

# Livermore Area Recreation and Park District

## MEMORANDUM

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TO: Board of Directors

FROM: Linda VanBuskirk, Executive Assistant to the General Manager

DATE: January 26, 2021

SUBJECT: LARPD Administrative Policy Manual Update

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Attached are updates to your LARPD Administrative Policy Manual. Please update your manual, as indicated below.

- Administration Section: Replace *ADM-15-010715-RLCC Code of Conduct* with new version Amended on July 31, 2019 to the end of Administration Section
- Facilities Section:  
Add *FAC-15-2507-Scattering of Cremated Remains on District Parklands*  
*FAC-16-2514-Grazing on District Parklands* and  
*FAC-17-2573-Advertising on District Property Policy*  
to end of Facilities section
- Finance:  
Replace *FIN-07-2078-Budget Policy* with new version *FIN-07-2078-Operating and CIP Budget Policy* Amended on June 12, 2019

Please feel free to contact me if you have any questions.



Policy No. ADM-15-010715

Robert Livermore Community Center  
CODE OF CONDUCT

<b>PURPOSE OF POLICY</b>	To ensure that the Community Center is a welcoming and safe place for the public.
<b>POLICY SUMMARY</b>	This policy establishes that there are rules of conduct for those visiting or participating in activities at the Community Center.
<b>APPROVAL</b>	General Manager, January 7, 2015, July 31, 2019 Amended: Board of Directors, July 31, 2019

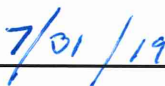
The Robert Livermore Community Center (RLCC) is a welcoming and safe place for individuals of all ages to congregate, socialize and recreate. As such, RLCC visitors are required to conduct themselves in a manner that most people would find reasonable and that does not infringe on the enjoyment of the facilities by others.

Behavior becomes unacceptable when it: interferes with these expectations; compromises the rights of others; causes damage to buildings or equipment; disrupts activities/programs/services and/or operations; creates a health risk to oneself or others; causes (or is likely to cause) injury to oneself or others; or creates a nuisance due to objectionable personal hygiene. Those willing to comply with this code of conduct or who are willing to modify unacceptable behavior are welcome to stay. Those unwilling to comply will be asked to leave. If necessary, law enforcement will be called.

In addition to the District's general rules and regulations (Ordinance #8), there is a set of rules which applies to conduct at the RLCC and any area within 100 feet of the buildings, courtyard and swim facilities. Individual rooms, sections, equipment or functions within the RLCC may have more specific rules and regulations that apply to the conduct of individuals.

APPROVAL

  
\_\_\_\_\_  
Mathew Fuzie  
General Manager

  
\_\_\_\_\_  
Date 7/01/19



Livermore Area  
Recreation and Park District  
*An independent special district*

4444 East Avenue, Livermore, CA 94550-5053

## Rules of Conduct for Visitors at the Robert Livermore Community Center

See Policy No. ADM-15-010715 of the Livermore Area Recreation and Park District

### **Visitors and Participants agree to observe the following rules when attending the Robert Livermore Community Center (RLCC):**

1. Parents, guardians, and caregivers (Responsible Adult) are responsible at all times for the conduct, care and safety of those under their care. Adult visitors and participants must be fully independent and able to respond to emergencies or they must have a Responsible Adult with them at all times. Children 11 years old and younger must have adult supervision at all times, provided by the child's Responsible Adult or through enrollment in an LARPD program.
2. Smoking and use of tobacco or tobacco-like products are not permitted.
3. Alcohol may only be sold, served and consumed by permit.
4. Making offensive gestures, cursing or using obscene, abusive, profane or threatening language and displaying (including electronic devices), wearing or distributing obscene/offensive materials are not permitted.
5. The RLCC structures, furnishings and fixtures must be treated with proper care at all times.
6. Entering or remaining in the RLCC before or after posted hours of operation is not permitted.
7. Use of meeting rooms and activity areas is only available by permit, class/activity registration or as part of a RLCC scheduled public gathering. Under no circumstances may any area be used for commercial or private business without a permit.
8. Entering unescorted into staff work areas that are not open to the public is not allowed at any time. A visitor's badge is required to access staff work rooms and the second floor. Badges must be visibly displayed on the visitor's person at all times and be returned to the front counter staff upon leaving the facility.

9. Talking, laughing, shouting, making loud noises or using amplifying devices (including cell phones, entertainment devices, walkie-talkies, etc.) in a disruptive manner is not permitted.
10. RLCC facilities and amenities are to be used only for their intended purpose. Loitering, changing clothes, bathing (except for washing hands or face), shampooing, shaving, washing clothes or utensils, preparing meals or food, or personal grooming are not allowed unless they are part of an LARPD approved program, activity or rental use.
11. Please be considerate of other patrons while using equipment. Treat furniture, facilities, and equipment with care and respect. Sleeping or lying down on furniture is prohibited.
12. RLCC visitors must keep personal belongings attended at all times. LARPD staff cannot store or oversee personal items or supplies and is not responsible for the loss or damage to individual or group property while using the RLCC.
13. Visitors shall not engage in any activity that disrupts normal RLCC activities or operations. These activities include selling, soliciting, proselytizing or otherwise disrupting the orderly conduct of classes, programs, activities and operations that are authorized by LARPD.
14. Personal hygiene, including the overuse of perfumes and colognes, shall not be offensive nor constitute a nuisance or health risk to others.
15. Harassing, intimidating, stalking or prolonged staring at other patrons or staff members are strictly prohibited.
16. To help ensure privacy rights, individuals may not photograph others without permission from the person or permission of the parent/guardian for children.
17. Cell phone use is not permitted in locker rooms. Refrain from using cell phones in program areas or at service counters. Keep ringers on low or vibrate and keep conversations at a respectful and courteous volume.
18. All persons must comply with lawful orders or directions given by any District staff in the performance of their duties.
19. Use of District computer and communication networks is not allowed without written permission.

### **Conduct at Board Meetings, Public Hearings, and Committee**

**Meetings** Visitors are welcome and encouraged to attend regular Board Meetings, Public Hearings and Committee Meetings and to participate during the public input or presentation portion at those meetings, provided their presence is not disruptive.

Please note that public forum may not be part of Special Board Meetings, and the public is not allowed to attend closed session Board Meetings. Members of the public wishing to attend Board Meetings or District-sponsored Public Hearings must abide by the following rules:

1. For some meetings and public hearings, visitors may be asked to sign in.
2. Adhere to the time limit for speaking, which may vary, depending on the type of meeting held or at the discretion of the individual(s) conducting the meeting.
3. Remain seated during the proceedings except when called upon to provide testimony, or if there is a lack of seating or for health/safety reasons.
4. If you wish to speak on an item listed on the agenda, please wait until the staff or committee presentations have been made, the Board/Committee has concluded its initial discussion and the Chair invites public comment on the item. Then, upon receiving recognition from the Chair, please state your name and, if you are not speaking as an individual, indicate the name of the group or organization that you represent.
5. If you wish to speak on any item that is not on the agenda, you may do so under Public Forum when the Chair requests remarks from the audience. Please be advised that, by law, no discussion or action can be made on items not already on the posted agenda.
6. "Speaker Cards" are available at LARPD Board Meetings and may be available at other meetings. Please fill them out and hand them to the recording clerk if you wish to speak to the Board.
7. Visitors shall not:
  - a) Disrupt the orderly conduct of business.
  - b) Interfere with public presentations or the proceedings of the meeting or hearing.
  - c) Refuse to comply with a lawful order or direction of any District Board or staff member that is given in the performance of their duties.
8. Using video cameras, filming and photography during Board meetings and public hearings by members of the press shall only be done from areas

designated by the District and must be done in an orderly manner that complies with Section 7 above, or as authorized by District staff.

9. Filming and photography by members of the general public is permitted if done in an orderly manner that complies with Section 7 above, or as authorized by District staff.
10. Visitors are asked to keep their cell phone ringers off or on vibrate and to refrain from using them while the meeting is in progress.



Policy No. FAC-15-2507

## SCATTERING OF CREMATED REMAINS ON DISTRICT PARKLANDS

PURPOSE OF POLICY	To regulate the scattering of cremated remains in and around District parks and recreation facilities.
POLICY SUMMARY	This policy describes the required criteria and conditions under which a permit may be granted for scattering cremated remains on District parklands.
APPROVAL	Adopted: Board Resolution No. 2507, Sept. 30, 2015

The District permits the scattering of legally cremated human or animal remains by family members of the deceased on District parklands under certain circumstances and by permit only.

The location of scattered ashes will be reported to the District's Parks and Facilities Manager; however, the District shall not be responsible for maintaining records of permits, names of the deceased or locations of scattered remains. It should be noted that District parks are acquired, planned, developed, managed and maintained for the benefit of all park visitors; therefore, individuals scattering ashes from cremated remains are advised that no restrictions to future use of, or access to, the parkland will be placed on areas where cremated remains have been scattered.

### **California State Law**

*In accordance with the California Health & Safety Code Section 7116, "Cremated remains may be scattered in areas where no local prohibition exists, provided that the cremated remains are not distinguishable to the public, are not in a container, and that the person who has control over disposition of the cremated remains has obtained written permission of the property owner or governing agency to scatter on the property. A state or local agency may adopt an ordinance, regulation or policy, as appropriate, authorizing, consistent with this section, or specifically prohibiting, the scattering of cremated human remains on lands under the agency's jurisdiction."*

### **District Park Permit Required**

In order to scatter cremated human or animal remains on District parklands, a written permit, authorized by the District, shall be required prior to scattering the cremated remains.

### **Criteria to Grant or Deny Permit**

The District may grant, deny or limit any permit for scattering cremated remains on District parklands after considering various factors, including, but not limited to: the suitability of the proposed area; the potential impact upon the public property; the effect of the proposed activity upon the peaceful enjoyment of the park by members of the public using or anticipated to use the area; and concerns related to public health and safety.

The District may also impose reasonable conditions related to the time, place, manner, frequency, duration and maximum number of persons who may attend the scattering and shall describe those conditions clearly in any permit issued.

### **Permit Conditions**

The following conditions and limitations shall apply to any permit issued:

1. Permits may be denied, or limited as to time, place and manner.
2. Permits shall only be issued to individuals engaged in private scattering of cremated remains of a single person or animal. Permits shall not be issued to commercial or organized entities.
3. Any person scattering remains on District parklands shall possess and present upon request a valid District permit.
4. All park rules and regulations (including entry and/or parking fees) must be adhered to unless specifically exempted in the written permit.
5. Scattering may not disturb or alter any natural or manmade features and may only occur in the place, manner and location as described in the permit.
6. The remains must be removed from any container and scattered in a manner such that they are not distinguishable to the public.
7. Scattering is prohibited in the following areas:
  - a. within 1,000 feet of any residence or dwelling
  - b. within 500 feet of any creek, stream or other body of water
  - c. within 50 feet of any road or trail
  - d. within 500 feet of any known archaeological, historical or Native American ceremonial site
  - e. any other area specifically restricted by the General Manager




8. Containers, vases, pots, flowers, plants and similar memorial items may not be left at the site.
9. Markers, plaques or other types of identifiers may not be installed or left at the site.
10. Permittees acknowledge that no restrictions related to future use of, or access to, parkland will be placed on the areas where cremated remains have been scattered.
11. The scattering of cremated remains from any aerial craft is not permitted.

**Permit Procedure**

1. All requests for scattering of remains shall be submitted to the District at least fifteen days in advance of the proposed date of scattering. The request will include the proposed park location; the date, time and duration of scattering; the name, address and phone number of the person legally authorized to scatter the remains; and the anticipated number of people who will be in attendance during the scattering.
2. After review by the District, a recommendation to either issue or deny the permit will be made to the District's Parks and Facilities Manager (based upon the criteria outlined above) within five working days of receipt of the permit application.
3. The District's Parks and Facilities Manager will have final authority to either issue or deny the scattering permit.
4. District staff will communicate directly with the applicant regarding the District's decision to either issue or deny the permit.
5. The District's Parks and Facilities Manager's decision is final. There is no appeal process.

APPROVAL

  
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Timothy J. Barry  
General Manager

  
\_\_\_\_\_  
Date



Policy No. FAC-16-2514

## GRAZING ON DISTRICT PARKLANDS

<b>PURPOSE OF POLICY</b>	To regulate grazing of animals on District parklands.
<b>POLICY SUMMARY</b>	This policy describes the required criteria and conditions under which a permit may be granted for grazing animals on District parklands.
<b>APPROVAL</b>	Adopted: Board Resolution No. 2514, Jan 13, 2016

The District permits the grazing of animals on District parklands under certain circumstances and to meet the goals of the District’s grazing program, which are to:

- Enhance the diversity of the District’s Open Space Facilities grassland habitats;
- Reduce fire intensity and fuel loads; and
- Control invasive, non-native weed species in the grassland habitat and to keep them from spreading onto neighboring property.

### **District Park Permit Required**

In order to graze animals on District parklands, a written permit or contract, authorized by the District, shall be required prior to grazing any animals on District parkland.

### **Criteria to Grant or Deny Permit**

The District may grant, deny or limit any permit or contract for grazing on District parklands after considering various factors, including, but not limited to: the suitability of the proposed area; the potential impact upon the proposed area; the effect of the proposed activity upon the public’s use of the area; and concerns related to public health and safety.

The District may also impose reasonable conditions related to the time, place, manner, frequency, duration and maximum number of animals allowed to graze and shall describe those conditions clearly in any permit issued.

### **Permit Conditions**

Each area of parkland has its own challenges and problems to be dealt with developing an effective grazing program. Therefore, each proposal to graze will be treated individually due to the unique physical configurations and resource issues that apply to each specific property, the availability of or need for supporting infrastructure, the potential impact on the public and the desired results from grazing.

The following conditions and limitations shall apply to any permit issued:

1. Permits may be denied, or limited as to time, place and manner.
2. Any person grazing animals on District parklands shall possess and present upon request a valid District permit.
3. All applicable state and county grazing regulations, and all District park rules and regulations (including entry and/or parking fees) must be adhered to unless specifically exempted in the written permit.
4. Grazing may only occur in the place, manner and location as described in the permit.
5. Grazing may be restricted in specific areas or within specific distances from certain natural or man-made features as identified on each permit.


Staff will use the District's Grazing Plan (The April 26, 2010 Grazing Management Plan, prepared by Lisa Bush, a California Certified Rangeland Manager) to developing grazing program guidelines and for any requirements to be placed on the grazers.

Implementation of specifics such as: which areas to graze on specific dates; which grazing partners to contract with; which type of grazing animal to allow; stocking rates; how long a period of time the grazing will continue; what measures will be used for caring for and control of the animals; how best to integrate this particular grazing activity with other uses and negotiating permit fees or provision of grazing infrastructure, will all be managed on a case by case basis by the Parks and Open Space staff.

#### **Permit Procedure**

1. All requests for grazing shall be submitted to the District at least thirty days in advance of the proposed date of grazing. The request will include the proposed park location; the date, time and duration of grazing; the name, address and phone number of the person responsible for managing the grazing activities; and the number of animals that will be allowed to graze during the permitted time.
2. After review by District staff, a recommendation to either issue or deny the permit will be made to the District's Parks and Facilities Manager (based upon the criteria outlined above) within sixty working days of receipt of the permit application.
3. The District's Parks and Facilities Manager will issue or deny the grazing permits but will seek preapproval from the Board of Directors for any permits involving permitting costs that are not budgeted or that may have complex impacts on the District.
4. District staff will communicate directly with the applicant regarding the District's decision to either issue or deny the permit.

APPROVAL

  
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Timothy J. Barry  
General Manager

1-14-16  
Date



Policy No. FAC-17-2573

## ADVERTISING ON DISTRICT PROPERTY POLICY

PURPOSE OF POLICY	To regulate advertising on property owned or operated by the District.
POLICY SUMMARY	This policy describes the criteria and conditions that staff will use when issuing permits to display advertisements, such as signs and banners, on property owned or operated by the District.
APPROVAL	Adopted: Board Resolution No. 2573, Feb. 8, 2017

According to the District's Rules and Regulations, It is unlawful to post, install, distribute or display any items on facilities or parkland that are operated by the District without written permission from the District.

The District may allow advertisements on District property if there is a benefit to the District in accordance with goals outlined under District's direction and philosophy, including:

- Sponsorship Policy FAC-73-385
- Pricing Policy FIN-16-2527
- 2016 Parks, Recreation and Trails Master Plan

For the purposes of this policy, 'advertisement' shall mean anything used that promotes a business, activity, effort, organization, philosophy, belief or product, such as a pamphlet, sign or banner.

### **A District Permit is Required to Advertise**

In order to display or disseminate advertisements on property owned or operated by the District, a written permit or contract, authorized by the District, shall be required.

### **Criteria to Grant or Deny Permit**

The District may grant, partially grant, or deny any request to advertise on property owned or operated by the District after considering various factors. Criteria includes, but is not limited to: the suitability of the proposed area; the potential impact upon the proposed area; the effect of the proposed activity upon the public's use of the area; concerns related to public health and safety; the availability of, or need for supporting infrastructure, the potential impact on the public and the desired results from the advertisement ; the number, location and size of any advertisement; and the image or impression it may give of the District. Advertising considered to be for political purposes will not be allowed. Due to the numerous variables, each request will be evaluated individually.

The District may also impose conditions related to the time, size, location and placement, materials, color, wording, message, images, manner, frequency, duration and maximum number of advertisements allowed and shall describe those conditions clearly in any permit issued.

### **Permit Conditions and Limitations**

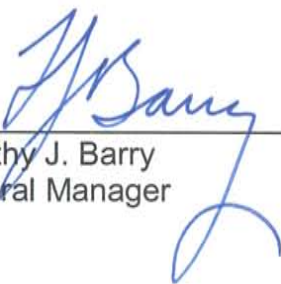
The following conditions and limitations shall apply to any permit issued. Failure to comply with the permit conditions may result in revocation of the permit and future permits may be denied:

1. Permits may be denied, or limited as to time, location, content and manner.
2. Any advertisements displayed on property owned or operated by the District shall require a valid District permit.
3. All applicable federal, state and local regulations, and all District park rules and regulations must be adhered to unless specifically exempted in the written permit.
4. The District shall not be held liable for any injury or damage caused by or to the advertisement.
5. In the event an advertisement needs to be repaired or replaced, District staff will remove it and will notify the permit holder. The permit holder is responsible for the repair and replacement at their own expense.
6. There must be a benefit to the District, including, but not limited to, financial payment or in-kind goods or services.
7. Advertisement application permit procedures and fees will be determined by District staff.
8. Eligible sites for advertisements will be determined by LARPD staff with consideration for neighbors, space, visibility and overall appearance.

### **Permit Procedure**

All requests shall be submitted to District staff. After review by District staff, a recommendation to either partially grant, grant, or deny the permit will be made to the District's Assistant General Manager or General Manager. If the Assistant General Manager or General Manager determines that the request may have additional costs or complex impacts on the District, he/she will seek approval from the Board of Directors.

APPROVAL

  
\_\_\_\_\_  
Timothy J. Barry  
General Manager

2-9-17  
Date


# Livermore Area Recreation and Park District

## Staff Report

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TO: Chair Furst and Board of Directors

FROM: Mathew Fuzie, General Manager 

PREPARED BY: Jeffrey Schneider, Administrative Services Manager

DATE: June 12, 2019

SUBJECT: Proposed Update to Budget Policy FIN-07-2078

COMMITTEE: Finance Committee April 25, 2019 and May 30, 2019

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**RECOMMENDATION:** That the Board of Directors approve an updated version of the District's existing Budget Policy, FIN-07-2078.

**BACKGROUND:** The District's Budget Policy was adopted in 2007 and has not been revised since. In conversations with the Board of Directors during the March 13, 2019, Mid-Year Budget Workshop, staff presented a draft calendar for the 2019-20 Operating Budget process that reflected a change in the annual budget calendar: eliminating the August 30<sup>th</sup> target for Final Budget approval given that the District's fiscal year begins on July 1<sup>st</sup>. Staff was instructed by the Board to present a revised Budget Policy that presents the District's Final Budget approval date as June 30<sup>th</sup>, prior to the onset of the District's new fiscal year.

In its proposal, staff has also revised the Budget Policy to consider the Capital Improvement Plan (CIP) budget process, which is not mentioned in the existing Budget Policy document.

Staff has reviewed the proposed policy revision twice with the Finance Committee, having received guidance to include language that clearly identifies when Board approval will be required.

Attachments:

- A. Proposed Budget Policy Update
- B. Budget-related Public Resources Code

Attachment A – Proposed Budget Policy Update

Policy No. FIN-07-2078

**OPERATING and CIP BUDGET POLICY**

<b>PURPOSE OF POLICY</b>	To comply with California Public Resources Code while providing Operating and Capital Improvement Program (CIP) Budgets that are timely and useful financial planning and control resources for the District's staff and Board of Directors.
<b>POLICY SUMMARY</b>	This policy guides the process and timeline for the annual development and approval of the District's Operating and CIP Budgets.
<b>APPROVAL</b>	Adopted: Board Resolution No. 2078, August 8, 2007 Revised: Board Resolution No. _____, _____

The District operates on a fiscal year basis beginning on July 1<sup>st</sup> and ending on June 30<sup>th</sup>. In accordance with the Public Resource Code (PRC), Section 5788 – 5788.9, the District is required to adopt a Preliminary Budget by July 1<sup>st</sup> and a Final Budget no later than August 30<sup>th</sup>.

While the PRC allows for the completion of the District's annual Operating Budget by August 30 each year, the District chooses to complete its Final Budget prior to the onset of the Fiscal Year (by June 30). Exceptions to the June 30<sup>th</sup> completion date will require approval by the General Manager and the Board of Directors.

The District's annual CIP (Capital Improvement Program) Budget, which is a multi-year (typically three years), project-specific financial plan, is also to be completed by June 30<sup>th</sup> each year.

**Preliminary Budget**

- 1) An annual Operating Budget and multi-year CIP Budget proposal shall be prepared by the General Manager.
- 2) Salary and Benefits recommendations for the upcoming fiscal year shall be presented to the Personnel Commission, Personnel Committee, and the Finance Committee for their critical review prior to the District's presentation of its Preliminary Budget to the Board of Directors.

- 3) Prior to review by the Board of Directors, the Board's Finance Committee shall meet with the General Manager and review his/her annual Operating and CIP budget proposals.
- 4) The Preliminary Operating and CIP budgets, as reviewed and amended by Board Committees, shall be reviewed by the Board no later than its first meeting in June.
- 5) On or before July 1 of each year, the Board of Directors shall adopt, by Board resolution, a Final annual Operating Budget and multi-year CIP Budget.
- 6) The Board may direct the General Manager to continue budgeting efforts beyond July 1st if events warrant such a delay, but this will be an exception to the normal, prescribed budget process completion date of June 30th.

### **Final Budget**

- 1) Prior to review by the Board of Directors, the Board's Finance Committee shall meet with the General Manager and review any revisions to the Preliminary Budget.
- 2) The proposed Final Budget, as reviewed and amended by the Finance Committee, shall be presented to the Board of Directors for review and adoption no later than June 30<sup>th</sup>.

### **Budget Adjustments and Amendments**

- 1) The District formally revisits its annual Operating and multi-year CIP budgets as necessitated by changes in priorities and/or underlying business conditions during its annual, mid-year Budget Update process, which must be completed by March 31<sup>st</sup>.
  - a. No action is required by the Board if the District's Mid-Year Budget Update calls for no increase to the annual appropriation and/or the multi-year CIP budget, except for line-item-specific changes that exceed \$250,000 in total initial year commitments (combined capital and annual operating expenses).
- 2) At any point in the Fiscal Year, the General Manager may make adjustments within the Final Operating Budget that do not exceed the total appropriations approved by the Board of Directors.
  - a. Board approval must be obtained for line-item-specific adjustments that exceed \$250,000 in total initial year commitments (combined capital and annual operating expenses).



- 3) Supplemental appropriations of Operating Reserve Funds may be approved by resolution of the Board of Directors throughout the year when the District determines that the Final Budget's total appropriations level will likely be exceeded.
  
- 4) CIP Budgets are project specific; adjustments to individual project spending plans that exceed the total, final project budget (including contingencies) must receive Board of Directors' approval prior to the onset of such spending. Shifting of project spending from one fiscal year to another that does not reflect a change in a project's total budget must receive Board of Directors' approval as well, if the total amount of spending that would shift from one year to the next exceeds \$250,000 or 25% of the originally approved project spending total, whichever is lower.

Board Resolution No. 2178

Adopted August 8, 2007

Revised \_\_\_\_\_

### APPROVAL

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David Furst  
Chair, Board of Directors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mathew Fuzie  
General Manager

\_\_\_\_\_  
Date

**ATTACHMENT B: LARPD Budget-related Public Resources Code (as of 04/15/19)**

5788.1

- a) On or before July 1 of each year, the board of directors shall publish a notice stating all of the following:
  1. That it has adopted a preliminary budget that is available for inspection at a time and place within the district specified in the notice.
  2. The date, time, and place when the board of directors will meet to adopt the final budget and that any person may appear and be heard regarding any item in the budget or regarding the addition of other items.
- b) The board of directors shall publish the notice at least two weeks before the hearing in at least one newspaper of general circulation in the district pursuant to [Section 6061 of the Government Code](#) .

5788.3

At the time and place specified for the meeting, any person may appear and be heard regarding any item in the budget or regarding the addition of other items. The hearing on the budget may be continued from time to time.

5788.5

On or before August 30 of each year, after making any changes in the preliminary budget, the board of directors shall adopt a final budget. The board of directors shall forward a copy of the final budget to the auditor of each county in which the district is located.

5788.7

At any regular meeting or properly noticed special meeting after the adoption of its final budget, the board of directors may adopt a resolution amending the budget and ordering the transfer of funds between categories, other than transfers from the restricted reserve for capital outlay and the restricted reserve for contingencies.

5788.9

- a) In its annual budget, the board of directors may establish a restricted reserve for capital outlay and a restricted reserve for contingencies. When the board of directors establishes a restricted reserve, it shall declare the exclusive purposes for which the funds in the reserve may be spent. The funds in the restricted reserve shall be spent only for the exclusive purposes for which the board of directors established the restricted reserve. The reserves shall be maintained according to generally accepted accounting principles.
- b) Any time after the establishment of a restricted reserve, the board of directors may transfer any funds to that restricted reserve.
- c) If the board of directors finds that the funds in a restricted reserve are no longer required for the purpose for which the restricted reserve was established, the board of directors may, by a four-fifths vote of the total membership of the board of directors, discontinue the restricted reserve or transfer any funds that are no longer required from the restricted reserve to the district's general fund.