.
6. Blocking or obstructing any fire Trail or fire lane.
7. Blocking or obstructing any Trail, sidewalk or pedestrian walkway.
At no time may a vehicle, even if parked in a legal parking space, overhang or protrude, narrowing a Trail, sidewalk or pedestrian walkway to a width of 3 (three) ft. or less.
8. Blocking or obstructing any gate, entrance or exit.
9. On any lawn, turf or landscaped area.
10. On any area where grass and other vegetation is taller than 4 (four) inches in height.
11. In any picnic area.
12. In such a manner as to take up more than one designated parking place in any authorized area.
13. In such a manner as to block or partially block the roadway of the parking area i.e., Vehicle not pulled fully into parking space.
14. Where a fee is charged and the fee is not paid.
15. In any District parking area where a fee is charged, a Permit is issued as a receipt, and the Permit or receipt is not displayed in a conspicuous place upon the Vehicle as to be easily observed by a peace officer.
16. In any District parking area for the purpose of commute parking.
17. In any District parking area for the purpose of advertising or attempting to sell a Vehicle.
18. In any area not intended by the District to be used for parking or in any area that is designated as restricted or permit use only, without displaying a valid permit.
19. Anywhere in the District between the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, or hours otherwise posted.
20. In any District parking area if vehicle occupants are not utilizing a District Facility or Parkland associated with said parking area.
21. In any area designated for District employees without displaying an LARPD employee parking permit.
22. By backing in where posted head-in parking only.

§801(c)

It shall be unlawful for any Person to park, abandon or otherwise allow to remain any automobile or other conveyance in any District Facility or Parkland between the hours of 10:00 p.m. of one day and 6:00 a.m. of the following day, or hours otherwise posted, without a Permit.

§801(d) It shall be unlawful for any Person to park a Vehicle in any District parking area if such Person is not utilizing a District Facility or Parkland associated with said parking area.

Section 802 – Motor Vehicles

§802(a) It shall be unlawful for any Person to drive any Motor Vehicle on any District Trail, or on any service road not intended for public use, or any other area posted to prohibit such use.

§802(b) Section 802(a) shall not apply to a mobility challenged Person using a multi-use Trail who is using a Wheelchair or Power-Driven Mobility Device or to a Class 1 (one) or Class 3 (three) Motorized Bicycle when operated at a speed no greater than 15 (fifteen) miles per hour on paved Trails outside of Sycamore Grove Park.

§802(c) It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland except on established roads that are open to the public for this purpose.

§802(d) It shall be unlawful for any Person authorized to operate any Motor Vehicle in any District Facility or Parkland to drive anywhere other than on established roads.

§802(e) It shall be unlawful for any Person authorized by easement agreement to drive on service roads and/or Trailways in any District Facility or Parkland to drive anywhere other than on roads approved and agreed upon in the easement.

§802(f) It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed greater than 10 (ten) mph unless otherwise posted.

§802(g) Section 802(f) shall not apply to Motorized Bicycles on paved District Trails outside of Sycamore Grove Park. The speed limitation for these Vehicles shall be 15 (fifteen) mph or less, unless otherwise posted.

§802(h) It shall be unlawful for any Person to operate a Vehicle within any District parking area or non-roadway at a speed greater than 5 (five) mph.

§802(i) It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed greater than is reasonable or prudent for conditions present, which may include but are not limited to, posted speed limit, road width, road surface, weather, traffic or other conditions.

§802(j) It shall be unlawful for any Person to operate any Motor Vehicle in any District Facility or Parkland at a speed which endangers the safety of Persons, property or Wildlife.

- §802(k) It shall be unlawful in any District Facility or Parkland for the operator of any Motor Vehicle to accelerate so as to cause audible noise by tire friction on the pavement or graveled surface, or to cause the tires of the Vehicle to leave friction marks upon the pavement except when such action is reasonably necessary to avoid collision.
- §802(l) It shall be unlawful in any District Facility or Parkland for the operator of any Motor Vehicle to cause a Vehicle to spin, slide, race, fishtail, circle or to operate a Vehicle in any way that may endanger themselves, any other Vehicles, park users or property. (**Misdemeanor**)
- §802(m) It shall be unlawful for any Person to perform any Vehicle maintenance or repairs in any District Facility or Parkland.
- §802(n) It shall be unlawful to wash any Motor Vehicle in any District Facility or Parkland without a Permit.

Section 803 – Motorized Bicycles

- §803(a) It shall be unlawful to operate a Class 2 (two) Motorized Bicycle in any District Facility or Parkland.
- §803(b) It shall be unlawful to operate any Motorized Bicycle at a speed greater than 15 (fifteen) mph in any District Facility or Parkland.
- §803(c) It shall be unlawful for any Person to operate any Motorized Bicycle in any District Facility or Parkland at a speed greater than is reasonable or prudent for conditions present, which may include but are not limited to, road width, road surface, weather, traffic or other conditions.
- §803(d) It shall be unlawful to operate any Motorized Bicycle in any District Facility or Parkland on any surface other than a paved trail. Motorized Bicycle operation is strictly prohibited in Sycamore Grove Park regardless of trail surface.
- §803(e) It shall be unlawful for any Person under 16 (sixteen) years of age to operate any Class 3 (three) Motorized Bicycle in any District Facility or Parkland.
- §803(f) It shall be unlawful for any Person to operate any Class 3 (three) Motorized Bicycle in any District Facility or Parkland without wearing a properly fitted and fastened helmet. The helmet requirement also applies to a Person who rides upon a Class 3 (three) Motorized Bicycle while in a restraining seat that is attached to the Bicycle or in a trailer towed by the Bicycle.

Section 804– Motor Vehicle Abandonment

- §804(a) It shall be unlawful for any Person to permit a Vehicle to be parked or left standing within District Facilities or Parklands for 72 (seventy-two) or more consecutive hours.

§804(b) Any Vehicle parked or left standing in violation of this Section may be removed in accordance with the California Vehicle Code.

Section 805– Bicycles

§805(a) It shall be unlawful for any Person under the age of 18 (eighteen) to operate a Bicycle, or ride upon a Bicycle as a passenger in any District Facility or Parkland without a properly fitted and fastened Bicycle helmet. This also applies to a Person who rides upon a Bicycle while in a restraining seat that is attached to the Bicycle or in a trailer towed by the Bicycle.

§805(b) It shall be unlawful to ride a Bicycle at a speed exceeding 15 (fifteen) mph in any District Facility or Parkland at any time unless otherwise posted. In no event shall a Bicycle be operated at a speed greater than is reasonable or prudent, having due regard for weather, visibility, the traffic on and the surface being traversed. In no event shall a Bicycle be operated at a speed or in a manner which endangers the safety of Persons or property.

§805(c) It shall be unlawful to ride a Bicycle off of or jump onto any object in any District Facility or Parkland including, but not limited to stairways, curbs, sidewalks, benches, car stops, bike racks, planters, picnic tables or retaining walls that are not intended for such purpose.

§805(d) It shall be unlawful for any Person to lock, chain, fasten, leave or prop any Bicycle in any District Facility or Parkland, to any item not specifically intended for that purpose, including but not limited to trees, tree cages, tree tubes, fences, gates, picnic tables, signs, sign posts, drinking fountains, hose bibs and buildings.

§805(e) It shall be unlawful to operate a Bicycle in the courtyard area between the Community and Recreation Buildings at the Robert Livermore Community Center.

§805(f) It shall be unlawful to operate a Bicycle within 70 (seventy) feet of the main entrance of the Community Building at the Robert Livermore Community Center.

§805(g) It shall be unlawful to operate a Bicycle within 25 (twenty-five) feet of any public entrance to any District Building.

§805(h) It shall be unlawful to Grind any Bicycle across any object, including but not limited to, curbs, plant containers, concrete walls, rock walls, benches, picnic tables, stairway rails or any other object not intended specifically for this use, in any District Facility or Parkland.

Section 806- Watercraft

§806(a) It shall be unlawful for any Person to launch a flotation device of any kind or description, including but not limited to a boat, kayak, canoe, raft, inner tube or surfboard on water owned, managed, controlled or operated by the District.

Section 807– Aircraft

- §807(a) It shall be unlawful to land, launch or tether any Aircraft on any District Facility or Parkland.
- §807(b) It shall be unlawful to practice, or attempt to practice, the landing, take-off, or taxiing of any Aircraft over or upon any District Facility or Parkland.
- §807(c) It shall be unlawful to operate any Aircraft in a manner which disturbs or causes harm to any of the Flora or Wildlife or which impairs the lawful use and enjoyment of a District Facility or Parkland.
- §807(d) It shall be unlawful to operate any Aircraft over any District Facility or Parkland at a height lower than 500 (five-hundred) feet, other than normal landing and take-off activities utilizing the Livermore Municipal Airport.

Chapter 900 – Trail Uses

Section 901 – General

- §901(a) It shall be unlawful to use any District Trail that is posted as closed in any District Facility or Parkland.
- §901(b) It shall be unlawful to use any District Trail in a negligent, unsafe or reckless manner or in a way that endangers the life, limb or property of any Person.
- §901(c) It shall be unlawful for any Person to travel farther than 100 (one-hundred) feet off any designated Trail in any Open Space or Preserve.
- §901(d) It shall be unlawful for any Person to leave any District Trail when such action will result in that Person trespassing on private property.
- §901(e) It shall be unlawful for any Person to utilize a Vehicle of any kind or description, including but not limited to, scooters, off-road scooters, skateboards, off-road skateboards, gravity propelled devices or motor vehicles on any Trail, or across any area in any District Facility or Parkland, not designated for that use. These Vehicles are specifically prohibited on unpaved Trails in any Open Space or Preserve.
- §901(f) Section 901(e) shall not apply to a mobility challenged Person who is using a Wheelchair, or Power-Driven Mobility Device, or a device in which young children are transported i.e., stroller.

Section 902 – Bicycles on Trails

- §902(a) It shall be unlawful to ride or operate any Bicycle on any Trail, District Facility or Parkland not designated for that purpose.

§902(b) It shall be unlawful for any Person to not ride a Bicycle single file on the right side of the Trail and/or reduce speed to a level that is safe for conditions, when on turns, blind corners or steep hills/grades.

§902(c) It shall be unlawful for any Person riding a Bicycle to not warn other Trail users, at a distance not less than 30 (thirty) feet, when overtaking or approaching. This warning can be a verbal statement that shall be called out, or an audible device that is sounded.

§902(d) It shall be unlawful to ride a Bicycle at a speed exceeding 15 (fifteen) mph in any District Facility or Parkland at any time unless otherwise posted. In no event shall a Bicycle be operated at a speed greater than is reasonable or prudent, having due regard for weather, visibility, the traffic on and the surface and width of the Trail. In no event shall a Bicycle be operated at a speed or in a manner which endangers the safety of Persons or property.

Section 903 – Saddle or Pack Animals on Trails

§903(a) It shall be unlawful to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle or pack animal on any Trail, District Facility or Parkland not designated for that purpose in any District Facility or Parkland.

§903(b) It shall be unlawful to ride or drive any horse, mule, donkey, pony or other saddle or pack animal at a Trot, Canter, Lope, Gallop or Run or to use an Ambling Gait in any area where the pace of such animal is restricted to a Walk. These areas include, but are not limited to, asphalt/paved surfaces and Open Space Trails less than 4 (four) feet wide.

§903(c) It shall be unlawful to ride or drive any horse, mule, donkey, pony or other saddle or pack animal at a speed that exceeds a Trot, Ambling Gait or 15 (fifteen) miles per hour, whichever is less, in any District Facility or Parkland, unless otherwise posted. In no event shall the speed of such animal be greater than is reasonable or prudent, having due regard for weather, visibility, other trail users, trail conditions and the width of the Trail, and in no event at a speed which endangers the safety of Persons, property or Wildlife.

§903(d) It shall be unlawful to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle animal on any District Trail without a securely fastened saddle and a bridle or other device designed to control the animal.

Section 904 – Vehicles on Trails

§904(a) It shall be unlawful for any Person to drive any Vehicle of any kind on any District Trail or service road not intended for public use or posted to prohibit such use.

§904(b) Section 904(a) shall not apply to a mobility challenged Person using a multi-use Trail who is using a Wheelchair or Power-Driven Mobility Device or a device in which young children are transported i.e. stroller.

§904(c) It shall be unlawful to utilize any sled, wagon, pony cart or other device pulled by an animal of any description on any District Trail.

Chapter 1000 – Domestic Animals

Section 1001 – Grazing

§1001(a) It shall be unlawful to allow horses, cattle, sheep, goats or any other animal to graze in any District Facility or Parkland.

Section 1002 – Saddle or Pack Animals

§1002(a) It shall be unlawful for any Person to ride, drive, lead or keep any horse, mule, donkey, pony or other saddle or pack animal at any swimming pool, nature Preserve, picnic area, Playground, lawn or turf area, or any other area designated as restricted in any District Facility or Parkland.

§1002(b) It shall be unlawful for any Person to ride, drive, lead or keep any horse, mule, donkey, pony or other animal in a manner that would interfere with the lawful use and enjoyment of any District Facility or Parkland.

§1002(c) It shall be unlawful for any Person to leave any horse, mule, donkey, pony or other animal unattended or insecurely tied in any District Facility or Parkland.

§1002(d) It shall be unlawful to tie any horse, mule, donkey, pony or other saddle or pack animal to any sign, sign post, tree, bush, shrub, tree cage, tree tube, picnic table, bench, drinking fountain, fence, gate or other District property or building at any time unless in a manner and place so designated for that use.

Section 1003 – Animals/Pets

§1003(a) No dog, cat, or other animal, even if securely Leashed, shall be permitted at any aquatic Facility, Playground, Preserve, Synthetic Sports Field, wetland, in any building, or any other area specifically designated as prohibited.

§1003(b) Section 1003(a) shall not apply to an on duty service animal assisting a physically challenged Person.

§1003(c) No dog, cat, horse, or other animal shall be Permitted in any District Facility or Parkland, except at a place, time and in a manner as designated. At such times animals must be under the charge and full control of a Person competent to keep such animal under effective charge and control.

- § 1003(d) It shall be unlawful for any Person to cause or permit any dog or other animal to be in any District Facility or Parkland unless securely restrained by a substantial Leash not to exceed 6 (six) feet in length. A dog may be secured by a Retractable Leash; however, the Retractable Leash may not exceed 6 (six) feet in length when in the presence of other people. Even if secured by a Leash or Retractable Leash, the animal must be under the charge and full control of a Person able to keep such animal under effective charge and control at all times.
- §1003(e)** Nothing in section 1003(d) shall prevent a dog from being without a Leash in a designated Dog Run/Park/Off-Leash Area that is posted for such use. However, owners allowing a dog to use such areas are still required to attend the dog and are responsible for the charge, control and actions of said dog. Section 1003(d) will not apply to an on duty service animal assisting a physically challenged Person.
- §1003(f)** It shall be unlawful for any Person to leave an animal or pet of any description unattended in any District Facility or Parkland at any time.
- §1003(g)** It shall be unlawful for any Person in control or having custody of any dog or other animal to fail to remove the feces of such animal from any District Facility or Parkland. All feces shall be removed from the ground in a bag or other device and placed in a trash receptacle. Any Person in control or in charge of any dog or other animal must carry a bag or other device for removal of feces at all times, and must present the bag or other device to any law enforcement or animal control officer upon request.
- §1003(h)** It shall be unlawful for any Person to sweep, rake, shovel or otherwise clean out any Trailer or Vehicle of any kind or description, that is used to move horses, bovine or other animals, of any fecal material and leave said material behind in any District Facility or Parkland.
- §1003(i)** It shall be unlawful for any Person to knowingly bring into any District Facility or Parkland any sick, diseased or infectious animal or pet.
- §1003(j)** It shall be unlawful for any Person to leave or abandon any animal or pet, whether dead or alive, in any District Facility or Parkland. **(Misdemeanor)**
- §1003(k)** Any dog or cat found without a license or identification tag, in violation of California Food and Agriculture Code Section 30951, may be seized and impounded by members of the District's Ranger staff, Law Enforcement Officer or other authorized employee assisting the police, as authorized by and pursuant to California Food and Agriculture Code Section 31101.
- §1003(l)** It shall be unlawful to allow a dog or other animal to chase, injure or kill any cow, goat, sheep or other domestic animal in any District Facility or Parkland.

§1003(m) Any dog found running at large in District facilities or Parklands (i) in a pack of three or more dogs in the park or (ii) chasing wild animals or cattle, or interfering with, bothering or harassing park users, other animals or Wildlife, may be seized and impounded. In the event that such a dog is found to create a danger to the life or limb of park users, other animals or Wildlife, and cannot be seized or impounded, the dog may be killed by a County or City law enforcement officer or designated District Park Ranger.

§1003(n) It shall be unlawful for any Person to bring into, or permit any Vicious Animal to enter or remain in, any District Facility or Parkland. (**Misdemeanor**)

§1003(o) It shall be unlawful for any Person to train dogs for attack, or any other form of dog and human contact which simulates an attack, in any District Facility or Parkland. (**Misdemeanor**)

§1003(p) It shall be unlawful to utilize any sled, wagon, pony cart or other device pulled by an animal of any description within any District Facility or Parkland.

§1003(q) It shall be unlawful for any Person to feed any Feral or abandoned animal in any District Facility or Parkland.

§1003(r) It shall be unlawful for any Person to bring into any District Facility or Parkland any Exotic Animal or Prohibited Animal without a permit. This does not include saddle animals, domestic dogs (excluding wolf and coyote hybrids) and domestic cats (excluding Exotic crosses).

Section 1004 – Dog Run/Park and Off-Leash Areas

§1004(a) It shall be unlawful for any Person to bring an unlicensed dog(s) into any District Dog Run/Park or Off-Leash Area. A valid dog license tag must be worn by the animal(s) at all times.

§1004(b) It shall be unlawful for any Person that brings a dog(s) into a District Dog Run/Park or Off-Leash Area to leave the enclosed/designated area without their animal(s). Any Person charged with the control of said animal(s) must remain in the enclosed/designated area and monitor and control the dog(s).

§1004(c) It shall be unlawful for any Person to knowingly bring into any District Dog Run/Park or Off-Leash Area any sick, diseased or infectious animal.

§1004(d) It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that is in heat.

§1004(e) It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that is not a dog.

- §1004(f)** It shall be unlawful for any Person to bring into, or allow to remain in any District Dog Run/Park or Off-Leash Area, any animal that cannot be kept under Voice Control.
- §1004(g)** Section 1004(f) may not apply to a dog with visual or hearing disabilities. Accommodation may be made on a case-by-case basis for the use of visual cues or assistive technology i.e. electric collar, in place of audible signals. Regardless of method, all conditions of Voice Control must still be met.
- §1004(h)** It shall be unlawful for any Person to have more than 2 (two) dogs in any District Dog Run/Park or Off-Leash Area at any one time.
- §1004(i)** Any Person charged with the control of any dog(s) in any District Dog Run/Park or Off-Leash Area must have in their possession, at all times, a Leash for each animal. One Leash per animal must be presented to any District Park Ranger, law enforcement, or animal control officer upon request. Failure to do so shall be a violation of this section.
- §1004(j)** It shall be unlawful for any Person aged 12 (twelve) years or younger to be in any District Dog Run/Park or Off Leash Area unless accompanied by an Adult.

Chapter 1100 – Natural & Cultural Resource Protection

Section 1101 – Wildlife Protection

- §1101(a)** It shall be unlawful for any Person to hunt, molest, disturb, injure, trap, take, fish, net, poison, harm, capture or kill any kind of Wildlife in any District Facility or Parkland. (**Misdemeanor**)
- §1101(b)** It shall be unlawful for any Person to remove, destroy or in any manner disturb the natural habitat of any animal in any District Facility or Parkland.
- §1101(c)** It shall be unlawful to allow a dog or other animal to chase or injure Wildlife in any District Facility or Parkland.
- §1101(d)** It shall be unlawful to allow a dog or other animal to dig up burrows or disturb nests or dens of any Wildlife in any District Facility or Parkland.
- §1101(e)** It shall be unlawful for any Person to feed Wildlife at any time in any District Facility or Parkland.
- §1101(f)** It shall be unlawful for any Person to leave, release or abandon any Wildlife, whether dead or alive, in any District Facility or Parkland. (**Misdemeanor**)
- §1101(g)** It shall be unlawful for any Person to collect or remove from any District Facility or Parkland any scat, bones, teeth, fur, feathers, nest, egg (whether hatched or unhatched) or any other part of any Wildlife.

Section 1102 – Flora Protection

§1102(a) It shall be unlawful for any Person to damage, destroy, injure, collect, dig up, pick, mutilate, cut, carve upon or remove any Flora in any District Facility or Parkland. **(Misdemeanor)**

§1102(b) It shall be unlawful for any Person to bring into any District Facility or Parkland any Flora for the purposes of planting, dispersal or disposal.

§1102(c) It shall be unlawful for any Person to collect any seeds or cuttings in any District Facility or Parkland.

§1102(d) It shall be unlawful for any Person to tie any rope or other item to or attach any swing, rope or otherwise, to any tree in any District Facility or Parkland.

Section 1103 – Geological Feature Protection

§1103(a) It shall be unlawful for any Person to damage, carve, dig up, collect or remove earth, rocks, sand, gravel, fossils, minerals, caves, or any geological article or feature in any District Facility or Parkland. **(Misdemeanor)**

§1103(b) It shall be unlawful for any Person to collect or remove any water from any stream, creek, river, channel, canal, slough, pond, lake, permanent or ephemeral pool or puddle, wetland, bay, lagoon, or other stream or body of water in any District Facility or Parkland.

Section 1104 – Archaeological/Cultural/Artifact Protection

§1104(a) It shall be unlawful for any Person to damage, injure, dig up, mutilate, cut, collect, relocate, remove or in any way disturb any paleontological, archaeological or Cultural Artifact or Feature in any District Facility or Parkland. **(Misdemeanor)**

Section 1105 – Research or Collecting Permit

§1105(a) Special Permission may be granted to remove, treat, disturb, or otherwise affect Wildlife or Flora or geological, cultural, archaeological, or paleontological materials for research, interpretive, educational or park operational purposes. Permission for any collection activity must be in writing and obtained in advance.



Livermore Area
Recreation and Park District
An independent special district

**LIVERMORE AREA RECREATION AND PARK DISTRICT
CERTIFICATE OF THE CLERK OF THE BOARD OF DIRECTORS**

I, Mathew Fuzie, Clerk to the Board of Directors of the Livermore Area Recreation and Park District, do hereby certify that a summary of the proposed amended Ordinance No. 8 and a Notice of Hearing on the Ordinance, stating that the Board of Directors would consider amending the Ordinance at a Board Meeting on June 24, 2020 at 2:00 PM via Zoom, was published in the June 18, 2020 edition of The Independent newspaper.

I further certify that a summary of the proposed amended Ordinance No. 8 and a Notice of Hearing on the Ordinance, stating that the Board of Directors would consider amending the Ordinance at a Board Meeting on June 24, 2020 at 2:00 PM via Zoom was publicly posted, and that a certified copy of the entire text of the amended Ordinance was available to the public at 4444 East Avenue, Livermore, California on the dates of June 18 through June 24, 2020. A Notice of Hearing and a certified copy of the entire text of the amended Ordinance were also posted on the LARPD website, on the dates of June 18 through June 24, 2020.

I further certify that in the publications and postings of the Notice of Hearing on the Ordinance, it was stated that certified copies of the entire text of the Ordinance were available for public use and examination, at 4444 East Avenue, Livermore, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said District this _____ day of June 2020.

Mathew Fuzie
Clerk to the Board of Directors
Livermore Area Recreation and Park District

ATTACHMENT B

Livermore Area Recreation and Park District

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager

DATE: June 24, 2020

SUBJECT: Salary and Benefits for Fiscal Year 2020-21

Personnel Commission: Reviewed June 9, 2020
Board of Directors: Reviewed June 9, 2020 during Preliminary Budget Review
Personnel Committee: Reviewed June 11, 2020
Finance Committee: Reviewed June 15, 2020

RECOMMENDATION: That the Board of Directors adopt Resolution No. _____, approving employee salary and benefit levels for the Fiscal Year 2020-21, effective July 1, 2020.

The District has developed its assumptions for salaries and benefits in support of our annual operating budget process for FY20-21.

Timing: any changes to compensation components would be effective with the first pay period in July, except for the District's contribution to health coverage, which is updated each February.

BACKGROUND: Each year the District updates its salary schedule, reflecting various changes associated with factors such as market compensation studies, minimum wage requirements, and input from Supervisors and Managers related to recruiting and retention challenges. In addition, the Human Resources team surveys its health providers to gauge anticipated changes in medical and dental premiums and determines the extent to which changes to the District's contribution to benefited employees' health insurance coverage are warranted.

Staff recommendations for salary and benefits for the upcoming fiscal year are reviewed with the Personnel Commission and the Board's Personnel and Finance Committees prior to the annual Board Budget Workshop (when the District's preliminary operating budget is reviewed).

Changes to the District's salary schedule and benefit contributions are finalized prior to the completion of the District's final operating budget (no later than June 30, 2020). Adjustments to salaries are to be completed in time for the first pay period in July, 2020, while benefits changes will be effective in February, 2021, when open enrollment has been completed and the new medical and dental plan years begin.

SALARY AND BENEFIT PROPOSALS for FY20-21:

1. **HEALTH BENEFITS:** No changes to the District's contributions for medical, dental, and vision/hearing coverage are proposed.
 - a. Recall that the District made significant increases to coverage levels in February 2019 while simultaneously introducing the Regular, full-time employee status that enabled 45 staff members to move to full-time benefit levels from part-time; in addition, 46 part-time benefitted staff members saw their benefit contribution increased significantly, as outlined below:
 - b. Medical increased from \$1,500 to \$1,600 per month for full-time staff, and from \$900 to \$1,200 per month for part-time benefitted staff;
 - c. Dental increased from \$95.37 to \$100.00 per month for full-time and from \$32.91 to \$75.00 per month for part-time benefitted staff;
 - d. Hearing and vision increased from \$375 per year to \$560 per year for part-time benefitted staff, while the contribution for full-time staff remained at its \$750 per year level.
 - e. **Our working assumption, based on estimated increases to our existing plans from the County, through whom we obtain our plans, is for 5% increases to premiums for the Feb21-Jan22 plan year.**
 - f. **Table A**, below, illustrates amounts that Full-time and Part-time benefitted staff will contribute, alongside the District's contribution, to the various health and dental plans that are available at present. **The main conclusions to be drawn from this table are:**
 - i. Employee-only participants continue to be fully funded for any plan they choose for medical and dental;
 - ii. 6 part-time benefitted employees will see increases to their health contributions for medical: \$34 per pay period for EE+1 and \$49 per pay period for EE+Family.
 - iii. 18 Full-time employees will see a \$49 per pay period increase in their contributions for medical.
 - iv. For dental, the increases per pay period will be \$2.86 or less, and will impact 14 part-time and 26 full-time employees.

Table A: Health and Dental Elections – Costs to Employees and District

Excludes counts for EE who Waive		FY19-20						FY20-21					
Medical Costs PER PAY PERIOD	# of Employees	Premium		EMPLOYEE SHARE		NET to LARPD		Premium		EMPLOYEE SHARE		NET to LARPD	
		thru Jan20	Feb20+	thru Jan20	Feb20+	thru Jan20	Feb20+	thru Jan21	Feb21+	thru Jan21	Feb21+	thru Jan21	Feb21+
		Kaiser PT EEOonly	25	\$336.01	\$344.96	\$0.00	\$0.00	\$336.01	\$344.96	\$344.96	\$362.00	\$0.00	\$0.00
Kaiser PT EE+1	4	\$672.02	\$689.93	\$118.17	\$136.08	\$553.85	\$553.85	\$689.93	\$724.00	\$136.08	\$170.15	\$553.85	\$553.85
Kaiser PT Family	2	\$950.91	\$976.25	\$397.06	\$422.40	\$553.85	\$553.85	\$976.25	\$1,025.00	\$422.40	\$471.15	\$553.85	\$553.85
United PT EEOonly	2	\$483.30	\$502.06	\$0.00	\$0.00	\$483.30	\$502.06	\$502.06	\$527.00	\$0.00	\$0.00	\$502.06	\$527.00
United PT EE+1	0	\$966.57	\$1,004.08	\$412.73	\$450.23	\$553.85	\$553.85	\$1,004.08	\$1,054.00	\$450.23	\$500.15	\$553.85	\$553.85
United FT Family	0	\$1,367.69	\$1,420.75	\$813.84	\$866.91	\$553.85	\$553.85	\$1,420.75	\$1,492.00	\$866.91	\$938.15	\$553.85	\$553.85
Kaiser FT EEOonly	32	\$336.01	\$344.96	\$0.00	\$0.00	\$336.01	\$344.96	\$344.96	\$362.00	\$0.00	\$0.00	\$344.96	\$362.00
Kaiser FT EE+1	29	\$672.02	\$689.93	\$0.00	\$0.00	\$672.02	\$689.93	\$689.93	\$724.00	\$0.00	\$0.00	\$689.93	\$724.00
Kaiser FT Family	18	\$950.91	\$976.25	\$212.45	\$237.78	\$738.46	\$738.46	\$976.25	\$1,025.00	\$237.78	\$286.54	\$738.46	\$738.46
United FT EEOonly	0	\$483.30	\$502.06	\$0.00	\$0.00	\$483.30	\$502.06	\$502.06	\$527.00	\$0.00	\$0.00	\$502.06	\$527.00
United FT EE+1	0	\$966.57	\$1,004.08	\$228.11	\$265.62	\$738.46	\$738.46	\$1,004.08	\$1,054.00	\$265.62	\$315.54	\$738.46	\$738.46
United FT Family	0	\$1,367.69	\$1,420.75	\$629.22	\$682.29	\$738.46	\$738.46	\$1,420.75	\$1,492.00	\$682.29	\$753.54	\$738.46	\$738.46
Dental Costs	# of Employees	TOTAL PREMIUM		EMPLOYEE SHARE		NET TO LARPD		TOTAL PREMIUM		EMPLOYEE SHARE		NET TO LARPD	
		thru Jan20	Feb20+	thru Jan20	Feb20+	thru Jan20	Feb20+	thru Jan21	Feb21+	thru Jan21	Feb21+	thru Jan21	Feb21+
		Delta HMO PT EEOonly	1	\$13.86	\$13.59	\$0.00	\$0.00	\$13.86	\$13.59	\$13.59	\$14.27	\$0.00	\$0.00
Delta HMO PT EE+1	1	\$23.45	\$22.98	\$0.00	\$0.00	\$23.45	\$22.98	\$22.98	\$24.12	\$0.00	\$0.00	\$22.98	\$24.12
Delta HMO PT Family	0	\$35.94	\$35.22	\$1.32	\$0.60	\$34.62	\$34.62	\$35.22	\$36.98	\$0.60	\$2.36	\$34.62	\$34.62
Delta PPO PT EEOonly	20	\$19.74	\$19.74	\$0.00	\$0.00	\$19.74	\$19.74	\$19.74	\$20.72	\$0.00	\$0.00	\$19.74	\$20.72
Delta PPO PT EE+1	10	\$37.44	\$37.44	\$2.82	\$2.82	\$34.62	\$34.62	\$37.44	\$39.31	\$2.82	\$4.69	\$34.62	\$34.62
Delta PPO PT Family	4	\$57.18	\$57.18	\$22.56	\$22.56	\$34.62	\$34.62	\$57.18	\$60.03	\$22.56	\$25.41	\$34.62	\$34.62
Delta PPO FT EEOonly	34	\$19.74	\$19.74	\$0.00	\$0.00	\$19.74	\$19.74	\$19.74	\$20.72	\$0.00	\$0.00	\$19.74	\$20.72
Delta PPO FT EE+1	30	\$37.44	\$37.44	\$0.00	\$0.00	\$37.44	\$37.44	\$37.44	\$39.31	\$0.00	\$0.00	\$37.44	\$39.31
Delta PPO FT Family	26	\$57.18	\$57.18	\$11.02	\$11.02	\$46.15	\$46.15	\$57.18	\$60.03	\$11.02	\$13.88	\$46.15	\$46.15

* no FT staff participate in the Delta HMO plan.

2. **LIFE INSURANCE** – was modified, effective January 2020, at no material cost increase to the District. All employees will now receive 1.5 times their annual salary, up to a maximum of \$200k. Previously, the maximum amounts available to part-time and full-time employees were \$20k and \$50k, respectively. This plan is in place for 36 months, with no changes in premiums during this time.

3. **RETIREMENT BENEFITS:** 457 Plan Contributions and Match (Deferred income)

a. No change to the District’s 2% contribution to Regular (full-time but non-pensioned) staff is proposed (implemented in January, 2019, this elective contribution was implemented in conjunction with the onset of the Regular employee status).

b. No change is proposed to the District’s 457 match, which is up to 4% of employee salaries and available to all Part-Time Benefited and Regular employees.

c. Data Points on 457 Plan participation:

	Total Count	Participating	% participating	Avg District Contribution %
PTB Staff	43	19	44%	3.89%
FT Regular Staff	46	40	87%	5.73%

SALARIES:

- a. **Changes to Salary Schedule:** After having made significant changes (*) to the District's Salary Schedule structure for FY19-20, staff recommend no changes for FY20-21 other than to include job classifications that were approved by the Board during FY19-20. The FY20-21 Salary Schedule is included as Table 1 in Attachment A.

(*) creation of uniform step sizes of 5%; establishing 5 steps for each job classification; introduction of Salary Ranges to which each job classification was mapped

- b. **COLA:** No Cost of Living Adjustment (COLA), which would be effective in July, 2020, is proposed due to the financial impact of the COVID-19 pandemic (data from the Bureau of Labor Statistics (BLS) for the Bay Area indicate a change of 2.9% February 2020 over the prior year, while similar data for April reflect a more modest 1.1% change. Staff had considered a COLA of 2.5% when plans were created in March. Eliminating a COLA of that magnitude saves approximately \$280k for the fiscal year.
- d. **Complying with Minimum Wage Requirements:** for FY19-20, the Salary Schedule Structural revisions approved by the Board resulted in changes to non-exempt pay scales that left the lowest salary in the District at \$14.00. As the mandated minimum wage for California, as of January, 2021, is \$14.00, we have met the mandated minimum wage requirement and recommend no change to the salary schedule as a result.

**ATTACHMENT A:
THE BOARD OF DIRECTORS
OF THE
LIVERMORE AREA RECREATION AND PARK DISTRICT**

RESOLUTION NO. _____

**A RESOLUTION DESIGNATING THE COMPENSATION
FOR DISTRICT EMPLOYEES DURING FISCAL YEAR 2020-21**

WHEREAS, it is necessary to designate the compensation and benefit packet to be provided to persons employed in various positions in the Livermore Area Recreation and Park District during the Fiscal Year 2020-21;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors as the governing body of said District hereby resolves as follows:

SECTION I

This resolution shall be known as the “Salary Resolution” of the Livermore Area Recreation and Park District effective July 1, 2020.

SECTION II

Benefit levels and other compensation for all Pensioned, Regular (full-time), and part-time benefited employees are hereby set forth and fixed, as follows:

1. Salaries

- a. The only changes that are reflected in the Salary Schedule for FY20-21 (Table 1) are to include the addition of new job classifications that were approved by the Board during FY19-20;
- b. COLA: no COLA is proposed for FY20-21;
- c. Minimum Wage Considerations: by January, 2021, the District must pay a minimum of \$14.00 per hour; with the Salary Schedule that was introduced for FY19-20, the District is already in compliance with minimum wage requirements and thus no revision is needed for FY20-21.

2. Health Insurance Coverage

- a. No change to the District’s contributions for medical, dental, and vision/hearing coverage is proposed, as the District made significant increases to coverage levels in February 2019 while simultaneously introducing the Regular, full-time employee status that enabled 45 staff members to move to full-time benefit levels from part-time; in addition, 46 part-time benefited staff members saw their benefit contribution increased significantly, as outlined below:
 - i. **Medical Insurance:** the District contribution will remain at \$1,600 per month for full-time staff and \$1,200 per month for part-time benefited staff;
 - ii. **Dental Insurance:** the District contribution will remain at \$100.00 per month for full-time staff and \$75.00 per month for part-time benefited staff;
 - iii. **Hearing and vision coverage:** the District contribution will remain at \$750 per year for full-time staff and \$560 per year for part-time benefited staff;
 - iv. **Employee Disability and Life Insurance Plans:** The District will provide District-approved disability insurance plans and life insurance plans for full-time and part-time benefited employees at no cost to the employees.

3. **District Contribution to Retirement Fund.** The District will contribute to the Alameda County Employees' Retirement Association (ACERA), a defined benefit plan for full-time, pensioned employees, a percentage of the employee's gross salary, based on an annual valuation, at the following formula:

Tier I:	District: 38.07%;	Employee: 7.83% to 16.20%, depending on entry age
Tier III:	District: 43.82%;	Employee: 9.43% to 17.71%, depending on entry age
Tier IV:	District: 36.60%	Employee: 8.85%

4. **Deferred Compensation Program:** The District will continue to provide a deferred compensation program for all non-pensioned, Regular full-time and part-time benefited staff, including a matching contribution of up to 4% of the salary of Regular and part-time benefited staff and a contribution of 2% of the salary for all Regular, full-time staff, all of which will vest immediately.

5. **Dependent Care Assistance Program and Employer-Provided Day Care Benefit:** Eligible full-time and part-time benefited employees may participate in the District's Dependent Care Assistance Program and Employer-Provided Day Care Benefit.

6. **Mileage:** Employees of the District, when properly authorized and required to use their privately owned automobile in performance of official duties, shall be allowed actual and necessary traveling expenses at the same rate as that set periodically by the Internal Revenue Service for auto expense allowance.

ON MOTION of Director _____, seconded by Director _____, the foregoing resolution was passed and adopted this 24th day of June, 2020, by the following roll call vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Approved this 24th day of June, 2020,

Jan Palajac
Chair, Board of Directors

ATTEST:

Mathew Fuzie
General Manager and ex-officio Clerk
to the Board of Directors

Table 1 – Salary Schedule for FY20-21

 Livermore Area Recreation and Park District <i>An independent special district</i>		Salary Schedule - FY 20-21				
Title	Range	Step 1	Step 2	Step 3	Step 4	Step 5
ADMINISTRATION						
Assistant General Manager	70	\$ 66.41	\$ 69.73	\$ 73.22	\$ 76.88	\$ 80.72
Administrative Services Manager	69	\$ 64.79	\$ 68.03	\$ 71.43	\$ 75.00	\$ 78.75
Executive Assistant to the General Manager	52	\$ 42.58	\$ 44.71	\$ 46.95	\$ 49.30	\$ 51.77
Administrative Assistant	36	\$ 28.69	\$ 30.12	\$ 31.63	\$ 33.21	\$ 34.87
Administrative Aide	33	\$ 26.64	\$ 27.97	\$ 29.37	\$ 30.84	\$ 32.38
Senior Office Assistant	25	\$ 21.87	\$ 22.96	\$ 24.11	\$ 25.32	\$ 26.59
Office Assistant	9	\$ 14.71	\$ 15.45	\$ 16.22	\$ 17.03	\$ 17.88
ACCOUNTING & FINANCE						
Finance Officer	54	\$ 44.73	\$ 46.97	\$ 49.32	\$ 51.79	\$ 54.38
Accountant	46	\$ 36.72	\$ 38.56	\$ 40.49	\$ 42.51	\$ 44.64
Purchasing Agent	44	\$ 34.95	\$ 36.70	\$ 38.54	\$ 40.47	\$ 42.49
Payroll Technician	41	\$ 32.46	\$ 34.08	\$ 35.78	\$ 37.57	\$ 39.45
Accounting Assistant	33	\$ 26.64	\$ 27.97	\$ 29.37	\$ 30.84	\$ 32.38
HUMAN RESOURCES						
Human Resources Officer	52	\$ 42.58	\$ 44.71	\$ 46.95	\$ 49.30	\$ 51.77
Human Resources Technician	41	\$ 32.46	\$ 34.08	\$ 35.78	\$ 37.57	\$ 39.45
INFORMATION TECHNOLOGY						
I.T. Technician	41	\$ 32.46	\$ 34.08	\$ 35.78	\$ 37.57	\$ 39.45
MARKETING AND PUBLIC INFORMATION						
Marketing and Public Information Officer	52	\$ 42.58	\$ 44.71	\$ 46.95	\$ 49.30	\$ 51.77
Marketing & Communication Specialist	37	\$ 29.41	\$ 30.88	\$ 32.42	\$ 34.04	\$ 35.74
COMMUNITY SERVICES						
Community Services Manager	64	\$ 57.27	\$ 60.13	\$ 63.14	\$ 66.30	\$ 69.62
COMMUNITY OUTREACH						
Community Outreach Supervisor	50	\$ 40.53	\$ 42.56	\$ 44.69	\$ 46.92	\$ 49.27
Volunteer Coordinator	33	\$ 26.64	\$ 27.97	\$ 29.37	\$ 30.84	\$ 32.38
OPEN SPACE						
Field Supervising Ranger	46	\$ 36.72	\$ 38.56	\$ 40.49	\$ 42.51	\$ 44.64
Park Ranger	41	\$ 32.46	\$ 34.08	\$ 35.78	\$ 37.57	\$ 39.45
Naturalist	30	\$ 24.74	\$ 25.98	\$ 27.28	\$ 28.64	\$ 30.07
Park Ranger Aide	25	\$ 21.87	\$ 22.96	\$ 24.11	\$ 25.32	\$ 26.59
YOUTH SERVICES						
Youth Services Administrator	54	\$ 44.73	\$ 46.97	\$ 49.32	\$ 51.79	\$ 54.38
Youth Services Coordinator	36	\$ 28.69	\$ 30.12	\$ 31.63	\$ 33.21	\$ 34.87
Enrollment Eligibility Specialist	33	\$ 26.64	\$ 27.97	\$ 29.37	\$ 30.84	\$ 32.38
Lead Teacher	30	\$ 24.74	\$ 25.98	\$ 27.28	\$ 28.64	\$ 30.07
Teacher	21	\$ 19.81	\$ 20.80	\$ 21.84	\$ 22.93	\$ 24.08
Senior Program Leader	20	\$ 19.33	\$ 20.30	\$ 21.32	\$ 22.39	\$ 23.51
Associate Teacher	14	\$ 16.66	\$ 17.49	\$ 18.36	\$ 19.28	\$ 20.24
Program Leader	8	\$ 14.35	\$ 15.07	\$ 15.82	\$ 16.61	\$ 17.44
PARKS & FACILITIES						
Parks and Facilities Manager	60	\$ 51.88	\$ 54.47	\$ 57.19	\$ 60.05	\$ 63.05
FACILITIES MAINTENANCE						
Facilities Maintenance Supervisor	50	\$ 40.53	\$ 42.56	\$ 44.69	\$ 46.92	\$ 49.27
Pool Maintenance Specialist	40	\$ 31.67	\$ 33.25	\$ 34.91	\$ 36.66	\$ 38.49
Senior Facilities Maintenance Technician	39	\$ 30.90	\$ 32.45	\$ 34.07	\$ 35.77	\$ 37.56
Facilities Maintenance Technician	31	\$ 25.36	\$ 26.63	\$ 27.96	\$ 29.36	\$ 30.83
PARK MAINTENANCE						
Field Supervisor	46	\$ 36.72	\$ 38.56	\$ 40.49	\$ 42.51	\$ 44.64
Senior Mechanic	43	\$ 34.10	\$ 35.81	\$ 37.60	\$ 39.48	\$ 41.45
Mechanic	40	\$ 31.67	\$ 33.25	\$ 34.91	\$ 36.66	\$ 38.49
Park Maintenance Technician	36	\$ 28.69	\$ 30.12	\$ 31.63	\$ 33.21	\$ 34.87
Open Space Technician	36	\$ 28.69	\$ 30.12	\$ 31.63	\$ 33.21	\$ 34.87
Park Enhancement Coordinator	32	\$ 25.99	\$ 27.29	\$ 28.65	\$ 30.08	\$ 31.58
Park Worker	16	\$ 17.51	\$ 18.39	\$ 19.31	\$ 20.28	\$ 21.29
Park Enhancement Aide	7	\$ 14.00	\$ 14.70	\$ 15.44	\$ 16.21	\$ 17.02
RECREATION						
Recreation Department Manager	60	\$ 51.88	\$ 54.47	\$ 57.19	\$ 60.05	\$ 63.05
Recreation Supervisor	50	\$ 40.53	\$ 42.56	\$ 44.69	\$ 46.92	\$ 49.27
Front Office Coordinator	38	\$ 30.15	\$ 31.66	\$ 33.24	\$ 34.90	\$ 36.65
Recreation Coordinator	33	\$ 26.64	\$ 27.97	\$ 29.37	\$ 30.84	\$ 32.38
Recreation Leader III	20	\$ 19.33	\$ 20.30	\$ 21.32	\$ 22.39	\$ 23.51
Recreation Leader II	15	\$ 17.08	\$ 17.93	\$ 18.83	\$ 19.77	\$ 20.76
Recreation Leader I	7	\$ 14.00	\$ 14.70	\$ 15.44	\$ 16.21	\$ 17.02
AQUATICS						
Aquatics Coordinator	36	\$ 28.69	\$ 30.12	\$ 31.63	\$ 33.21	\$ 34.87
Aquatics Coach	31	\$ 25.36	\$ 26.63	\$ 27.96	\$ 29.36	\$ 30.83
Aquatics Instructor	31	\$ 25.36	\$ 26.63	\$ 27.96	\$ 29.36	\$ 30.83
Aquatics Lead	21	\$ 19.81	\$ 20.80	\$ 21.84	\$ 22.93	\$ 24.08
Lifeguard II	13	\$ 16.25	\$ 17.06	\$ 17.91	\$ 18.81	\$ 19.75
Swim Instructor	13	\$ 16.25	\$ 17.06	\$ 17.91	\$ 18.81	\$ 19.75
Lifeguard I	7	\$ 14.00	\$ 14.70	\$ 15.44	\$ 16.21	\$ 17.02
FACILITY OPERATIONS						
Event & Marketing Coordinator	34	\$ 27.31	\$ 28.68	\$ 30.11	\$ 31.62	\$ 33.20
Facilities & Operations Coordinator	34	\$ 27.31	\$ 28.68	\$ 30.11	\$ 31.62	\$ 33.20
Senior Facility Attendant	19	\$ 18.86	\$ 19.80	\$ 20.79	\$ 21.83	\$ 22.92
Facility Attendant	8	\$ 14.35	\$ 15.07	\$ 15.82	\$ 16.61	\$ 17.44

Livermore Area Recreation and Park District Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager

DATE: June 24, 2020

SUBJECT: Renew Special Tax 97-1 and Set the New Rate for Fiscal Year 2020-21

COMMITTEES: Finance Committee Review on June 15, 2020 (recommend approval)

RECOMMENDATION: That the Board of Directors approve Resolution No. _____ to renew Special Tax 97-1 and set the Equivalent Dwelling Unit (EDU) rate at \$36.45 for Fiscal Year (FY) 2020-21, a 2%, or \$0.71 increase per EDU over the FY 2019-20 rate of \$35.74.

BACKGROUND: Special Tax 97-1 is the ballot measure approved by the voters of the District in June, 1997, replacing an assessment district that had been in place for three years. The revenue is to be used only for maintenance and operation of park facilities. The original measure allows the District to increase the tax by up to 2% per EDU per year.

The purpose of Special Tax 97-1 is to help recover some of the revenue lost by the District when the State shifted nearly half of the District's property taxes to the Educational Revenue Augmentation Fund (ERAF) in 1992. For FY 2020-21, the County estimates that approximately \$10,500,000 of LARPD's previous tax base will be shifted to the State of California for ERAF, which represents 49% of the District's projected property tax revenue (if the ERAF funds had remained with the District) for FY20-21. By June 30, 2021, the cumulative, nominal (unadjusted for inflation) total dollars shifted to ERAF will amount to approximately \$164.5 Million.

The Special Tax 97-1 rate for FY 2019-20 of \$35.74 per Equivalent Dwelling Unit (EDU), approved by the Board of Directors on May 29, 2019, will generate tax revenue to the District of approximately \$1,596,300 for FY 2019-20. Note: there are approximately 44,664 EDUs for FY 2019-20, an increase of 249 compared to FY 2018-19.

FISCAL IMPACT: A 2% increase (\$0.71 per EDU) would raise the rate to \$36.45 per EDU for FY 2020-21 and the resulting increase in revenues will amount to \$31,900. There will be additional revenue generated by new EDUs that are added during FY2020-21, but we are unable to confidently estimate this amount and thus have built a budget for FY20-21 that assumes no increase in the number of EDUs, meaning that the FY 2020-21 budget for revenue from 97-1 fees of \$1,628,200 is slightly conservative. Note: at this amount, 97-1 Revenues for FY20-21 will cover about 36% of the District's annual operating expenses for Park Operations.

Attachment: 97-1 Resolution

**THE BOARD OF DIRECTORS
OF THE
LIVERMORE AREA RECREATION AND PARK DISTRICT**

RESOLUTION NO. _____

**A RESOLUTION RENEWING SPECIAL TAX 97-1 AND SETTING THE EQUIVALENT
DWELLING UNIT RATE FOR FISCAL YEAR 2020-21**

BE IT RESOLVED, that the Board of Directors, as the governing body of the Livermore Area Recreation and Park District, hereby renews Special Tax 97-1 and sets the Equivalent Dwelling Unit Rate at \$36.45 for Fiscal Year 2020-21.

ON MOTION of Director _____, seconded by Director _____, the foregoing resolution was passed and adopted this 24th day of June, 2020, by the following roll call vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Approved this 24th day of June, 2020,

Jan Palajac
Chair, Board of Directors

ATTEST:

Mathew Fuzie
General Manager and ex-officio Clerk
to the Board of Directors

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager
Julie Dreher, Finance Officer

DATE: June 24, 2020

SUBJECT: **Final 2020 – 21 Operating and 2020-2023 CIP Budgets**

Board of Directors: Preliminary Budget Reviewed June 9, 2020
Finance Committee: Reviewed June 15, 2020

RECOMMENDATION: That the Board of Directors adopt Resolution No. _____, approving the District’s Final FY20-21 Operating Budget, and Resolution No. _____, approving the District’s Final Capital Improvement Program (CIP) Budget for FY20-23.

BACKGROUND: The District is required to obtain Board approval of its Preliminary Operating and CIP Budgets prior to receiving Board approval for the Final Budgets by June 30th.

Each year, the District conducts a Budget Workshop that provides the Board with a view of its Preliminary Budgets for the coming fiscal year and obtains the Board’s feedback and guidance. This year, the Workshop was conducted immediately prior to the June 9, 2020 Board meeting, at which time the Board approved staff’s proposed Preliminary Operating and CIP Budgets. Staff also benefited from Board guidance obtained from a detailed financial review of the District’s financial plans through FY20-21 that was held with the Board on April 28, 2020.

OF NOTE: The proposed Final Operating Budget relies upon the use of Reserves to balance, with \$353k required to do so. However, staff recommends that the Board establish an ad-hoc committee to review the District’s organizational structure in search of efficiencies that will help to negate the need to deplete reserves during FY20-21.

A complete view of the District’s Final Operating and CIP Budget recommendations is presented in Attachment A, “Final Operating and Capital Improvement Plan Budgets for FY20-21”.



Livermore Area Recreation and Park District 6/24/20 Board Meeting

Final Operating and Capital Improvement Plan Budgets for FY20-21

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2. Key Assumptions
 - A. District-wide
 - B. Department-specific
3. Cash Flow Projections
4. Risks and Opportunities
5. Conclusions and Recommendations
6. Board Guidance

Operating Results Trend: FY18-19 – FY20-21

“Reserves are required to balance the budget, as current expense management plans, while significant, are not enough to offset declining Revenue.”

District Totals	FY18-19	FY19-20		FY20-21	Variances B/(P)		
	Actual	Mid-Yr	Current Fcst	Final	FY19-20 vs Mid-Yr	FY20-21 vs Mid-Yr	TOTAL for FY19-21
Revenue	\$22,661,449	\$23,369,751	\$19,724,450	\$19,193,045	(\$3,645,301)	(\$4,176,707)	(\$7,822,008)
Salaries and Benefits	14,733,868	15,855,240	14,806,711	14,405,577	\$1,048,529	\$1,449,663	\$2,498,192
Services and Supplies	6,303,227	6,856,496	6,111,842	5,140,329	\$744,654	\$1,716,166	\$2,460,820
District Contingency		602,422	0	0	\$602,422	\$602,422	\$1,204,843
Capital	318,780	55,594	22,776	0	\$32,818	\$55,594	\$88,412
Net Operating Results	\$1,305,574	\$0	(\$1,216,879)	(\$352,861)	(\$1,216,879)	(\$352,861)	(\$1,569,740)

Key Assumptions

District-wide:

1. Apropos to the uncertain climate in which this year's budget has been developed, the General Manager has guided staff to plan conservatively in terms of revenue projections and related staffing assumptions.
2. Salaries and benefits projections are worst case from an expense perspective: while staff who have been furloughed or had their hours reduced can apply for unemployment, we are assuming they will report their normally scheduled hours by using leave credits.
3. Of the District's 43 Part-time benefited staff, 32 were furloughed as of April 19th, for up to 120 days (through August 17th).
4. Casual staff are largely going unscheduled unless there's no alternative for non-furloughed benefited staff to fill a need; Savings: \$616k in FY20 and \$739k in FY21.
5. No COLA in July, 2020 (\$280k) and no Step increases are assumed in FY20-21 (\$200k).
6. No Increase is assumed for the District's contribution to employee health benefits.
7. No changes are required to meet the State's mandated minimum wage for FY20-21 (which stands at \$14.00 per hour).

Key Assumptions (Continued)

District-wide:

7. ACERA Rates will increase once again for FY20-21, effective September, 2020:

District Contributions				
ACERA Tier	EE Count	Sept19-Aug20	Sept20-Aug21	% increase
Tier 1	8	33.62%	38.07%	13.24%
Tier 3	20	38.41%	43.82%	14.08%
Tier 4	24	32.14%	36.60%	13.88%
Total	52			

8. No change to the District's 2% contribution to the 457 plan (deferred income) for Regular (full-time but non-pensioned) staff, nor to the District's 457 match, which is up to 4% of employee salaries and available to all Part-Time Benefited and Regular employees.
9. Workers' compensation rates are preliminary, as CAPRI is revisiting its base rates by employee classification once revised salary projections (COVID-19-influenced) are provided to them:

Classification		WC RATES effective 7/1/19			Base Rate assumed change for FY20-21	WC RATES effective 7/1/20		
		% of gross salary				% of gross salary		
		Base Rate	Exper Mod Factor	Full Rate		Base Rate	Exper Mod Factor	Full Rate
8810	Clerical	0.41%	111.00%	0.46%	5.00%	0.43%	110.00%	0.47%
9410	Recreation	2.26%	111.00%	2.51%	5.00%	2.37%	110.00%	2.61%
9420	Manual	9.72%	111.00%	10.80%	5.00%	10.21%	110.00%	11.23%
7720	Park Rangers	4.29%	111.00%	4.76%	5.00%	4.50%	110.00%	4.95%

Key Assumptions (Continued)

District-wide:

10. CIP projects: Only three projects are assumed in FY20-21:
 - A. Sunset Park project is assumed to be completed (\$300k left; AB funding) by August, 2020 and is expected to be completed within the approved \$1.2M budget.
 - B. Rodeo Stadium Improvements – now pushed out to May 2021 (\$340k)
 - C. Michell Buildings – budgeted at \$1.5M, is in progress (Design phase) and is now assumed to be completed in the Spring of 2022.
11. The District's revised CIP planning process, which allows for the critical review of projects as major phases are completed (Concept, Design, Bid, Construction), will support discussion of additional projects as clarity surrounding the District's financial projections improves.

Key Assumptions (continued)

Recreation:

1. Limited program activity through August. Most program areas are projected to return to approximately normal levels by September, with the exception of Facility Rentals, which will not reach normal activity levels until March, 2021.
2. Robert Livermore Aquatic Center programming is being driven by restrictions set forth by the Alameda County Health Department. Program offerings will be minimal until these restrictions ease up.
3. May Nissen Swim Center will remain closed for the foreseeable future as a result of the need to resurface both pools and address other maintenance concerns.
4. Services (janitorial) have been eliminated and replaced by internal staff.

Key Assumptions (continued)

Community Services:

1. ESS, Preschool, and Open Space plans are heavily dependent upon the LVJUSD 20-21 school schedule.
2. ESS enrollment resumed in May at 3 sites, with a total of 4 classrooms supporting ~10 kids per room (37 kids total). Activity is projected to reach approximately 60% of normal levels by August and then 70% of normal levels by January, 2021, remaining there through June 2021.
3. Preschool enrollment resumes in earnest in August, 2020.
4. Middle School enrollment is not expected to reach “normal”, pre-COVID-19 levels, and revenue and expenses have been adjusted accordingly.
5. Senior Trips do not resume until January, 2021

Key Assumptions (continued)

Parks and Facilities Maintenance:

1. Water usage is projected at levels that are 30-50% below previously projected use, some of which is due to favorable weather but also a conscious move to reduce costs while allowing for a modest recovery time once limitations are lifted.
2. Contract work for park maintenance is reduced to 50% of current levels by September, 2020, and remains at that level; Services for four temp staff doing rudimentary tasks eliminated in April, 2020
3. No new leased vehicles for FY20-21.

Key Assumptions (continued)

Administration:

1. Property Tax revenues will not be impacted by COVID-19 in December, 2020, and are projected at current year levels for April, 2021. Parcel Taxes assume a 2% increase vs FY19-20 fees.
2. Marketing's Dogtoberfest, Childrens' Fair, and Applefest events are not in the plan through June, 2021.
3. Program Guides are assumed to be digital as of August 2020 (the Fall guide) because we are not yet sure of what can feasibly be offered (costs drop from \$29k per production to ~\$7-\$8k). When conditions allow, the return to normal production of the guide will be reconsidered.

Operating Results Trend by Dept.

	FY19-20			FY20-21	Variances B/(P)		
	FY18-19 Actual	Mid-Yr	Current Fcst	Final	FY19-20 vs Mid-Yr	FY20-21 vs Mid-Yr	TOTAL for FY19-21
Adminstration (1)							
Revenue	\$12,247,165	\$13,001,005	\$12,636,618	\$12,843,087	(\$364,387)	(\$157,919)	(\$522,306)
Salaries and Benefits	1,902,768	2,494,540	2,459,731	2,339,544	\$34,809	\$154,996	\$189,806
Services and Supplies	1,418,985	1,699,439	1,653,648	1,697,764	\$45,790	\$1,675	\$47,465
District Contingency	0	602,422		0	\$602,422	\$602,422	\$1,204,843
Capital	318,780	55,594	22,776		\$32,818	\$55,594	\$88,412
Net Operating Results	\$8,606,632	\$8,149,011	\$8,500,463	\$8,805,779	\$351,452	\$656,768	\$1,008,220
Community Services							
Revenue	7,167,012	7,423,794	\$5,238,756	\$4,550,699	(\$2,185,038)	(\$2,873,095)	(\$5,058,133)
Salaries and Benefits	6,771,018	7,060,090	6,517,045	5,952,040	\$543,046	\$1,108,050	\$1,651,096
Services and Supplies	625,347	703,472	560,257	465,568	\$143,215	\$237,904	\$381,119
Net Operating Results	(\$229,353)	(\$339,768)	(\$1,838,546)	(\$1,866,909)	(\$1,498,777)	(\$1,527,141)	(\$3,025,918)
Recreation							
Revenue	\$2,814,308	\$2,556,712	\$1,477,928	\$1,413,411	(\$1,078,784)	(\$1,143,301)	(\$2,222,085)
Salaries and Benefits	2,990,788	2,961,076	2,549,308	2,627,846	\$411,768	\$333,230	\$744,998
Services and Supplies	1,069,443	934,382	740,111	579,225	\$194,271	\$355,157	\$549,428
Net Operating Results	(\$1,245,923)	(\$1,338,746)	(\$1,811,491)	(\$1,793,660)	(\$472,745)	(\$454,914)	(\$927,659)
Parks and Facilities Maintenance							
Revenue	432,964	388,240	\$371,148	\$385,848	(\$17,092)	(\$2,392)	(\$19,484)
Salaries and Benefits	3,069,294	3,339,534	3,280,627	3,486,147	\$58,906	(\$146,613)	(\$87,707)
Services and Supplies	3,189,452	3,519,203	3,157,826	2,397,772	\$361,377	\$1,121,431	\$1,482,808
Net Operating Results	(\$5,825,782)	(\$6,470,496)	(\$6,067,305)	(\$5,498,071)	\$403,191	\$972,426	\$1,375,617

(1) Administration includes GM/AGM, Marketing, Finance, HR, IT, and CIP Admin

Revenue View

“The significant impact of the COVID-19 Pandemic can be quantified using the Mid-Year FY20-21 Budget as a gauge. The importance of our tax income is greater than ever.”

	Mid-Year FY19-20 Budget	% of Total	FY19-20		Var B/(P) vs Mid-Yr		FY20-21		Incr/Decr vs FY19-20 Forecast	
			Current Forecast (*)	% of Total	\$	%	Final Budget	% of Total	\$	%
Property Taxes	\$11,333,233	48%	\$11,006,144	56%	(\$327,089)	(3%)	\$11,191,762	58%	\$185,618	2%
Parcel Taxes (97-1)	\$1,641,000	7%	\$1,609,223	8%	(\$31,777)	(2%)	\$1,641,000	9%	\$31,777	2%
Marketing	\$26,772	0%	\$21,251	0%	(\$5,521)	(21%)	\$10,325	0%	(\$10,926)	(51%)
ESS	\$5,365,708	23%	\$4,142,066	21%	(\$1,223,642)	(23%)	\$3,417,800	18%	(\$724,266)	(17%)
Preschool	\$464,860	2%	\$284,693	1%	(\$180,167)	(39%)	\$484,750	3%	\$200,057	70%
Middle School	\$612,682	3%	\$506,441	3%	(\$106,241)	(17%)	\$301,521	2%	(\$204,920)	(40%)
Believes	\$149,340	1%	\$150,529	1%	\$1,189	1%	\$149,194	1%	(\$1,335)	(1%)
Senior Svcs	\$221,211	1%	\$133,867	1%	(\$87,344)	(39%)	\$132,434	1%	(\$1,433)	(1%)
Open Space/Shelly	\$609,993	3%	\$21,160	0%	(\$588,833)	(97%)	\$65,000	0%	\$43,840	207%
Rec - Facility Use	\$746,886	3%	\$465,010	2%	(\$281,876)	(38%)	\$257,288	1%	(\$207,722)	(45%)
Rec - Field/Gym Rentals	\$524,087	2%	\$390,277	2%	(\$133,810)	(26%)	\$403,301	2%	\$13,024	3%
Rec - Aquatics/Concessions	\$538,760	2%	\$294,628	1%	(\$244,132)	(45%)	\$266,780	1%	(\$27,848)	(9%)
Rec - Youth and Adult Sports	\$538,008	2%	\$231,579	1%	(\$306,429)	(57%)	\$381,260	2%	\$149,681	65%
Rec - Recreation Classes	\$188,358	1%	\$78,679	0%	(\$109,679)	(58%)	\$84,000	0%	\$5,321	7%
Rec - Other (refunds, admin fees)	\$20,613	0%	\$17,755	0%	(\$2,858)	(14%)	\$20,782	0%	\$3,027	17%
Parks	\$388,240	2%	\$371,148	2%	(\$17,092)	(4%)	\$385,848	2%	\$14,700	4%
TOTAL	\$23,369,751	100%	\$19,724,450	100%	(\$3,645,301)	(16%)	\$19,193,045	100%	(\$531,406)	(3%)
	\$0		\$0				\$0			
Taxes	\$12,974,233	56%	\$12,615,367	64%	(\$358,866)	(3%)	\$12,832,762	67%	\$217,395	2%
Marketing	\$26,772	0%	\$21,251	0%	(\$5,521)	(21%)	\$10,325	0%	(\$10,926)	(51%)
Community Services	\$7,423,794	32%	\$5,238,756	27%	(\$2,185,038)	(29%)	\$4,550,699	24%	(\$688,057)	(13%)
Recreation	\$2,556,712	11%	\$1,477,928	7%	(\$1,078,784)	(42%)	\$1,413,411	7%	(\$64,517)	(4%)
Parks and Facilities	\$388,240	2%	\$371,148	2%	(\$17,092)	(4%)	\$385,848	2%	\$14,700	4%
TOTAL	\$23,369,751	100%	\$19,724,450	100%	(\$3,645,301)	(16%)	\$19,193,045	100%	(\$531,406)	(2%)

(*) Actual results through April, 2020, plus updated forecast for May-June 2020

Personnel Expense View

“Staff levels have been dramatically reduced due to limitations on program offerings.”

	Mid-Year FY19-20 Budget		FY19-20		Var B/(P) vs Mid-Yr		FY20-21		Incr/Decr vs FY19-20	
			Current Forecast (*)	% of Total			Final Budget	% of Total	Forecast	
		% of Total			\$	%			\$	%
Full-Time Salaries	\$7,288,335	46%	\$7,135,538	48%	\$152,797	2%	\$6,951,726	48%	(\$183,812)	(3%)
Part Time Benefitted Wages	\$1,590,010	10%	\$1,568,666	11%	\$21,344	1%	\$973,140	7%	(\$595,525)	(38%)
Part Time Wages	\$2,454,424	15%	\$1,838,438	12%	\$615,987	25%	\$1,715,265	12%	(\$123,172)	(7%)
Board of Directors Stipends	\$30,000	0%	\$31,350	0%	(\$1,350)	(5%)	\$36,000	0%	\$4,650	15%
Retirement Expense	\$1,533,731	10%	\$1,389,297	9%	\$144,434	9%	\$1,834,203	13%	\$444,906	32%
Employee Group Insurance	\$1,915,142	12%	\$1,889,544	13%	\$25,598	1%	\$1,985,808	14%	\$96,264	5%
Workers Compensation	\$462,649	3%	\$423,491	3%	\$39,158	8%	\$434,713	3%	\$11,222	3%
Unemployment Claims	\$0	0%	\$7,340	0%	(\$7,340)	-	\$0	0%	(\$7,340)	(100%)
Medicare FICA Expense	\$580,948	4%	\$523,048	4%	\$57,900	10%	\$474,720	3%	(\$48,328)	(9%)
TOTAL	\$15,855,240	100%	\$14,806,711	100%	\$1,048,529	7%	\$14,405,577	100%	(\$401,134)	(3%)
			\$0				\$0			
Administrative Services (**)	\$2,494,540	16%	\$2,459,731	17%	\$34,809	1%	\$2,339,544	16%	(\$120,187)	(5%)
Community Services	\$7,060,090	45%	\$6,517,045	44%	\$543,046	8%	\$5,952,040	41%	(\$565,004)	(9%)
Recreation	\$2,961,076	19%	\$2,549,308	17%	\$411,768	14%	\$2,627,846	18%	\$78,538	3%
Parks and Facilities	\$3,339,534	21%	\$3,280,627	22%	\$58,906	2%	\$3,486,147	24%	\$205,519	6%
TOTAL	\$15,855,240	100%	\$14,806,711	100%	\$1,048,529	7%	\$14,405,577	100%	(\$401,134)	(3%)
			\$0							

(*) Actual results through April, 2020, plus updated forecast for May-June 2020

(**) Administrative Services includes Finance, HR, IT, Marketing, and GM/AGM

Services and Supplies View

“Significant reductions are envisioned in all areas, with an aim to avoid long-term impact on the quality of our services, parks, and facilities .”

	FY19-20 Budget		FY19-20 Forecast (*)		Var B/(P) vs Mid-Yr		FY20-21 Final Budget		Incr/Decr vs FY19-20 Forecast	
	Mid-Year	% of Total	Current	% of Total	Var B/(P) vs Mid-Yr		Final	% of Total	Forecast	
					\$	%			\$	%
Unit 01 - Administration	\$1,112,422	16%	\$1,068,042	17%	\$44,380	4%	\$1,160,531	22%	\$92,489	9%
Unit 17 - Marketing & Public Information	\$196,222	3%	\$146,970	2%	\$49,252	25%	\$88,414	2%	(\$58,556)	(40%)
Unit 18 - Technology & Communication	\$386,912	6%	\$436,253	7%	(\$49,341)	(13%)	\$444,929	9%	\$8,676	2%
Unit 45 - Capital Equipment	\$55,594	1%	\$39,128	1%	\$16,466	30%	\$55,000	1%	\$15,872	41%
Unit 60 - CIP Administration	\$3,883	0%	\$2,383	0%	\$1,500	39%	\$3,890	0%	\$1,507	63%
Subtotal, Administrative Services	\$1,755,033	25%	\$1,692,776	28%	\$62,256	4%	\$1,752,764	34%	\$59,988	4%
Unit 05 - Building Maintenance	\$770,091	11%	\$639,215	10%	\$130,876	17%	\$404,230	8%	(\$234,985)	(37%)
Unit 07 - Park Operations	\$2,749,112	40%	\$2,518,611	41%	\$230,501	8%	\$1,993,542	38%	(\$525,069)	(21%)
Subtotal, Parks and Facilities	\$3,519,203	51%	\$3,157,826	51%	\$361,377	10%	\$2,397,772	46%	(\$760,054)	(24%)
Unit 02 - Recreation Classes	\$100,912	1%	\$88,305	1%	\$12,607	12%	\$60,000	1%	(\$28,305)	(32%)
Unit 03 - Adult Sports & Fitness	\$67,660	1%	\$46,543	1%	\$21,117	31%	\$36,150	1%	(\$10,393)	(22%)
Unit 04 - MN POOL	\$19,000	0%	\$12,000	0%	\$7,000	37%	\$12,000	0%	\$0	0%
Unit 20 - Customer & Business Services	\$193,956	3%	\$161,499	3%	\$32,457	17%	\$169,870	3%	\$8,371	5%
Unit 25 - Facility Use & Rentals	\$101,789	1%	\$70,958	1%	\$30,831	30%	\$16,350	0%	(\$54,608)	(77%)
Unit 26 - Youth Sports & Fitness	\$97,556	1%	\$88,241	1%	\$9,315	10%	\$75,750	1%	(\$12,491)	(14%)
Unit 27 - Field & Gym Rentals	\$73,057	1%	\$49,844	1%	\$23,213	32%	\$70,300	1%	\$20,456	41%
Unit 31 - Recreation Administration	\$6,668	0%	\$4,283	0%	\$2,385	36%	\$13,845	0%	\$9,562	223%
Unit 42 - Building Operations	\$117,431	2%	\$95,771	2%	\$21,660	18%	\$45,730	1%	(\$50,041)	(52%)
Unit 54 - Aquatics	\$134,618	2%	\$113,531	2%	\$21,087	16%	\$65,130	1%	(\$48,401)	(43%)
Unit 57 - Concessions	\$21,735	0%	\$9,136	0%	\$12,599	58%	\$14,100	0%	\$4,964	54%
Subtotal, Recreation	\$934,382	14%	\$740,111	12%	\$194,271	21%	\$579,225	11%	(\$160,886)	(22%)
Unit 06 - Camp Shelly	\$26,544	0%	\$20,279	0%	\$6,265	24%	\$14,030	0%	(\$6,249)	(31%)
Unit 09 - Extended Student Services	\$387,492	6%	\$311,430	5%	\$76,062	20%	\$208,926	4%	(\$102,504)	(33%)
Unit 10 - Senior Services	\$141,169	2%	\$99,041	2%	\$42,128	30%	\$88,172	2%	(\$10,869)	(11%)
Unit 11 - PRESCHOOL	\$12,996	0%	\$10,304	0%	\$2,692	21%	\$14,000	0%	\$3,696	36%
Unit 16 - Open Space	\$104,158	2%	\$89,605	1%	\$14,553	14%	\$124,390	2%	\$34,785	39%
Unit 32 - Community Outreach	\$4,437	0%	\$4,437	0%	\$0	0%	\$8,050	0%	\$3,613	81%
Unit 40 - Believes	\$0	0%	\$0	0%	\$0	-	\$0	0%	\$0	-
Unit 41 - Middle School Program	\$26,676	0%	\$25,161	0%	\$1,515	6%	\$8,000	0%	(\$17,161)	(68%)
Subtotal, Community Services	\$703,472	10%	\$560,257	9%	\$143,215	20%	\$465,568	9%	(\$94,689)	(17%)
District Totals	\$6,912,090	100%	\$6,150,970	100%	\$761,120	11%	\$5,195,329	100%	(\$955,641)	(16%)

Cash Flow Forecast – Highlights

1. Focus is on the District's General Fund (excludes AB1600 funds)
2. As of the end of May, 2020, our Cash Balances in the General Fund (excluding AB1600) amounted to \$9.2 million
3. The General Fund Balance will reach its nadir in November, 2020, at \$2.0 million
4. The vast majority of Property and Parcel taxes are received in April and December each year (tax adjustments are seen in other months)

Cash Flow Forecast – model illustration

Beginning Balance - General Fund (as of 5/31/20)	\$5,755,070			9,210,292			FY20-21												
	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21				
Revenue, net of refunds	\$5,151,536	\$332,297	\$678,578	\$165,748	\$369,093	\$693,865	\$434,118	\$447,115	\$6,738,903	\$621,893	\$1,143,436	\$545,780	\$5,948,848	\$861,069	\$1,223,178				
Salaries and Benefits	(\$1,042,669)	(\$1,563,659)	(\$1,146,650)	(\$941,626)	(\$1,050,985)	(\$1,080,442)	(\$1,645,570)	(\$1,090,871)	(\$1,054,453)	(\$1,103,647)	(\$1,125,688)	(\$1,124,296)	(\$1,113,509)	(\$1,748,485)	(\$1,326,006)				
WC quarterly Payment	(\$123,128)			(\$134,922)			(\$134,922)		(\$134,922)		(\$134,922)		(\$134,922)						
WC expense (from Sal/Ben) - add back - in Sal/Ben bur	\$34,258	\$57,000	\$40,932	\$35,348	\$39,215	\$40,634	\$61,604	\$40,935	\$39,730	\$41,230	\$41,836	\$41,796	\$41,555	\$65,372	\$50,434				
A/P - For pre-April items	(\$462,000)		(\$188,000)																
Services and Supplies	(\$311,959)	(\$391,816)	(\$449,226)	(\$442,452)	(\$438,779)	(\$372,609)	(\$394,349)	(\$360,969)	(\$541,114)	(\$365,088)	(\$332,294)	(\$396,474)	(\$440,809)	(\$471,889)	(\$583,504)				
Operating IN/(OUT) Flows	\$3,246,037	(\$1,566,177)	(\$1,064,366)	(\$1,317,904)	(\$1,081,456)	(\$718,552)	(\$1,679,119)	(\$963,790)	\$5,183,066	(\$940,534)	(\$272,710)	(\$933,194)	\$4,301,162	(\$1,293,933)	(\$635,897)				
Cash Balance before Project Spend and Loan Pmt	\$9,001,107	\$8,111,807	\$8,145,926	\$6,552,636	\$5,606,180	\$4,567,628	\$3,188,509	\$2,224,719	\$7,207,784	\$6,267,251	\$5,981,405	\$4,835,075	\$9,123,101	\$7,671,032	\$6,851,999				
PG&E On-Bill Financing - Loan Pmt (balance sheet)	(\$13,136)	(\$13,136)	(\$13,136)	\$0	\$0	\$0	\$0	\$0	\$0	(\$13,136)	(\$13,136)	(\$13,136)	(\$13,136)	(\$13,136)	(\$13,136)				
Project Spend - AB 1600 (OUT)/IN																			
RLCC BaseBall Fields		\$0	\$0																
RLCC BaseBall Fields			\$0	\$0															
Miscellaneous Projects - invoices outstanding	\$839,014	\$14,000																	
446 ADA - SG Extension-Arroyo Del Valle Trail Bridge Connection (p	\$51,000																		
Sunset		\$0		\$135,000		\$300,000													
Sub-total, AB1600 IN/(OUT) Flows	\$839,014	\$65,000	\$0	\$135,000	\$0	\$300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0				
Project Spend - General Fund:																			
Joe Michell Building Repl (\$1.5M over 2 years)			(\$80,250)	\$0	(\$20,000)			(\$200,000)		\$0	(\$200,000)		(\$200,000)						
Four Playgrounds - payout of remaining retention (already pd t		\$0	(\$164,301)																
Miscellaneous Projects - invoices outstanding	(\$14,000)		(\$17,699)																
Sunset Park invoices o/s	(\$135,000)				(\$300,000)														
446 ADA - SG Extension-Arroyo Del Valle Trail Bridge Connection (pd in Mar)																			
Rodeo Stadium Infrastructure Improvements				\$0	\$0									(\$170,000)	(\$170,000)				
May Nissen Pool Renovation (all paid in March)	\$0	\$0																	
Shade Structures at Various Parks			\$0		\$0		\$0				\$0			\$0					
538 Bill Clark Park - Design (No more work beyond i	\$0	\$0																	
Bill Clark Park, Construction/soft costs				\$0	\$0	\$0													
Demo Stands at May Nissen Pool		\$0																	
Equestrian Arena Renovation (Covered and Upper)					\$0														
Ida Holm Park - use of \$30k contribution			\$0																
Placeholder for Deferred Maintenance Projects																			
Sub-total, Project Spending - General Fund	(\$149,000)	\$0	(\$262,250)	\$0	(\$320,000)	\$0	\$0	(\$200,000)	\$0	\$0	(\$200,000)	\$0	(\$200,000)	(\$170,000)	(\$170,000)				
Capital Equipment (non-CIP)																			
RLCC Aquatics scoreboard		\$0												\$55,000					
IT - Firewalls		(\$21,305)																	
Miscellaneous Items - to be documented				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0				
Sub-total, Capital Equipment	\$0	(\$21,305)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$55,000	\$0	\$0				
Ending General Fund Balances	\$9,677,985	\$8,142,366	\$7,870,540	\$6,687,636	\$5,286,180	\$4,867,628	\$3,188,509	\$2,024,719	\$7,207,784	\$6,254,115	\$5,768,269	\$4,821,939	\$8,964,965	\$7,487,896	\$6,668,863				

Cash Flow Forecast – condensed view

Beginning Balance - General Fund (as of 5/31/20)	9,210,292	FY20-21					
		Jun-20	Sep-20	Nov-20	Dec-20	Mar-21	Jun-21
Operating IN/(OUT) Flows	(\$1,064,366)	(\$718,552)	(\$963,790)	\$5,183,066	(\$933,194)	(\$635,897)	
Cash Balance before Project Spend and Loan Pmt	\$8,145,926	\$4,567,628	\$2,224,719	\$7,207,784	\$4,835,075	\$6,851,999	
PG&E On-Bill Financing - Loan Pmt (balance sheet)	(\$13,136)	\$0	\$0	\$0	(\$13,136)	(\$13,136)	
Sub-total, AB1600 IN/(OUT) Flows	\$0	\$300,000	\$0	\$0	\$0	\$0	\$0
Sub-total, Project Spending - General Fund	(\$262,250)	\$0	(\$200,000)	\$0	\$0	(\$170,000)	
Sub-total, Capital Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Ending General Fund Balances	\$7,870,540	\$4,867,628	\$2,024,719	\$7,207,784	\$4,821,939	\$6,668,863	

Risks

1. The COVID-19 virus returns at or beyond recent levels in the Fall and the District's programs are once again shut down completely.
2. Changes in the behavior of our community members, particularly in relation to traditional recreation programs, drives changes to the demand for these offerings.
3. We are unable to meet the projections for ramped up activity in Community Services (ESS), due to unforeseen, mandated restrictions.
4. We are able to open our recreation programs in a more limited fashion than is currently envisioned.
5. We are unable to retain key staff and/or bring them back from furlough when the demand for their safe return to work is evident again.

Conclusions/Recommendations

1. We recommend that the Board approve this Final Budget. However, because the use of Reserves (\$353k) is required to balance this Budget, staff recommends that the Board establish an ad-hoc committee to review the District's organizational structure in search of efficiencies that will help to negate the need to deplete reserves during FY20-21.
2. Given the lack of certainty that pervades our planning effort, we propose to implement a Quarterly Update to periodically establish a new Plan of Record (replacing the approved Budget at the end of Qtr 1, with updates each quarter throughout the year).
3. The results of our work , based upon our most informed and conservative assumptions, suggest we will be able to endure the current shutdown and not risk a dip below \$2.0million in cash (the equivalent of 4+ pay periods).



Thank You

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager

DATE: June 24, 2020

SUBJECT: LARPD Contribution to the Alameda County Employees' Retirement Association
401(h) Sub-Account for Retirees' Medical for the 2020-2021 Fiscal Year

COMMITTEES: Finance Committee Review on June 15, 2020 (recommend approval)

RECOMMENDATION: That the Board of Directors approve Resolution No.____, authorizing the funding of the 401(h) Sub-Account for Retirees' Medical with the Alameda County Employees' Retirement Association (ACERA) in the amount of \$329,550.84 for the 2020-2021 Fiscal Year.

BACKGROUND: Each year, by vote of the Board of Directors, the District funds the 401(h) sub-account in compliance with GASB 45 to provide tax-free health care for LARPD's retirees. In fiscal year 2006-2007, the LARPD Board of Directors authorized the creation of an Internal Revenue Code section 401(h) sub-account, under the ACERA's overall 401(h) account, in order to provide tax-free health care for its retirees. LARPD and ACERA entered into a written agreement regarding the funding of an IRC 401(h) sub-account. The agreement authorized a portion of LARPD's regular retirement contributions to be deposited in an agency 401(h) sub-account. LARPD's Board of Directors passed a resolution authorizing ACERA to create and manage an IRC 401(h) sub-account on the District's behalf. In return, ACERA's Board passed a resolution authorizing the transfer of an equivalent amount from the Supplemental Retiree Benefits Reserve ("SRBR") to LARPD's Advance Reserve Account. The net effect is a no-cost transaction.

What is being funded via the 401(h) Account is tax-free health benefits (medical, dental, and/or vision) for LARPD retirees who are enrolled in an ACERA-sponsored medical plan (e.g., Kaiser, United Healthcare HMO), with coverage levels that vary based upon years of ACERA-eligible service years. Employees must have at least 10 years of service to qualify, at which point the monthly medical allowance (MMA) provided by this plan will provide for partial coverage of their monthly medical premiums (50% of Employee-only premiums, which grows to 75% at 15 years of service and 100% at 20+ years).

Of Note:

1. The amount to be authorized for FY20-21 is higher than last year's total of \$307,750. This is a result of a calculation involving the percentage of LARPD retirees eligible for retirement benefits, and the total required contribution amount.
2. Relevant law: The County Employees Retirement Law of 1937 (CERL), which allows ACERA to transfer funds contributed by the District to the 401(h) program back to the District's Advance Reserve Account and as such these funds are treated as a pension contribution by the District (e.g., no adjustment to the District's ACERA pension contribution is required in order to fund the 401(h) program).
3. The OPEB / 401(h) program has no unfunded liability attached to it, by definition, because the ACERA Board cannot authorize and make payments to retirees after the SRBR funds are exhausted.

Attachment:

Letters from ACERA and its actuary (Segal Consulting) setting forth the required contributions for the 401(h) account for Fiscal Year 2020-2021; Schedule showing the summary of the 401(h) contributions by Participating Employer for Fiscal Year 2020-2021; and a Draft Resolution.



May 22, 2020

Mathew Fuzie
General Manager
Livermore Area Recreation and Park District
4444 East Avenue
Livermore, CA 94550

Re: Authorization for 2020-2021 IRC § 401(h) Sub-Account

Dear Mathew:

In fiscal year 2006-2007, the Livermore Area Recreation and Park District (LARPD) authorized the creation of an Internal Revenue Code (IRC) Section 401(h) sub-account under the Alameda County Employees' Retirement Association's (ACERA) overall 401(h) Account in order to provide non-vested Retiree Health Benefits (RHBs) to eligible retirees on a non-taxable basis. If LARPD intends to continue with this practice in the upcoming fiscal year, it is time to initiate the process to authorize the contributions to LARPD's IRC § 401(h) sub-account.

The 401(h) sub-account is based on the following criteria:

1. The account is funded by the contributions made directly by LARPD to ACERA for the sole purpose of providing RHBs to retirees,
2. LARPD specifies that these contributions are for the sole purpose of providing RHBs to retirees,
3. The contributions are separately accounted for by ACERA, and
4. The contributions are used by ACERA solely for RHBs.

In accordance with the County Employees Retirement Law of 1937 (CERL), ACERA holds assets in an account called the Supplemental Retiree Benefit Reserve (SRBR), which may be used only to provide benefits to retirees and their beneficiaries as determined by the Board of Retirement. In accordance with § 31592.4 of the CERL, ACERA may transfer amounts from the SRBR to the Employer Advance Reserve account and treat these transfers as if they were contributions made by LARPD to fund health benefits, as long as LARPD makes equal contributions directly to ACERA's 401(h) Account. LARPD does not have an obligation to pay for health benefits for retirees since they are non-vested. Refer to the 401(h) Agreement signed in October 2007.

Included with this letter are the following documents that will assist you with the authorization process, if so desired.

1. A letter from ACERA's actuary setting forth the required contributions for the 401(h) Account for fiscal year 2020-2021 (Exhibit A).
2. A schedule showing the summary of the 401(h) contributions by Participating Employer for fiscal year 2020-2021 (Exhibit B).
3. A proposed resolution for your governing body to authorize contributions to a 401(h) Account (Exhibit C).

Exhibit A is a letter from ACERA's Actuary, Segal Consulting, which estimates the fiscal year 2020-2021 funding requirements of the 401(h) Account from all employers is \$55,657,000. This estimate includes projected health premium subsidy increases of 3.125% for medical and 4% for Medicare Part B, and dental and vision. An additional 10% subsidy is included to provide a margin for unexpected retirements (e.g., if the employer grants Golden Handshake benefits or other increased benefits). Effective July 1, 2011 administrative expenses for health benefits are also included.¹

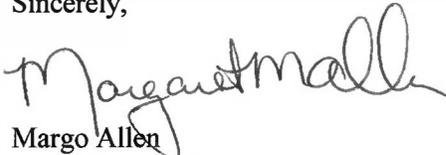
Exhibit B is the schedule of the 401(h) Contributions Summary by Participating Employer for the Fiscal Year 2020-2021. This schedule shows that LARPD's net 401(h) contribution amount is **\$329,550.84**. This result was obtained by multiplying the percentage of LARPD retirees eligible for retirement benefits (0.70%) by the total required contribution amount (\$55,657,000) and adjusting it by the estimated balance that is remaining in LARPD's 401(h) sub-account as of June 30, 2020 (\$60,048.16).

Beginning with **pay period 20-14**, LARPD should allocate **\$12,675.03** of your total contribution amount **per pay period** toward your 401(h) contributions if your intent is to provide non-vested tax free health benefits to retirees. There is no net financial impact to LARPD because ACERA contributes an equal amount from the SRBR to the Employer Advance Reserve account.

In order to ensure uniform tax compliance in the resolutions passed by the various Participating Employers, we have enclosed a proposed resolution, which appears as Exhibit C. This resolution authorizes LARPD to contribute **\$329,550.84** to your 401(h) sub-account for fiscal year 2020-2021. ACERA appreciates that LARPD may require additional language in the resolution, but we request that you include the language provided that relates to the authorization and funding of the 401(h) sub-account. If you wish to change the resolution in any way, including adding to it, ACERA must review the changes before they are adopted to ensure that they comply with federal law that governs the 401(h) Account and your sub-account. We believe that this language addresses and ensures compliance with the CERL statutory issues, the agreed upon funding mechanism and IRC § 401(h) tax code requirements. Once the resolution has been passed, please send me a copy for our files.

Authorization to fund LARPD's 401(h) sub-account **must be completed by June 30, 2020**. If this date poses a problem, or if you have any questions about any of the material contained in this packet, please contact ACERA for further clarification.

Sincerely,



Margo Allen
Fiscal Services Officer

MA/srp

Enclosures (3)

cc: David Nelsen, Chief Executive Officer, ACERA
Kathy Foster, Assistant Chief Executive Officer, ACERA
Jeffrey Rieger, Chief Counsel, ACERA

¹ This is required to comply with tax qualification requirements per ACERA's Tax Counsel.

Susan Muranishi, County Administrator, County of Alameda
Melissa Wilk, Auditor-Controller, County of Alameda
Jeffrey Schneider, Finance Manager, LARPD
Julie Dreher, Payroll Technician, LARPD

LIVERMORE AREA RECREATION AND PARK DISTRICT
RESOLUTION APPROVING 401(H) ACCOUNT
PURSUANT TO SECTION 31592

WHEREAS, in 1996, the Alameda County Employees' Retirement Association ("ACERA") Board of Retirement informed the Board of Supervisors that by adoption of Resolution No. 96-111, the Board of Retirement had established a health benefits account intended to satisfy the requirements of Internal Revenue Code ("IRC") Section 401(h) and the regulations thereunder ("401(h) Account") in order to provide non-vested, tax-free health benefits to eligible County and Participating Employer retirees (collectively, the "Retirees"); and

WHEREAS, in 1996, this Board of Supervisors adopted Resolution No. R-96-634, which provided that ACERA could offer such non-taxable benefits if the County designated a portion of its contribution to ACERA for a fiscal year as a contribution to the 401(h) Account, and

WHEREAS, under Section 31592.4 and Article 5.5 of the County Employees Retirement Law of 1937 ("CERL"), assets in the Supplemental Retiree Benefit Reserve ("SRBR") at the end of a fiscal year of ACERA may, in the immediately succeeding fiscal year, be transferred to the Employer Advance Reserve account of the Participating Employers, and treated as a contribution to ACERA by the County and as applicable by other Participating Employers to the extent that in the immediately succeeding fiscal year the County and other Participating Employers make contributions to ACERA's 401(h) Account in order to pay for retiree health benefits; and

WHEREAS, Section 31592.4 and Article 5.5 of the CERL thus permit the Participating Employers to contribute to a 401(h) Account and pay for retiree health benefits for a fiscal year without increasing the Livermore Area Recreation and Park District's ("LARPD") total contributions to ACERA for that fiscal year; and

WHEREAS, commencing with the 1996-1997 fiscal year, and for each fiscal year thereafter, the County has directed that a specified portion of its fiscal year contribution to ACERA for that year be contributed to the 401(h) Account; and

WHEREAS, in 2007 LARPD authorized ACERA to establish and manage a 401(h) sub-account on its behalf to provide tax free health benefits for its retirees.

NOW THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. In fiscal year July 1, 2020 – June 30, 2021, LARPD shall contribute to ACERA \$329,550.84 to be used only for the payment of retiree health benefits. This contribution shall be made on the terms and conditions set forth in the Agreement between LARPD and ACERA concerning such contributions, executed on June 20, 2007.
2. This contribution shall be designated, in writing, as being only for LARPD's IRC § 401(h) Account and such designation shall be made at the time of the contribution.

3. Such contribution is contingent on the Board of Retirement immediately transferring, in accordance with Government Code §31592.4, an amount equal to such contribution from ACERA's SRBR account to LARPD's Advance Reserve account. Such amount shall be treated as a contribution for pension and therefore shall be applied to reduce the pension contribution otherwise required by LARPD for the fiscal year beginning July 1, 2020.
4. No party, including any existing or future LARPD employee, retiree, spouse or dependent, shall have any vested rights, contractual rights or other rights in or to any retiree health benefits or payment or subsidy for any such benefits nor shall any such person or ACERA have any such rights to have LARPD contribute towards paying or subsidizing the cost of any retiree health benefits provided by ACERA under the 401(h) Account or otherwise. LARPD may modify or terminate, at any time and without any limitation, its decision to contribute to LARPD's 401(h) Account. This modification or termination may occur even if it may affect any employee first hired prior to the date of such modification, any person who retired prior to such date, and/or any person who became a spouse or dependent of an employee or retiree prior to such date.
5. All contributions by LARPD to its 401(h) sub-account shall be governed by requirements of the IRC and all administrative and other applicable rules established by ACERA governing such sub-account and ACERA's 401(h) Account.

401(h) Contributions needed for County and Special Districts - For the Fiscal Year 2020-21

<u>Employer</u>	<u>Percentage of 401(h) Contribution</u>	<u>Paid Interval</u>	<u>Actuarial 401(h) Account Balance Required for FY 2020-21</u>	<u>Est. 401(h) Balance as of 6/30/2020</u>	<u>FY 2020-21 Required 401(h) Contribution Amount</u>	<u>FY 2020-21 Per Pay Period 401(h) Payment</u>
Alameda County	80.97%	Bi-Weekly (26 PP)	\$ 45,065,472.90	\$ 7,154,527.04	\$ 37,910,945.86	\$ 1,458,113.30
AHS	12.36%	Bi-Weekly (26 PP)	6,879,205.20	1,031,591.34	5,847,613.86	\$ 224,908.23
Superior Court	5.25%	Bi-Weekly (26 PP)	2,921,992.50	441,399.53	2,480,592.97	\$ 95,407.42
Livermore Area Parks District	0.70%	Bi-Weekly (26 PP)	389,599.00	60,048.16	329,550.84	\$ 12,675.03
Housing Authority	0.60%	Bi-Weekly (26 PP)	333,942.00	52,321.99	281,620.01	\$ 10,831.54
First 5	0.12%	Bi-Weekly (26 PP)	66,788.40	9,526.86	57,261.54	\$ 2,202.37
Total	<u>100.00%</u>		<u>\$ 55,657,000.00</u>	<u>\$ 8,749,414.92</u>	<u>\$ 46,907,585.08</u>	<u>\$ 1,804,137.89</u>

Per SEGAL letter dated April 21, 2020 required amount \$ 55,657,000.00

** Please see attached payment schedule.

Prepared by: Herma - 4/28/20

Revised by: Ted - 4/30/20

Reviewed by: Hermella - 4/30/20



401(h) Starting Pay Periods by Employer for FY 2020-21

EMPLOYER	EFFECTIVE PAY PERIOD	PAY DATE	ENDING PAY PERIOD	PAY DATE
Alameda County	20-14	7/10/20	21-13	6/25/21
Superior Court	20-14	7/10/20	21-13	6/25/21
AHS	20-14	7/10/20	21-13	6/25/21
First 5	20-14	7/10/20	21-13	6/25/21
Housing Authority	20-14	7/09/20	21-13	6/24/21
LARPD	20-14	7/08/20	21-13	6/23/21



180 Howard Street,
Suite 1100
San Francisco, CA 94105-6147
T 415.263.8200
segalco.com

April 24, 2020

Ms. Margo Allen
Fiscal Services Officer
Alameda County Employees' Retirement Association
475 14th Street, Suite 1000
Oakland, CA 94612-1900

Re: 401(h) Contributions for the 2020-2021 Fiscal Year

Dear Margo,

Pursuant to the Association's request, we have estimated the 401(h) contributions for the 2020-2021 fiscal year.

Results and Analysis

We project that, for the 2020-2021 fiscal year, the Association will need \$55,657,000 to provide medical benefit subsidies from the 401(h) account. The process used to determine the actual biweekly contribution amounts is discussed on page 2. Please note that as previously directed by ACERA, in developing the estimated 401(h) contribution amount, we have included the expenses related to the administration of health benefits for retirees.

The 401(h) funding requirement is developed as follows:

1. Total monthly premium subsidy paid by ACERA to all health benefit plan providers during the month of February 2020, projected to June 2020 by the Association (for comparison purposes only). \$3,873,000*
2. Annualized premium subsidy as of February 2020, projected to June 2020 (for comparison purposes only). \$46,476,000

* Last year, the total monthly premium subsidy paid by ACERA to all health benefit plan providers for February 2019 and projected to June 2019 by the Association was \$3,664,000, or \$43,968,000 annualized.

3. Best estimate of annualized premium subsidy required for 2020-2021 (based on actual payouts from July 2019 through February 2020 and estimated payouts from March 2020 through June 2020 provided by ACERA). Following the Association's current practice, we have assumed that the Retirement Board will increase the Monthly Medical Allowance at the rate equal to one-half of the lowest medical trend assumption for the non-Medicare and Medicare Advantage plans. We have assumed that the Medicare Part B, dental and vision subsidies will increase at the full rate of the trend assumption for those plans for calendar year 2020 (as assumed in the December 31, 2018 SRBR valuation). The assumed increases in the subsidy calculation are 3.125% for medical^{1,2} and 4.00% for Medicare Part B, dental and vision plans. \$49,345,000
4. Increase of 10% in Item 3 to provide a margin for unexpected retirements rounded to nearest \$1,000. \$4,935,000
5. Administrative expenses for health benefits, rounded to nearest \$1,000. \$1,377,000³
6. Sum of Items 3, 4, and 5. \$55,657,000

Important Assumptions Regarding Anticipated Change In Health Premium Subsidy

Except for the projected health premium subsidy increases described above, we have not assumed any other changes in the level of subsidy from 2019-2020 to 2020-2021. Our estimate will have to be revised if the Retirement Board later decides to amend the level of benefits.

¹ This is based on 50% of the 6.25% trend assumption used to project the increase for Medicare Advantage plans from calendar year 2020 to calendar year 2021, as described in our trend letter for the December 31, 2018 SRBR valuation dated May 16, 2019.

² It should be noted that after the December 31, 2018 valuation, a change in the law was enacted to eliminate the Health Insurance Tax (HIT) originally imposed by the Affordable Care Act starting on January 1, 2021. Since the medical trend assumption used in this analysis is based on that used in the December 31, 2018 valuation, we have not reflected the elimination of the HIT in this analysis.

³ As part of the determination of the 401(h) contributions for the 2019-2020 fiscal year, we followed the directions from the Association (as provided in the past) to use the actual 2018 calendar year expense as a proxy for the 2019-2020 fiscal year. We have maintained this procedure and have used the actual 2019 calendar year expense as a proxy for the 2020-2021 fiscal year expense.

401(h) Contributions

The actual required contributions for the 2020-2021 fiscal year should be determined by subtracting the June 30, 2020 balance in the 401(h) account from the \$55,657,000. We understand that this net amount will be contributed to the 401(h) account on a biweekly basis by the employers and the Association will transfer a like amount from the Supplemental Retirees Benefit Reserve to the Employer Advance Reserve.

As instructed by the Association, we have provided a breakdown of the 401(h) expense by employer in the following table. We understand that the breakdown has been compiled by the Association as of February 2020, based on the number of retirees eligible for retirement benefits

Employer	Percentage of 401(h) Contributions
Alameda County*	80.97%
Health System	12.36%
Superior Court	5.25%
Livermore Area Recreation and Park District	0.70%
Housing Authority	0.60%
First 5	0.12%
Total	100.00%

**As in years past, the Office of Education and the Alameda County Fire Department are included in the County's percentage.*

Under IRC Section 401(h), medical benefits must be "incidental" to the retirement benefits under a plan. Section 401(h) indicates that medical benefits will be considered "incidental" if the contributions for medical benefits are less than 25% of the total contributions under the plan (excluding unfunded actuarial accrued liability (UAAL) payments). We believe that the transfer from the Supplemental Retirees Benefit Reserve should be treated as an offset to the UAAL contribution requirement (to the extent that the net UAAL payment after the offset is still positive), which means that in a given year the medical contributions can be up to 25% of the total Normal Cost contributions.

In the following table, we demonstrate that the value of the medical benefits is in compliance with the above requirement. Please note that as the Retirement Board has not yet adopted the contribution rates for the December 31, 2019 valuation, we have continued to apply the average employer and employee contribution rates calculated in the last valuation, that is, as of December 31, 2018, to the payroll calculated in that valuation, increased by 3.50% to reflect one year of projected payroll growth.

Source of Contributions	Estimated Amount (\$millions)
Employee Normal Cost (based on an aggregate member rate of 9.34% calculated in the December 31, 2018 valuation and an estimated payroll of \$1,132.0 million)	\$105.7
Employer Normal Cost (based on aggregate employer normal cost rate of 10.62% calculated in the December 31, 2018 valuation and an estimated payroll of \$1,132.0 million)	\$120.2
Recommended 401(h) Medical Contributions	\$55.7
Total Normal Cost and Recommended 401(h) Medical Contributions	\$281.6
Ratio of 401(h) Contributions to the Total Normal Cost Contributions and Recommended 401(h) Medical Contributions	19.8% ⁴

These calculations were prepared under our supervision. Except as noted above, the calculations are based on the December 31, 2018 actuarial valuation results including the membership data and the actuarial assumptions on which that valuation was based.

We are members of the American Academy of Actuaries and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion herein.

Please let us know if you have any questions.

Sincerely,


Andy Yeung, ASA, MAAA, FCA, EA
Vice President & Actuary


Thomas Bergman, ASA, MAAA, EA
Retiree Health Actuary

TJH/gxk

cc: Kathy Foster
Eva Hardy
Stacey R. Perry

⁴ This ratio was 19.9% as provided in our 401(h) contributions letter for the 2019-2020 fiscal year.

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mathew Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager
Julie Dreher, Finance Officer

DATE: June 24, 2020

SUBJECT: Resolution establishing the Fiscal Year 2020–21 Annual Appropriations Limit

COMMITTEES: Finance Committee Review on June 15, 2020 (recommend approval)

RECOMMENDATION: That the Board of Directors approve Resolution No. _____, establishing the FY 20-21 Annual Appropriations Limit at \$24,004,056.

BACKGROUND: On November 6, 1979, California voters approved Proposition 4, commonly known as the Gann Spending Limitation Initiative, establishing Article XIII B of the California Constitution. This proposition mandates an appropriations (spending) limit on the amount of tax proceeds that State and most local government jurisdictions may appropriate within a fiscal year. Charges for services, fees, grants, loans, donations and other non-tax proceeds are excluded. The Appropriations Limit for any year is the Appropriations Limit from the previous fiscal year adjusted for inflation and population growth as provided by State Department of Finance. Notice of Board of Directors meeting to review and approve the new Appropriations Limit is required to be posted publicly at least 15 days prior to Board meeting. Said notice was posted on the LARPD website on June 5, 2020.

Attached is the Department of Finance Price and Population Information (Attachment A) used to calculate the limit. Our auditor, James Marta & Company, reviewed the annual adjustment factors stating our Appropriations Limit was calculated correctly (Attachment B). They recomputed our calculations and agreed with the Per Capita Income and County Population factors.

The FY 20-21 Appropriations Limit is \$24,004,056. This is an increase of \$948,461 over FY 19-20 Appropriations Limit of \$23,055,595. The approved, Preliminary FY 20-21 budget includes \$12,754,762 in tax proceeds, which is \$11,249,294 less than the appropriation limit of \$24,004,056.

Staff recommends approval.

Attachments:

- A - Department of Finance Price and Population Information
- B - Audit Report on FY 2020-2021 Appropriations Limit with Calculation



May 2020

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2020, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2020-21. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2020-21 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2020.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data. Given the stay-at-home orders due to COVID-19, growth in the coming years may be substantially lower than recent trends.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

/s/ Keely Martin Bosler

KEELY MARTIN BOSLER
Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2020-21 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2020-21	3.73

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2020-21 appropriation limit.

2020-21:

Per Capita Cost of Living Change = 3.73 percent
Population Change = 0.22 percent

Per Capita Cost of Living converted to a ratio: $\frac{3.73 + 100}{100} = 1.0373$

Population converted to a ratio: $\frac{0.22 + 100}{100} = 1.0022$

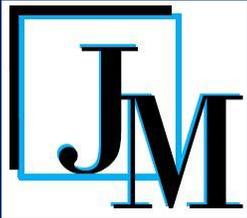
Calculation of factor for FY 2020-21: $1.0373 \times 1.0022 = 1.0396$

Fiscal Year 2020-21

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2019 to January 1, 2020 and Total Population, January 1, 2019

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total Population</u>
	2019-2020	1-1-19	1-1-20	1-1-2020
Alameda				
Alameda	-0.38	80,211	79,905	81,312
Albany	-0.13	18,961	18,937	18,937
Berkeley	0.18	122,358	122,580	122,580
Dublin	2.82	62,409	64,172	65,716
Emeryville	2.13	12,041	12,298	12,298
Fremont	0.35	233,404	234,220	234,220
Hayward	0.07	160,197	160,311	160,311
Livermore	0.46	91,436	91,861	91,861
Newark	1.67	48,164	48,966	48,966
Oakland	0.68	430,753	433,697	433,697
Piedmont	-0.13	11,468	11,453	11,453
Pleasanton	0.09	79,392	79,464	79,464
San Leandro	-0.41	88,296	87,930	87,930
Union City	-0.03	73,661	73,637	73,637
Unincorporated	-0.31	148,826	148,369	148,452
County Total	0.37	1,661,577	1,667,800	1,670,834

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.



James Marta & Company LLP
Certified Public Accountants

**LIVERMORE AREA RECREATION
AND PARK DISTRICT**

Special Purpose Report

**Appropriations Limit Calculation
Fiscal Year 2020-21**

SUBMITTED BY:

James Marta & Company LLP
Certified Public Accountants

Contact Person: David Becker, CPA

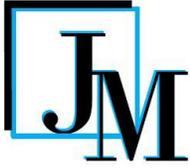
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James Marta & Company LLP

Certified Public Accountants

Accounting, Auditing, Consulting, and Tax

Report on Appropriations Limit Calculation

Board of Directors
Livermore Area Recreation and Park District
Livermore, California

We have performed the procedures enumerated below solely to assist the Livermore Area Recreation and Park District in the calculation of the appropriations limit for the Fiscal Year 2020-21 in order to meet the requirements of Section 1.5 of Article XIII B of the California Constitution. This engagement was conducted at the request of management of the Livermore Area Recreation and Park District. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Procedures and Results

1. We agreed the prior year appropriations limit of \$23,055,595 used in the accompanying worksheets to the Fiscal Year 2019-20 appropriations limit calculation.
2. We recalculated the population percentage change factor of 1.0037 used in the accompanying worksheets based on the Annual Percent Change in Population Minus Exclusions for Alameda County.
3. We recalculated the growth factor of 1.0411 used in the accompanying worksheets.
4. We recalculated the Fiscal Year 2020-21 appropriations limit of \$24,004,056 in the accompanying worksheets.

We were not engaged to, and did not conduct an examination, the objective of which would be the expression of an opinion, on the specified elements, accounts, or items. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of management and the Board of Livermore Area Recreation and Park District and is not intended to be and should not be used by anyone other than the specified party.

James Marta & Company LLP

James Marta & Company LLP
Certified Public Accountants
Sacramento, California
June 9, 2020

Livermore Area Recreation & Park District

Fiscal Year 2020/21 Appropriations Limit Calculator

	Year	1/1/2019	1/1/2020	% Change
Total County Population		1,661,577	1,667,800	0.37%

	FY 2019/20	FY 2020/21
Per Capita Income (CA)	1.0385	1.0373
Population (County)	1.0075	1.0037
Ratio of Change	1.0463	1.0411

FY 19/20 Appropriation Limit	\$23,055,595	x	1.0411
New Appropriation Limit			\$24,004,056

Annual Increase \$948,461