Cameron Park Community Services District

Board of Directors

Board Member Orientation Handbook

Board Member Orientation Handbook Preface

Congratulations on your ascension as a member of the Board of Directors for the Cameron Park Community Services District. The courage to step up and work towards continuing to make the District a better organization is commendable.

In time, you may ask yourself, "what have I gotten myself into", but you would not be the first to raise that question. The critical point is you have chosen to make a difference. To that end, this handbook is designed to assist you in becoming the model Board Member.

Think of the handbook as a view of governance from a 30,000 foot level. Yes, there are specifics that you will find in the handbook such as the Brown Act, and details of our District By-Laws. That said, the focus of the handbook is on governance; or how to govern. Detailed explanations about the myriad of CC&Rs the District is responsible for, maintenance details surrounding your numerous Lighting and Landscaping Districts, or a break down on the budget will be learned as you serve - usually in committees, workshops and focus groups.

Know all the staff will be pulling for you, and are here, through the office of the General Manager, to help the Board be as successful as possible. To that end we wish all the best in the years to come as you serve the people of Cameron Park.

CPCSD Staff

Cameron Park
Community Services District

Board Member Orientation Handbook

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CAMERON PARK COMMUNITY SERVICES DISTRICT
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DISTRICT MISSION STATEMENT

It is the Mission of the Cameron Park Community Services District to preserve and enhance the quality of life and to safeguard the health, safety and welfare of our community.

DISTRICT FIVE-YEAR VISION STRATEGIES

The following are areas where the District will focus time and resources to strengthen and improve over the next five years.

- *Optimize Reserve Programs*
- *Increase Revenues*
- *Increase Participation in Programs and Facilities Usage*
- *Continue to Follow our Existing Top-Level Plans*
- *Maintain and Improve Fire Service*
- *Enhance our Relations with the County and Community*
- *Strengthen Community Partnerships*
- *Address Deferred Maintenance Needs*
- *Stay ahead of Best Practices for Administration of the District*

BYLAWS FOR THE REGULATION, EXCEPT AS OTHERWISE PROVIDED BY STATUTE, OF CAMERON PARK COMMUNITY SERVICES DISTRICT

Approved by the Board of Directors – September 21, 2011
Revised – January 21, 2015
Revised – November 20, 2019
Revised – December 18, 2020
Revised – May 21, 2025

Cameron Park Community Services District Bylaws

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Cameron Park Community Services District Bylaws

ARTICLE 1
OFFICES

1.1 **Principal Office**. The principal office for the transaction of business of the Cameron Park Community Services District (the "District") is hereby fixed and located at 2502 Country Club Drive, Cameron Park, California 95682-8631. The Board of Directors (the "Board") is hereby granted full power and authority to change said principal office from one location to another in said District. Any such change shall be noted in the Bylaws by the Secretary, opposite this section, or this section may be amended to state the new location.

ARTICLE 2
MEETINGS

2.1 **Place and Time of Meetings**. Regular meetings of the Board of Directors shall be held monthly at the Cameron Park Community Services District Office, 2502 Country Club Drive. The date, time, and place of regular Board meetings shall be reconsidered and established annually by the Board and publicly posted, including on the District's website. Any Closed Session items shall be scheduled in advance and held prior to the Regular Session, with the specific start times identified in the posted agenda. If Closed Session items are not completed before the start of the Open Session, they may be continued following its conclusion.

2.2 **Special Meetings**. Special meetings of the Board of Directors, for any purpose or purposes whatsoever, may be called at any time by the president, or by the vice president, or by any three members of the Board of Directors.

2.3 **Public Notification**. All meetings, whether regular, special or emergency, shall be open and public, and notice thereof shall be given to the Board members and to the public in accordance with the provisions of the Ralph M. Brown Act, Government Code Sections 54950 et seq.

2.4 **Form of Action**. The Board shall act only by ordinance, resolution, or motion.

2.5 **Quorum**. A majority of the authorized number of Directors shall be necessary to constitute a quorum for the transaction of business (3 constitutes a majority). No ordinance, resolution or motion shall be passed or become effective without the affirmative vote of at least a majority of the members of the Board.

2.6 **Proceedings.** The Board shall establish rules for its proceedings.

ARTICLE 3
DISTRICT POWERS

3.1 **Powers**. Subject to the limitations of laws governing community services districts, all District Powers shall be exercised by or under the authority of, and the business and affairs of the District shall be controlled by, the Board of Directors. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Directors shall have the following powers, to wit:

(a) Select and remove all other officers, agents and employees of the District, prescribe such powers and duties for them as may not be inconsistent with law, or the Bylaws, fix their compensation and require from the security for faithful service.

(b) Conduct, manage and control the affairs and business for the District and to make such rules and regulations therefore not inconsistent with California State Law.

(c) Change the monthly meeting place and/or time, the principal office for the transaction of business of the District from one location to another within the same District, as provided in Article I, Section I hereof.

(d) Represent the inhabitants of the District on District problems as may arise, with various regulatory county agencies, bodies of departments.

(e) Supply the inhabitants of the District with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.

(f) Collect, treat or dispose of sewage, waste and storm water of the District and its inhabitants.

(g) Collect or dispose of garbage or refuse matter.

(h) Protect against fire.

(i) Provide public recreation by means of parks, including, but not limited to, aquatic parks, playgrounds, golf courses, swimming pools or recreation buildings.

(j) Provide street lighting.

(k) Provide mosquito abatement.

(l) Equip and maintain a police department or other police protection to protect and safeguard life and property.

(m) Acquire sites for, construct and maintain library buildings, and to cooperate with other government agencies for library services.

(n) Open, widen, extend, straighten, and service all or part of any street in said District, subject to the consent of the governing body of the county or city in which said improvement is to be made.

(o) Construct and improve bridges, culverts, curbs, gutters and drains, and perform work incidental to other purposes specified in maintaining streets.

(p) Take or acquire real or personal property of every kind within or without the District by grant, purchase, gift, devise, lease or condemnation.

(q) Hold, use, enjoy, lease or dispose of any of its property.

(r) Sue and be sued in all actions and proceedings in all courts and tribunals of competent jurisdiction.

(s) The District may borrow money and incur indebtedness pursuant to the provisions of Government Code Sections 53820 et seq., Sections 53835 et seq., Section 53840 et seq., Sections 53850 et seq., and Sections 53859 et seq. In addition the District may issue promissory notes and borrow money for any lawful purpose including payment of current expenses pursuant to Government Code Section 61131.

(t) The District may incur debt and refund outstanding indebtedness for the acquisition, construction, improvement, rehabilitation, repair or replacement of any facilities or improvements to real property by means of any of the following: (1) issuance of general obligation bonds pursuant to Public Resources Code Section 5790 in an amount not to exceed 15% of the appraised value of all taxable real property located within the District; or (2) issuance of revenue bonds issued pursuant to Government Code Section 54300 et seq., or (3) issuance of bonds pursuant to the Mello-Roos Community Facilities Act of 1982 pursuant to Government Code Section 53311 et seq.; or (4) issuance of securitized limited obligation notes pursuant to Government Code Section 53835 et seq.

(u) Adopt regulations binding upon all persons to govern the use of its facilities and property, including regulations imposing reasonable charges for the use thereof.

(v) Contract with any city, county, district, Municipal Corporation, political subdivision, political corporation or other public agency of the state, to purchase or acquire from, or to sell to, or jointly acquire, construct, operate or maintain a water system or water supply to serve the inhabitants.

(w) Levy and cause to be collected, taxes and special assessments for the purpose of carrying on the operations and paying the obligations of the District.

(x) Enter into contracts for any and all purposes necessary and convenient for the full exercise of its powers.

(y) Perform any and all acts necessary to carry out fully the provisions of the powers hereinabove set forth, and those set forth in the Government Code, as amended from time to time.

ARTICLE 4
DIRECTORS

4.1 **Number of Directors**. The authorized number of Directors of the District shall be five (5) until changed by election. The Directors shall be elected at large.

4.2 **Election and Term of Office**. Directors shall be elected for four (4) year terms on the first Tuesday after the first Monday in November in even numbered years, with terms staggered such that three (3) Directors shall be elected in a single election, and the remaining two (2) Directors elected two (2) years later, in accordance with applicable provisions of the Government Code and Elections Code.

4.3 **Seating of Directors**. All elected Directors shall take office at noon on the first Friday in December next following the general election.[1]

An oath may be taken before any officer authorized to administer an oath.[2] Before any public officer such as a member of the Board of Directors enters on the duties of his or her office, he or she shall take and subscribe to the oath of office specified above.[3] Individuals who are authorized to give the oath of office to newly elected Board members are the District Secretary, or his or her designee, or the County Elections Official, or his or her designee.[4]

The oath of office may be administered by the District Secretary, whether a member of the Board of Directors or an employee of the District, or by a person designated by the District Secretary.

4.4 **Terms of Succeeding Directors**. The term of office of each Director shall be four (4) years.

4.5 **Vacancies**. All vacancies on the Board will be filled by appointment by the remaining Directors in accordance with Government Code sections 1780 and 61204.

4.6 **Compensation of Directors**. *District Board members shall receive a stipend of $100.00 for attendance at regular and special Board meetings. District Board members shall receive a stipend of $100.00 each for attendance at meetings of the Board committees to which they have been delegated as a member. No Director will collect more than $600.00 (Amendment December 20, 2000) per month. Board members assigned to all committees shall provide the Board of Directors with a written summary of the committee meeting; the summary shall include the names of Board members in attendance, the date, and the purpose. This section will be in accordance with section 61047 of the Government Code, and together with any expenses incurred in the performance of the Director's duties required or authorized by the Board. **Amendment September 22, 1997.*

ARTICLE 5
OFFICERS

5.1 **Officers**. The Officers of the District shall be a President and Vice President. The District shall also have a General Manager, Finance Officer and Secretary. A Director shall not be a general manager or secretary. However, a secretary may also be the general manager and finance officer.

The Board may create additional officers, and elect members of the Board to those offices, provided that no member of the Board of Directors shall hold more than one office.[5] The Board may also

[1] Government Code Section 10554
[2] Government Code Section 1362
[3] Government Code Section 1360
[4] Government Code 1225 and the Unified District Election
[5] Government Code Section 6104(c)

generate officers, such as Board Secretary, and to appoint either staff or a Board member to perform the duties of the District Secretary.[6]

5.2 **Compensation**. The Board may at any time appoint or employ, fix the compensation of, and prescribe the authorities and duties of the officers, employees, attorneys or engineers necessary or convenient for the business of the District.

5.3 **Performance Bond**. The general manager, finance officer and secretary and any other employee or assistant of the District, if required to do so by the Board, shall each give a bond to the District conditioned for the faithful performance of his or her duties as the Board may require.

5.4 **Board Organization**. The Board shall reorganize at the regular meeting of the Board in December.

5.5 **President of the Board**. The President of the Board shall, if present, preside at all meetings of the Board of Directors and exercise and perform such other powers and duties as may from time to time be assigned to her/him by the Board of Directors or presented by the Bylaws. The president shall be an ex- officio member of all standing committees.

5.6 **Vice President**. In the absence of or disability of the president, the vice president shall perform all the duties of the president, and when so acting shall have all the powers of and be subject to all of the restrictions upon the president. The vice president shall have such powers and perform such other duties as from time to time may be prescribed by her/him by the Board of Directors of by the Bylaws or the statutes governing the community services districts within the State of California.

5.7 **General Manager**. The general manager shall serve as advisor to the president and Board of Directors, and shall, if directed by the Board, execute and direct enforcement of resolutions passed by the Board. He/she shall develop information pertinent to the services to be performed by the District and report this information to the Board, and he/she shall act as a contact between the Board of Directors and all county, city and governmental regulatory bodies. The general manager shall carry out all orders and directions and policies of the governing board of the Cameron Park Community Services District. The General Manager shall (i) have full charge and control of the maintenance, construction, and the day-to-day operations of the District; (ii) have full power and authority to fill all positions authorized by the Board and to discharge from such positions any employee and or assistant; (iii) prescribe the duties of employees and assistants; (iv) perform other duties imposed by the Board; and (v) report to the Board in accordance with the rules and regulations as it adopts.

5.8 **Secretary**. The secretary shall keep or cause to be kept at the principal office, or such other place as the Board of Directors may order, a book of minutes of all meetings of directors with the time and place of holding, whether regular or special, and if special, who authorized, the notice thereof given and the names of those present at the Director's meetings. The secretary shall keep or cause to be kept, at the principal office any register showing the names and addresses of the directors of the service district. The secretary shall give or cause to be given, notice of all meetings of the Board of Directors required by the Bylaws or the laws of the State of California, and shall keep the seal of the service district in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

[6] Government Code Section 6104(c)

5.9 **Finance Officer**. The Finance Officer shall keep and maintain, or cause to be kept and maintained, all financial records of the District, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, surplus, and shares. The finance officer shall deposit all monies in such depositories as may be designated by the Board of Directors. The finance officer shall disburse funds of the District as may be ordered by the Board of Director, and shall render to the President and Directors, whenever they request it, an account of all of the transactions of the Finance Officer and of the financial condition of the District, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

5.10 **Annual Audit**. The Finance Officer shall have a recognized auditing firm audit the District's books annually at the end of each fiscal year.

ARTICLE 6
MISCELLANEOUS

6.1 **Depository of District Money**. The Board shall designate a bank or banks for the depository of the District's money.

6.2 **Inspection of District Records**. The books of account and minutes of proceedings of the Board of Directors shall be open to inspection upon the written demand of any person residing within the Cameron Park Community Services District, subject to such reasonable rules as may be adopted from time to time.

6.3 **Records**. All District records shall be retained, in original or microfilm form, at the District offices for a period of at least four (4) years. Tape recordings of meetings are not considered District records for purposes of this section. Tape recordings are utilized to assist in the development of formal Board minutes and may be destroyed once those minutes have been prepared and approved.

6.4 **Checks, Drafts, Etc**. All checks, drafts and other orders for payment of money, notes or other evidence of indebtedness, issued in the name of or payable to the District, shall be signed or endorsed by the General Manager or the President of the Board, plus one (1) additional Director with the exception of petty cash disbursements which may occur upon authorization of the General Manager.

6.5 **Contracts, Etc. How Executed**. The Board of Directors, except as otherwise provided in the Bylaws, may authorize any officer or officers, or agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the District, and such authority may be general or confined to specific instances; and, unless so authorized by the Board of Directors, no offer, agent or employee shall have any power or authority to bind the District by any contact or engagement or to pledge its credit or to render it liable for any purpose or to any amount. In the absence of such grant of authority, only the President of the Board shall have the authority to bind the District.

6.6 **Inspection of Bylaws**. The District shall keep in its principal office for the inspection of business, the original or a copy of the Bylaws as amended or otherwise altered to date, certified by the Secretary, which shall be open to inspection by the residents of the District at all reasonable times.

6.7 **Public Session**. All legislative sessions of the Board shall be conducted in accordance with

the Ralph M. Brown Act (Government Code section 54950, et seq.) Public sessions shall be conducted in accordance with Rosenberg's Rules of Order, subject only to these Bylaws and applicable statutes.

6.8 **Recall of Directors**. Every incumbent of the office of Director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of the Elections Code of the State of California.

6.9 **Seal**. The District may adopt a seal and alter it at pleasure.

6.10 **Contract Bids**. All contracts for the construction of any unit of work, except as otherwise statutorily provided, Shall be based on the California Uniform Public Construction Cost Accounting Commission.

6.11 **Liability for Acts of Employees**. No officer, agent or employee shall be liable for any act or omission of any agent or employee appointed or employed by him/her unless he/she had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which he/she was appointed or employed or retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

6.12 **Budget Session**. The regular meeting scheduled for June is hereby designed to be the budget session of the District. At said meeting, the Board of Directors shall determine what the budget shall be for the next ensuing taxable year, and before September 30, submit said budget figures to the auditor of the County of El Dorado, State of California, for processing.

6.13 **Committees**. The following committees shall be established as "Standing Committees"; **Covenants, Conditions & Restrictions (CC&R), Architectural Review Committee, Parks and Recreation, Fire & Emergency Services, and Budget and Administration**. These committees meet in accordance with the provisions of the Ralph M. Brown Act commencing with Section 54950 et California Government Code, as amended. These committees will consist of two directors appointed by the Board President, except for the Architectural Review Committee which is a subset of the CC&R Committee and shall be comprised of three community members. The CC&R Committee will have two Board members and three community members. The same two Directors may not serve on all standing committees during the same term. Committee assignments will be for a term of one year commencing with the Board reorganization in December. *Added August 27, 1997. Therefore, it is the Board President's responsibility to notify the General Manager of Committee changes.*

ARTICLE 7
AMENDMENTS

7.1 **Amendments**. These Bylaws may be altered, amended, repealed, in whole or in part, and new Bylaws may be adopted by the Board of Directors from time to time as said Board shall deem necessary. Any changes must be proposed in writing at least one regular meeting before adoption may be completed. Changes must be approved by at least a majority vote in accordance with sections 6122 and 61225 of the Government Code.

ARTICLE 8
ELECTIONS

8.1 **Election Code Provisions Applicable**. The provisions of the Election Code relating to the qualification of electors, the manner of voting, the duly elected officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all district elections.

8.2 **Nomination of Directors**. Nominations for the office of director shall be made by petition of not less than ten (10), nor more than twenty (20) registered electors filed with the El Dorado County Elections Department not earlier than seventy-five (75) days nor later than 5:00p.m.on the fiftieth (50^{th}) day before the election. The El Dorado County Elections Department shall publish notice pursuant to section 6066 of the Government Code that such petitions may be received. Notice shall be published at least seven (7) days prior to the final date for receiving petitions, to wit, seven (7) days prior to the fiftieth (50^{th}) day period.

8.3 **Notice of Election**. Notice of each District election shall be published by the El Dorado County Elections Department once a week for two (2) successive weeks prior to the election, as set forth in the section 6066 of the Government Code of the State of California.

8.4 **Cancellation of Election**. If on the fiftieth (50^{th}) day prior to a general district election one (1) person only has been nominated for each of the positions of director to be filled at that election, or if no person has been so nominated for any one or more of said officers, any petition signed by five percent (5%) of the voters requesting that the election be held has not been presented to the Board, the election shall not be held. In such case, the publication heretofore provided for shall instead of calling an election, state that no election is to be held and that the Board of Supervisors shall, in accordance with Elections Code Section 23520, appoint those nominated for the position of director; or if no person has been nominated for said position, the Board of Supervisors will appoint any qualified person or persons.

The undersigned hereby acknowledges and represents that the foregoing constitutes the Bylaws of the District as duly amended by the Board of Directors at its meeting duly held August 17, 2011.

Governance Team Effectiveness
CPCSD
Cameron Park
2010

Governance – A Definition

District governance is the act of transforming the needs, wishes and desires of the community into policies that effectively and openly guide the District.

The Role of the Board

- Board authority exists during regular or specially called meetings of the Board.
- Your authority outside the Board meeting includes carrying out a duty as directed by the Board.
- The Board table is your primary office. It is where you do the business of the District.
- Majority rules. It takes a majority vote of the Board to approve action items.
- You lead by action – not discussion.
- You govern the District as a member of a governance team.
- All members of the Board and the General Manager serve as members of the governance team.
- You are responsible for the selection, evaluation, retention/removal, and on-going dialog and communication with the General Manager.
- You are responsible for Establishing the visions, values and priorities of the District by setting direction in the form of mission and vision statements, goals and objectives, and policies and procedures.
- You are responsible for the approval and adoption of a budget for the District.
- Act as community leaders.
- You are responsible to carry out the public trust by taking actions on behalf of the citizens and community.
- You are an advocate for your citizens, community, District and team.

The Role of the General Manager

- To be the Chief Executive Officer for the District.
- The General Manager is responsible for the day-to-day operation of the District.
- All employees of the District report to the General Manager through an established chain of command.
- The General Manager is responsible for selection, evaluation, retention/removal and supervision of all District staff.
- The General Manager serves as a member of the governance team.
- Communication.

What is the Most Important Job

- Accountability
- Representation
- Transparency
- Leadership
- Fairness
- Communication

Major Reasons Teams Fail

- Unrealistic expectations
- Unclear and undefined:
    - Roles and responsibilities
    - Goals & objectives
    - Communication
- Poor leadership
- Divided approaches

Some Points To Keep in Mind

- Everyone has an equal vote.
- Do not assume – find out.
- Remember that handling confidential information and complaints, concerns and inquires should be done with sensitivity.
- How you do business can be almost as important as the business you do.
- Actions speak louder than words.
- When you speak – people listen – so be conscious of what you say.
- You do not know everything you need to know – yet.
- You never take time off from your role as a Board member.
- You are a public figure. Your privacy and that of your family has changed.
- Not everyone will give you both sides of a story or the complete story.
- Rumors, gossip and innuendo can ruin careers and relationships.
- Districts are like aircraft carriers – they move slowly and deliberately.
- You are now a part of “THEM”.
- You are the same person you were before the election. Do not forget who you are or where you came from.
- You are one member of the Board. Alone, you can accomplish nothing. Together, you can accomplish great things.
- Get to know your team – that includes Board members, staff and citizens whenever possible.
- Everyone deserves an answer – even if it is not the one they are looking for.
- Ask good questions.
- Network with members of other Districts and the County.

- Your position does carry influence. Your words and actions are read carefully by the staff and community.
- Encourage cooperation and teamwork.

How You Can Make a Positive Difference

- Aggressively plan your first days in your new Board role
- Listen and learn
- Be open to feedback
- Understand your colleagues on the governance team
- Know your legal responsibilities
- Seek knowledge
- Be aware of District protocols and standards
- Read and review District policies
- Keep your commitments
- Maintain professional courtesy and decorum at all times
- Work at becoming a team
- Assess and evaluate your own actions and performance
- Be conscious of time and the duties and obligations of staff
- Network with colleagues
- Attend CSDA training opportunities
- Be responsive
- Read your agendas and be prepared for Board meetings

Ten Keys to Effective Board and General Manager Relationships

1. Mutual respect
2. Relationships based on professional courtesy
3. Open, two-way communications
4. No surprises
5. Clear understanding of job descriptions, legal duties, roles and responsibilities
6. Effective conflict resolution skills and dynamic debate skills
7. Written, clear, concise goals and objectives
8. Annual Board self evaluation
9. Annual General Manager evaluation
10. Commitment to the governance team and District

Cameron Park Community Services District

Strategic Plan

2021 – 2026

Our Services

Fire Protection and Advanced Live Support Services
Community and Neighborhood Parks, Trails & Open Space
Cameron Park Community Center
Recreation Programs
Conditions, Covenants and Restrictions Compliance
Waste Collection and Recycling
Lighting and Landscape Districts

Board of Directors

Eric Aiston, President
Felicity Carlson, Vice President
Sidney Bazett, Director
Monique Scobey, Director
Ellie Wooten, Director

Staff Team

Jill Ritzman, General Manager
Mike Grassle, Park and Facilities Superintendent
Whitney Kahn, Recreation Supervisor
Jim Mog, CC&R Compliance Manager

Consultant

Brent H. Ives, BHI Management Consulting

Contributors

- ✓ CAL FIRE
- ✓ El Dorado Disposal
- ✓ Rescue Unified School District
- ✓ Commission on Aging
- ✓ Cameron Park Community Foundation
- ✓ District employees (all levels)
- ✓ Cameron Park Fire Safe Council
- ✓ Ponderosa Little League
- ✓ Individual Community Leaders and Residents
- ✓ Prospector Soccer
- ✓ Cameron Park-Shingle Springs Rotary
- ✓ Architecture Review Committee members
- ✓ CC&R Committee community members
- ✓ Cameron Park Library
- ✓ Sierra Sharks Swim Team
- ✓ AquaSol Swim Team
- ✓ Former Board Members
- ✓ Cameron Park-Shingle Springs Chamber of Commerce

An on-line community survey was conducted soliciting input from community members; a total of 228 people responded.

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Supporting Documents

- Summary of Stakeholder Input; February 4, 2021
- Strategic Plan Community Survey Report, January 14, 2021 and February 18, 2021

A. Introduction

A Strategic Plan (Plan) is a top-level planning document for an organization to set clear direction over focused areas in support of its mission. The Cameron Park Community Service District has a strong planning culture that looks ahead for opportunities and mitigates risks allowing comprehensive planning for the future. Planning for the best possible future outcome is the intention of this 5-year Strategic Plan.

This Plan is a disciplined effort to outline fundamental decisions and direction that shapes what a District plans to accomplish by selecting a rational course of action. This Plan has incorporated an assessment of the present state of District operations; gathered perspectives from residents and community organizations; and includes the specific inputs and directions for setting goals from the Board of Directors. Time has been taken to establish a Vision for the District and the implementation that will be necessary to support that Vision. The Plan seeks to strengthen and build upon opportunities while addressing areas of concern with preparedness.

This update identifies actions, activities, initiatives and planning efforts that are currently active and needed for continued success in operations and management of the District, and provides for periodic reviews and updates.

A.1 Plan Development, Maintenance and Management

In late 2020, the District asked BHI to assist with a strategic planning effort. BHI met with senior employees and the Board President, integrated inputs from the community and important groups, and then conducted a series of public Board workshops in early 2021 on January 13, January 20 and February 24. Senior District staff members were specifically invited to attend the workshops as well. The following plan elements outline the workshop activities:

- ✓ Consider refresh the District Mission statement
- ✓ Review the state of the District in early 2021 and what that status may have on the future
- ✓ Discuss and endorse Board Values

- ✓ Complete Strategic Focus Areas and develop goals to support each for the 5-year planning term

After the workshops, the General Manager and senior staff worked with BHI to complete the list of goals organized by Strategic Focus Areas and establish a plan for implementation. This Plan was refined through the staff and Board process over the next weeks to reach final Board approval.

The Plan was developed during the COVID pandemic of 2020 and 2021, to provide a solid foundation for the District to successfully emerge from the pandemic. Annual review, update and maintenance will occur, to review the District's progress and refine the objectives and work tasks outlined in Section E and on Table 1. Reviews will be documented and followed up with either a plan supplement or an updated plan. A 5-year planning horizon should be maintained. This Plan serves this purpose for the Fiscal Year 2021-2022 timeframe and will be revisited prior to District budgeting process each year thereafter.

B. Methodology

B.1 Planning Considerations

The planning effort focused on a number of existing conditions as identified by the Board of Directors and staff:

- Place high value on the work of all District employees, recognizing that capable employees are the District's greatest assets.
- Collaborative clarity in fire safety with our partner agencies is imminent and critical.
- Long-term financial stability is critical for continuing operations into the future, recognizing and working within the limited available resources.
- The Board dynamics and performance has a great effect on the District's ability to properly serve the community and govern the District.
- Based on community survey results, many residents did not feel a strong sense of community.
- Proactive preventative maintenance and healthy reserves are important to maintaining District assets.
- The challenge of deliberately adding back employees and programs as the region and community emerge from the COVID-19 pandemic conditions.
- Consider District impacts on the environment with practical actions.

B.2 Definitions

Mission Statement: A declaration of an organization's purpose. Ideally, all activities, decisions regarding facilities and finances of the District are in alignment with the Mission Statement. A District's Mission rarely changes.

Core Values: These are the Board of Directors value terms which they are fiercely dedicated. They are anchored in their understanding and representation of the community values. Values are used by the Directors as decision filters for the myriad of decisions in the future.

Vision Statement: Vision outlines the high aspirations of the Board that will be achieved by the Plan. The Vision creates and drives strategy, tactics, actions and goals to achieve results within the five-year timeframe. The Vision Statement may be reviewed often may change as time goes by depending on leadership of the District.

Strategic Focus Areas: These are the broad, primary areas of District operations, programs, planning, and management that may to be addressed and supported by Strategic Goals to ensure optimum progress.

Strategic Goals: Strategic Goals outline specific actions over the five-years that achieve each Vision and particular Focus Area.

C. Mission Statement and Core Values

C.1 Mission

Our Mission Statement defines why we exist as a public agency. It is the foundational statement for the District and all that we do connects in some way with this statement.

Enrich our community's quality of life for
the health, safety and wellbeing of Cameron Park residents.

C.2 Core Values

Values are words that reflect the Board of Directors dedication. Board members use these as decision filters for each decision before them. These Values were endorsed at the 2021 Board planning workshop, presented below in no particular order.

We Value

Stable and sustainable finances
Responsible stewardship of District assets
Creating community identity and pride
Environmental sustainability
Respectful and collaborative leadership
Serving the diverse makeup of our community
Professional, skilled employees
Engagement with community members, service organizations and our partners

D. Vision

This Vision outlines our focus and establishes focused strategic priorities for the next five years. The Vision statements are present in no particular order.

- Be Financially Stable and Adaptable
  - Annual budgets are operationally balanced
  - Reserves are funded to sustain assets
  - Maximize revenue enhancement opportunities

- Become a Firewise Community
  - Reduce the risk of wildfire through community involvement
  - Build community and citizen pride as results are achieved
  - Provide high quality fire protection and advanced life support services

- Enhance the Sense of Community
  - Community feedback and ideas are valued
  - Reach under-served areas of the community
  - Provide caring service delivery, effective communications, engaging recreation programs, a robust park system and well-maintained community center
  - Active education and engagement to achieve residential compliance with Conditions, Covenants and Restrictions (CC&Rs)
  - Explore opportunities for community awareness and appreciation for our unique natural environment and history.

- Govern Effectively
  - Nurture unity of purpose after respectful deliberation of varied opinions
  - Be accountable for actions and decisions
  - Maintain a high level of ethics and integrity
  - Have personal resiliency and development
  - Demonstrate strategic leadership and sense of team
  - Plan for staff succession and professional development

- Take Steps for Environmental Sustainability
  - Impacts to the environment are considered when making strategic and operational decisions
  - Create opportunities for re-use and recycling
  - Meet new waste collection and recycling mandates

E. Strategic Focus Areas

Strategic Focus Areas represent the identified areas of strategic action over the next five years. The Focus Areas are derived from the Board of Directors' work regarding the District's Vision. Each Focus Area is intended to meet a specific objective within the next five years. That objective is supported with a strategy and an implementation plan that is proposed by District staff and endorsed by the Board of Directors. The Strategic Goals, along with action dates within the planning period, are also presented in tabular form in Table 1 below.

E.1 Financial Stability

Element Objective and Strategy: Our objective in the area of finance is to ensure the long-term fiscal health of the District. To do this, our strategy is to utilize best accounting practices and tools, conduct practical and realistic financial forecasting, seek optimal revenue sources, and acknowledge available financial resources to support the District vision and services.

E.1.a Develop and implement an annual budget that is operationally balanced and allocates appropriate funds to preserve and improve the District's assets.

E.1.b Annually update a 5-year budget projection.

E.1.c Develop a funding plan for capital asset reserves and long term obligations.

E.1.d Seek new revenue enhancement opportunities, such as expanded service fees and grants, for all District functions.

E.1.e Implement a Solar Energy project to save utility costs.

E.1.f/g Pursue annexation of properties within the Sphere of Influence

E.1.h Actively manage Lighting and Landscape District budgets and fund balances to address excessive or insufficient fund balances; engage residents of LLADs for transparency.

E.2 Firewise Community

Our objective is to create a Firewise Community and to provide a high level of fire protection and advanced live support services to the residents. Our strategy is to educate property owners, seek community involvement, and actively implement the District's Weed and Rubbish Abatement Ordinance to reduce fire fuels in the community.

E.2.a Complete the education and fuels reduction projects funded by the California Climate Investment Grant, which includes working with the El Dorado County Department of Transportation, to establish clearance along major roadways.

E.2.b Complete construction of a Fire Training Tower at Station 89. This training facility will enable firefighters to continue to provide safe and effective fire and emergency response to the community.

E.2.c Work on the expansion and improvement of Fire Station 88, for the wellbeing of fire station personnel.

E.2.d Achieve national recognition as a Firewise Community which enables benefits to residents with homeowner insurance policies

E.2.e Seek grants that will support fire protection and advanced life support services, and fuels reduction efforts.

E.2.f Continue to implement the District's Weed and Rubbish Abatement Ordinance to reduce the wildfire risk in the community.

E.3 Create Community

Our objective is to provide positive, memorable experiences and establish strong relationships with residents. Our strategy is to create a feeling of community through caring service delivery and programs that meet the changing needs of the community.

E.3.a Secure funding and implement priority projects outlined in the 2020 Park Improvement Plan and a park sign program.

E.3.b Enhance communications to community organizations and residents regarding the District's services, including print, in-person, website and social media; explore opportunities to more actively engage on Next Door platform.

E.3.c Seek feedback, especially reaching out to under-served areas of the community, to assess effectiveness of District services and plan for improvements. Look for process efficiencies with technology.

E.3.d Build strong relationships with service clubs and community organizations expanding the District's ability to provide programs and services.

E.3.e Examine benefits/constraints of charging entry fees at Cameron Park Lake

E.3.f To maintain an attractive, welcoming community, the CC&R office will update its processes and services in alignment with industry standards, and focus on education and engagement with residents to achieve residential compliance.

E.3.g To improve messaging regarding CC&Rs in Cameron Park, staff will present a study of the pros/cons and process of consolidating CC&Rs into one or fewer documents to CC&R Committee

E.4 Good Governance

Our objective is for the Board of Directors to be a cohesive and effective governing board. Our strategy is to engage in continued special district education, adhere to District Board policies, follow good governance practices, and strengthen the workforce to achieve the District's Vision

E.4.a Maintain Special District Leadership Foundation's Transparency Certificate

E.4.b Achieve Special District Leadership Foundation's District of Distinction certificate.

E.4.c Provide education opportunities for board members, appointed community members, residents and management staff regarding the value and role of special districts, services provided by the District, functions of the Board of Directors and good governance practices.

E.4.d Provide professional development opportunities for all employees.

E.4.e Review and initiate appropriate changes in the staff organizational chart to provide advancement within organization.

E.5 Environmental Sustainability

Our objective is to contribute to the overall environmental health of our community. Our strategy is to consider environmental impacts when making decisions regarding the District's services and operations.

E.5.a Approve a policy to guide the Board and staff in making environmentally sustainable decisions.

E.5.b Educate residents about benefits and opportunities for re-use and recycling.

E.5.c Implement water conservation strategies in parks and facilities.

E.5.d Effectively implement new waste collection and recycling mandates.

Table 1 – Strategy Overview

Strategic Focus Area	Strategic Goal	Timeframe (tentative)
E.1 Financial Stability	a. Balanced Annual Budget	August 2021 and thereafter
	b. 5 Year Budget Projection	Update Dec 2021/Jan 2022
	c. Funding Plan for Capital Assets & long term obligations	August 2021 and thereafter
	d. Explore Revenue Enhancements, including First Responder Fee evaluation	November 2021
	e. Solar Project Implemented	August 2021
	f. Pursue Annexation of Properties within Sphere of Influence (all services)	Early 2022
	g. Pursue Annexation of Properties within Sphere of Influence (limited srvcs)	2023
	h. Implement Plan to address insufficient LLAD fund balances	2022
E.2 Firewise Community	a. Implement CA Climate Investment Grant	Completion April 2022
	b. Fire Training Tower	June 2021
	c. Expansion Fire Station 88	2022
	d. Create Firewise Community	Initiate 2022
	e. Seek grants operations & fuel reduction	Continuous
	f. Implement Weed Abatement Ordinance	Continuous
E.3 Create Community	a. Park Improvement Plan and park sign plan	Splash & Spray playground construction tentative early 2022; park signs 2023
	b. Enhance Communications	Summer/Fall 2021, continuing
	c. Community Feedback	Continuously seeking feedback
	d. Partner with Community Organizations	Continuously seeking partnerships
	e. Examine benefits/constraints of charging entry fees at Cameron Park Lake	2022
	f. Update CC&R and Architectural Review Committee's hand-book	Fall 2021
	g. Consolidation of CC&Rs	White Paper Fall 2021
E.4 Good Governance	a. Transparency Certificate	September 2021 renewal
	b. District of Distinction	Early 2022
	c. Governance Training	Resume community workshops 2022
	d. Staff professional development	Continuously
	e. Review Organizational Chart	Summer/Fall 2021
E.7 Environmental Sustainability	a. Approve a policy to guide the Board with environmentally sustainable decisions.	Early 2022
	b. Educate about Recycling, Re-use	Continuously
	c. Implement water conservation strategies	Continuously
	c. Waste Collection, Recycling Mandates	SB1383 2022 Implementation

CAMERON PARK COMMUNITY SERVICES DISTRICT

Parks and Recreation Master Plan Update

Final
May 14, 2014

Acknowledgements

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Cameron Park Community Partner

American River Conservancy
Big Brothers Big Sisters
Boy Scouts of America Golden Empire Council
Buckeye Union School District
Church of the Foothills
Desperados Water Polo
El Dorado Arts Council
El Dorado County Historical Society
El Dorado County Trails Advisory Committee
El Dorado County Transportation Commission
El Dorado Union High School District
El Dorado Youth Soccer League
Foothills United Methodist Church
Foster Awareness Network
Friends of El Dorado County Seniors
Gold Cal Volleyball Club
Green Valley Community Church
Homewatch Care Givers
Marshall Medical Center
New Hope Fellowship
Ponderosa Junior Bruins
Ponderosa Little League
Ponte Palmero Retirement Community
Rescue Union School District
Rotary Club of Cameron Park
Shingle Springs/Cameron Park Chamber of Commerce
Sierra Club
Sierra Sharks
Spiritual Center for Positive Living
Tumble Time Gymnastics

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Executive Summary

This Master Plan is an update of the *Cameron Park Community Services District Recreation Facilities Master Plan* (2000), and includes substantial revisions to information contained in that document as needed to reflect current conditions and priorities. The Master Plan is intended to guide CPCSD decisions and actions related to providing park facilities and recreation programs to District residents for the next 10 years. It addresses CPCSD park and recreation goals and policies; the demographic composition of the community; existing park facilities and programs; community needs; park planning standards; recommendations; and implementation of recommendations.

CPCSD Community Center

1.1 Goals and Policies

Goals, policies, and implementation measures are provided for three key areas: park facilities, parks and recreation programs, and funding. Goal statements describe a target condition to achieved or maintained. Policies are the principles that guide ongoing actions intended to reach the stated goal. Implementation measures are specific actions to be undertaken in support of the policies. The goals, policies, and implementation measures in this Master Plan are based on those adopted in the 2000 Master Plan with modifications and updates as needed to reflect current needs and direction. New goals and policies have been added to reflect several topics including sustainability, accessibility, and inclusion.

1.2 Community Overview

It is estimated that the population of the CPCSD in 2013 was 18,986, and will increase modestly in the next 10 years growing at a rate of about 1.37 percent[1] each year to a population of 21,748 people by 2023.[2] The age distribution of CPCSD residents in 2010 as compared to 2000 reflects the expected shifts associated with the aging of the "baby boomer" population. Adults 55 years of age and older comprise the fastest growing segment of the CPCSD population. As of 2010, the percentage of CPCSD residents 55 years of age or older was equal to the percentage who were 19 years of age or younger. Based on data from 2011, 37 percent of CPCSD households included at least one person 60 years of age or older and 26 percent of these people are still working.[3] Among the population 65 years of age and older, about 70

[1] Based on apportionment of growth projections prepared by Sacramento Council of Governments (SACOG) for areas represented by Traffic Analysis Zones 851, 1026, 1099, 1100, and 1506 to approximate CPCSD boundaries.
[2] Sacramento Council of Governments. 2012. SACOG Modeling Projections for 2008 and 2035: Total Population, Total Dwelling Units , and Total Employment.
[3] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year, B23001.*

percent earn more than three times the poverty level and 45 percent earn more than five times the poverty level.[4]

Since preparation of the 2000 Master Plan, average household size of about 2.6 people has remained relatively unchanged. There has been decline of about four percent from 2000 (37 percent) to 2010 (33 percent) in the percentage of households that include children under the age of 18. Households with individuals 65 years of age and older have increased from 22 percent in 2000 to 27 percent in 2010. There has been a noticeable increase in housing vacancies from 2000 to 2010 from three percent to eight percent, probably related to the recession and mortgage crisis which has impacted home ownership nationally since 2008. Home ownership has also declined since 2000, when 72 percent of housing units were owner-occupied. In 2010, only 68 percent of housing units were owner-occupied.

Of the CPCSD population 25 years of age and older, nearly 70 percent have some college education, with 41 percent having completed a degree program. With a mean household income of $85,645 and a per capita include of $34,839, the overall CPCSD community is comfortably middle class.[5] However, there are households that are much less affluent, with about 11 percent having incomes very close to or below the national poverty level of about $19,530 for a family of three.[6]

Based on a comparison of 2000 and 2010 census data, the CPCSD community is becoming increasingly diverse. The percentage of residents who identified their race as white decreased during the 10-year period by about 3 percent, while all other race categories increased. Hispanic or Latino ethnicity also shows an increase over the same period from 6.7 percent in 2000 to 11.3 percent in 2010.

Only about 554 acres of land zoned for residential use in the CPCSD remains undeveloped. Development of the much larger parcels in the surrounding unincorporated areas may have a significant impact of demand for CPCSD services, and present an opportunity for revenue growth.

1.3 Existing Park Facilities and Programs

The CPCSD has 14 parks and recreation facilities distributed throughout the CPCSD service area. These parks comprise a total of 143.1 acres, of which about two-thirds (96.3 acres) is improved for recreation use. A detailed inventory of all park sites is included as Appendix A. The park sites are classified as community, neighborhood, or natural area. There are four community parks: Cameron Park Community Center, Cameron Park Lake, Christa McAuliffe Park, and Rasmussen Park. There are six neighborhood park sites, with varying degrees of improvements. They are David West Park, Dunbar Park Site (undeveloped), Eastwood Park, Gateway Park, Hacienda Park, and Northview Park. Of the four natural area parks, only Royal Oaks has any improvements. The other three are Knollwood Park Site, Sandpiper Park Site, and Bonanza Park Site. All of these provide excellent opportunities for passive recreation consistent with natural resource preservation.

CPCSD recreation programs provide opportunities for a wide variety of activities to all age groups. Participation data indicate that there is strong demand for sports programs among youth, particularly basketball, flag football, T-ball and volleyball showing. Among adults, yoga/tai chi/mediation courses are most popular, followed by Dance and Safety programs. The Adult program segment is the largest and fastest growing segment, followed by Youth. Analysis of program and event participation shows that a significant number of attendees (about 43 percent) are coming from outside of the CPCSD area.

[4] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year B17024.*
[5] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year, DP03.*
[6] *Federal Register*, Vol. 78, No. 16, January 24, 2013, pp. 5182-5183

1.4 Community Needs

A series of nine focus group workshops were convened to get input from the community about specific areas of recreation interest. Focus groups stakeholder interests included:

- Business and Economic Development
- Churches
- Sports Activities
- Seniors
- Civic and Special Interest Groups
- Health and Wellness
- Trails and Resources
- Schools and Educators
- Low-income Youth

Finding from the focus groups included a variety of needs and interests unique to each stakeholder group that suggest possible new areas of CPCSD programming and/or facility development. Several common themes were repeated in nearly every focus group. These included the need for better coordination and collaboration to meet community needs, lack of funding, and a desire for a better walking/biking trail network.

Data on typical household recreation profiles as also analyzed to complement the focus groups. This analysis showed a high demand for nature oriented activities as well as many of the programs already being offered by the CPCSD.

Donut Social at the Community Center

There is also a steady demand for recreation facilities as indicated by utilization of existing CPCSD facilities. As with program participation, a large number of the facility reservations are from non-CPCSD residents. However, the facilities especially the Community Center and Cameron Park Lake have additional capacity to accommodate increase levels of reserved use.

1.5 Park Planning Standards

This Master Plan addresses and updates planning standards established in the CPCSD Recreation Facilities Master Plan (2000) to reflect current information about the CPCSD population and park inventory. These standards address:

- Park Types
- Park Service Area
- Acres per 1,000 Population
- Facilities per 1,000 Population

In addition, several new standards have been included to reflect the evolving needs of CPCSD residents and trends within the parks and recreation industry. These standards address:

- Park Site Characteristics

- Park Design Standards

All of the standards are designed to provide flexibility in how the future park resources develop, while still setting a threshold for the level of service those resources are expected to provide. Lands that are to be dedicated for development as active parks must have a location and physical characteristics that are suitable for the intended uses. The Park Site Characteristics will be used to evaluate the suitability of proposed land to be dedicated for active use parks. The Park Design Standards guide planning, design, and construction of new parks and improvements at existing parks. All park projects shall also comply with the El Dorado County Design and Improvements Standards Manual.

Evaluation of CPCSD existing park resources against the service area and acreage standards indicates that there is a minor shortage (5.3 acres) of neighborhood park land, and two areas where access to neighborhood park facilities is lacking. These are in the neighborhoods along Green Valley Road, and in the neighborhoods in the southwest area of the District. Specific facilities that are needed include more sports courts and fields, and a disc golf course. As new neighborhoods parks are developed in the underserved areas, consideration should be given to including these types of facilities in the new parks.

1.6 Recommendations

Recommendations for specific parks and recreation projects and initiatives are provided that reflect the policy implementation measures, community input, and other planning analyses. The recommendations are grouped into key issue areas, although each individual recommendation potentially affects multiple issues. The key issue areas are:

- Administration
- Planning
- Programs
- Existing Facility Repairs and Renovations
- New Facilities
- Acquisition

Administrative recommendations address fiscal oversight, collaboration, marketing, sustainability, accessibility, joint-use agreements, and volunteerism. The planning recommendations address the processes for development review, designing new parks, and applying standards. Other planning recommendations address the need for trails planning; studies on historic resources, soccer field capacity; and Community Center use; and implementation of the Pine Hill Preserve Master Plan.

Program recommendations call for increased community collaboration and development of a community wellness initiative. Specific program recommendations are provided to serve mature adults, youth, and low-income families. Other program recommendations address Intergenerational programs, nature-oriented programs, and transportation issues.

A number of repairs and renovations to existing park facilities are identified based on the Browning Reserve Study findings.[7] These total approximately $2.5 million over the next 10 years. Recommendations for new facilities including sports fields and courts; a disc golf course; new equipment at existing parks; and master planning for improvements at Dunbar Park Site, Bonanza Park Site, Sandpiper Park Site, and Gateway Park total approximately $2.2 million dollars over the next 10 years.

[7] Browning Reserve Group. 2013. *Cameron Park Community Services District Reserve Study*.

Several acquisitions are also recommended to improve access to neighborhood parks and to improve the recreation value of Christa McAuliffe Park and David West Park.

1.7 Implementation

This Master Plan is visionary in the sense that it includes recommendations for which funding and resources may not currently be available to implement. However, these recommendations are included so that they may be pursued as new opportunities arise and economic circumstances evolve over the next 10 years.

Relative priorities are assigned to guide the implementation process. Priorities shown are suggested, and actual implementation sequence may vary depending on resources and changing values of the community. Priority 1 recommendations should be pursued within the next 3 years. These are generally important strategic initiatives or facilities for which there is a significant demand that can be readily accommodated on existing park sites. Priority 2 recommendations should generally be pursued in the next 5 years. These initiatives do not require immediate action because associated needs are being met to some degree, or because they depend on the completion of Priority 1 actions. Priority 3 recommendations should be pursued within the next 10 years, and are generally dependent the completion of other recommendations.

Funding to implement this Master Plan and provide parks and recreation services to CPCSD residents comes from several sources, including property taxes via the General Fund, recreation program fees, facility use fees, special events, and scholarships. The ability to increase revenues from non-property tax revenue sources will be key to having adequate resources to implement many of the recommendations in this Master Plan. Other potentially important funding sources include park impact fees, grants, donations, and sponsorships.

"It's a wedding Affair" Special Event at the Community Center

The ability of the CPCSD to implement recommendations in this Master Plan is heavily dependent on having an adequate number of staff with the right professional qualifications, training, and support. When considering the addition of staff positions, the anticipated benefits the new positions will provide in terms of additional revenues and operational efficiencies should be carefully weighed against the increased staff costs.

Implementation of this Master Plan will require an annual process of review and goal setting to determine which recommendations are realistic to pursue, based on available resources. This process should involve the CPCSD Board of Directors and staff, and include an assessment of the progress made towards the prior year's objectives, barriers to success, and new opportunities. The timing and specific implementation of all recommendations in the Master Plan are flexible, so that the CPCSD can respond to changing community dynamics, prior outcomes, and unanticipated circumstances.

2 Master Plan Overview

Learning to swim at Cameron Park Community Center Pool

The Cameron Park Community Services District (CPCSD) is the primary provider of park and recreation services to the Cameron Park community. This Master Plan includes information about the people served by the CPCSD, their specific recreational interests and needs, and recommendations for how the CPCSD may serve these needs through 2024. It provides direction for both near and long range implementation, recognizing that the sequence in which projects are pursued will depend on availability of funding and evolving community needs. This Master Plan is an update of the *Cameron Park Community Services District Recreation Facilities Master Plan* (2000), and includes substantial revisions to information contained in that document as needed to reflect current conditions and priorities. The various sections included in this Master Plan are described below.

2.1 Goals, Policies and Implementation Measures

Goals, policies, and implementation measures are provided for three key areas: park facilities, parks and recreation programs, and funding. Goal statements describe a target condition to be achieved or maintained. Policies are the principles that guide ongoing actions intended to reach the stated goal. Implementation measures are specific actions to be undertaken in support of the policies. The goals, policies, and implementation measures in this Master Plan are based on those adopted in the 2000 Master Plan with modifications and updates as needed to reflect current needs and direction.

2.2 Community Overview

The Community Overview chapter provides information on the demographic composition of the population that receives park and recreation services from the CPCSD. It also examines the potential for new development in the future that may influence the demand for parks and programs by new residents.

2.3 Existing Parks, Facilities, and Programs

Before identifying new park facility and recreation program needs, it is essential to accurately evaluate the facilities and programs already available to residents through the CPCSD. This chapter includes an inventory of existing parks and facilities, and discussion about current use patterns. It also examines the current recreation programs and events offered by the CPCSD and participation levels for these programs and events.

2.4 Defining Community Recreation Needs

With each Master Plan update it is important to re-examine the recreation facility and program needs of the people served by the CPCSD. These needs evolve over time with changes in the demographic make-up of the community, and new trends in how people want to spend their leisure time. This chapter

includes information gathered through focus sessions with numerous stakeholder groups, analysis of demand for existing facilities and programs, and CPCSD staff observations.

2.5 Park Planning Standards

One purpose of this Master Plan is to define a consistent vision for the quality and quantity of community park and recreation resources, also called the level of service (LOS). The level of service includes consideration of how many parks are required, where they should be located, and the types of facilities they should include to best meet the projected need for parks and recreation services.

2.6 Recommendations

Based on the information and analysis of the prior chapters, this chapter in the Master Plan provides specific recommendations for future capital projects and administrative actions recommended to meet the parks and recreation needs of the people served by the CPCSD for the next 10 years. Recommendations are provided for existing facilities, new facilities needed, programs, and administration.

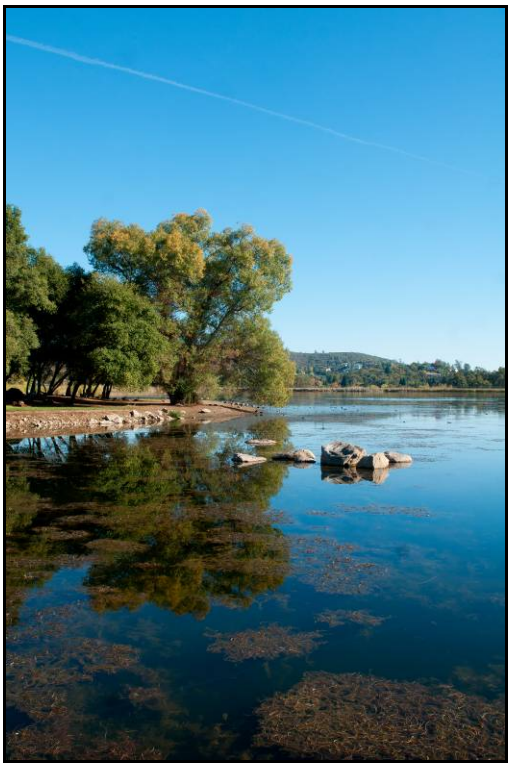
2.7 Implementation

Due to limited availability of funding and staffing, the recommendations included in this Master Plan will need to be implemented over an extended period of time. The relative implementation priority for each recommendation is assigned in this chapter, which also includes a discussion of the CPCSD's overall parks and recreation fiscal operations and staffing configuration.

3 Master Plan Goals, Policies, and Implementation Measures

The Parks and Recreation Master Plan sets goals and provides policy direction for the CPCSD Board of Directors and staff for determining park needs and recreation facility development, evaluating development projects as they affect the need for park facilities, and making administrative decisions that affect the operations of the CPCSD.

Goals, policies, and implementation measures are provided for three key areas: park facilities, parks and recreation programs, and funding. Goal statements describe a target condition to achieved or maintained. Policies are the principles that guide ongoing actions intended to reach the stated goal. Implementation measures are specific actions to be undertaken in support of the policies. The goals, policies, and implementation measures in this Master Plan are based on those adopted in the 2000 Master Plan with modifications and updates as needed to reflect current needs and direction.



Cameron Park Lake

3.1 Park Facilities

Goals

G.1.1: Park and recreation facilities meet the diverse recreation interests of all District residents.

G.1.2: High quality park and recreation facilities provide a variety of recreation opportunities in a safe, accessible, functional, and aesthetically pleasing environment.

G.1.3: A comprehensive pedestrian and bicycle trail system through open space and along the major streets provides CPCSD residents with recreation and alternative transportation options.

G.1.4: CPCSD provides excellent stewardship of the open space and natural resources entrusted to the District.

G.1.5: The community is aware of the environmental quality and natural resources on open space lands entrusted to the District.

G.1.6: The natural beauty of the Cameron Park community is enhanced with attractive landscaping along roadsides and in common areas.

G.1.7: Cooperative relationships are established and maintained with all other public and private agencies providing recreational facilities within the CPCSD boundary.

G.1.8: CPCSD provides a full range of park and recreation facilities convenient to users and evenly distributed throughout the community.

G.1.9: Park acreage meets the adopted community standards for current and projected population levels.

G.1.10: Up-to-date guidelines, policies and procedures are adopted for the design, administration and maintenance of landscape corridors.

G.1.11: Where feasible, the CPCSD locates all approved project mitigation requirements onto lands and areas administered by the CPCSD as open space and undevelopable parklands.

Policies

P.1.1: The CPCSD will develop and maintain parklands that comply with the adopted acreage standards for the population living within the CPCSD.

Implementation: *The CPCSD General Manager will provide an Annual Report to the CPCSD Board prior to or with each Annual Budget proposal that identifies the status of park and recreation acreages relative to current population and proposed new development.*

P.1.2: When new residential developments are proposed, the CPCSD will evaluate the best way to meet the needs of new residents for park and recreation facilities, including trails and natural areas.

Implementation: *The CPCSD will actively participate in the County's preliminary development review process. The CPCSD will work with the County Planning Department to provide "early consultation" between the CPCSD and developer whenever possible regarding park site dedications, locations, or payment of in-lieu fees*.

P.1.3: The CPCSD will prepare a conceptual site development master plan for each undeveloped park in the CPCSD area as funds and/or grants for potential development of the park are available. The plans will be reviewed and adopted by the CPCSD Board of Directors prior to any new facility development within each park.

Implementation: *Each conceptual park site master plan will be prepared in draft and then reviewed in a public hearing process to solicit comments and suggestions from the specific neighborhood and the community in general regarding the proposed development.*

P.1.4: All land dedicated by developers shall be suitable for the type of facilities, which will be developed on that site.

Implementation: *The CPCSD will make the site criteria and facility design guidelines included in the CPCSD Parks and Recreation Master Plan available for distribution to the development community. Prior to each park dedication, the developer shall have a preliminary park development master plan prepared and submitted to the CPCSD for approval prior to actual dedication.*

P.1.5: The CPCSD will prepare and maintain a One-and Five-Year Capital Improvement Plan (CIP) for the development of park facility improvements.

Implementation: *The CPCSD General Manager will update the CIP annually with the submittal of the CPCSD annual budget to the Board of Directors.*

P.1.6: The standards for park dedication and development will be reviewed every ten years and updated as needed to reflect residents' changing needs and recreation preferences.

Implementation: *As part of the 10-year review and update of the Park and Recreation Master Plan, standards for park dedication and development will be revisited.*

P.1.7: Scenic areas, valuable habitat, and natural resources in existing and proposed parks will be protected from incompatible uses.

Implementation: *Scenic areas, valuable habitat, and natural resources in developed and undeveloped park sites will be identified. Maintenance practices and development procedures will be implemented to protect and preserve these resources.*

Implementation: *Encourage the protection of scenic areas, valuable habitat, and natural resources as part of the County Planning Department's development project review process and as project conditions-of-approval.*

P.1.8: The CPCSD will include natural areas and recreational facilities into balanced and integrated active and passive use areas in its park system.

Implementation: *Development plans for new park sites will strive to preserve natural areas while also providing the proposed active recreational uses for the sites. Preservation of natural areas will consider availability of similar areas in the neighborhood and alternatives for configuration of active uses to limit impacts on natural areas Buffering techniques will be used where feasible and beneficial between these different use areas.*

P.1.9: The CPCSD will develop a comprehensive and coordinated park and recreation facility network that reflects changes in the composition and needs of the community it serves.

Implementation: *The park and facility standards as adopted in the CPCSD Park and Recreation Master Plan will be enforced as a part of the County General Plan; as such, the County will regulate development activity and the collection of associated fees.*

P.1.10: The CPCSD will provide for barrier-free access to existing and proposed CPCSD facilities according to the requirements of applicable local, state and federal laws.

Implementation: *The design of all new facilities and retrofitting of existing public recreation facilities for disabled access will be a priority where access barriers exist. The CPCSD General Manager will annually provide a report to the Board of Directors regarding the status of disabled access in the CPCSD area.*

P.1.11: Design of CPCSD parks and facilities will comply with ADA Standards as established by the U.S. Department of Justice (DOJ), as well as any applicable requirements of local and state codes.

Implementation: *CPCSD will require that designs for new parks and modifications of existing parks be prepared in accordance with DOJ ADA Standards and any applicable requirements of local and state codes.*

P.1.12: A comprehensive system of trails to link residential areas with parks, schools and open space areas will be developed by the CPCSD.

Implementation: *A trails master plan will be developed identifying potential off-street routes that will connect neighborhoods to park and recreation destinations, including schools and open space. The master plan will also identify potential right-of-way, fee title, easement acquisition, and funding strategies to implement the proposed trails. Trail routes in the plan will be prioritized and evaluated for implementation costs and regulatory issues.*

P.1.13: Facilities will be provided by the CPCSD to serve the basic recreational and social needs of all ages, economic situations, and physical abilities. All CPCSD residents will have access to District recreation facilities.

Implementation: *The CPCSD will work with local interest groups and agencies to identify barriers to access, such as transportation and funding, as well as strategies to eliminate these barriers.*

P.1.14: Citizen participation in evaluating and planning park and recreation facilities and services will be encouraged.

Implementation: *The CPCSD will actively encourage public participation in the Park and Recreation Master Plan public review and update process, as well as individual park design efforts.*

P.1.15: Provisions for trail development shall be required as appropriate at the time that subdivisions are planned and approved. Trail rights-of-way or land dedication shall not be credited to the portion of the development impact fee that derives from the Quimby park dedication requirements for active parklands.

Implementation: *The El Dorado County General Plan Parks and Recreation Element provides direction on incorporating trails in new development and limits the use of Quimby fees/land dedication primarily for neighborhood parks or to help met community park standards. Thus trail rights-of-way are not credited against the Quimby active parkland dedication requirements.*

P.1.16: CPCSD will ensure that compatible land uses and facilities are developed along designated trails. This will help guarantee that sufficient right-of-way for the trails will be provided, and that adjacent new development does not detract from the scenic qualities of designated trail corridors.

Implementation: *CPCSD staff will participate in the project design review process of the County Planning Department. Recommendations will be forwarded to the County Planning Commission and Board of Supervisors as may be appropriate.*

P.1.17: The design, construction, and maintenance of trails will be carefully executed in order to reduce environmental disturbance.

Implementation: *The Trail Design Standards included in the El Dorado County Parks and Trails Master Plan (2012) shall be used as guidelines for location and development of CPCSD trails and related facilities until such time as a CPCSD Trails Master Plan is developed.*

P.1.18: Water and energy conservation techniques shall be used in the design and construction of all new park and recreation facilities.

Implementation: *Facility sustainability design guidelines will be incorporated into the CPCSD Parks and Recreation Master Plan and shall be used in all new and retrofitted/refurbished park improvement projects.*

Implementation: *The CPCSD will investigate the use of reclaimed wastewater for the irrigation of parks and landscape corridors.*

3.2 Recreation Programs

Goals

G.2.1: The CPCSD provides programs that serve the recreational and social needs of all ages, economic situations, and physical abilities of the residents of the CSD service area.

G.2.2: The CPCSD collaborates with other public agencies, businesses, and private organizations by sharing resources and expertise so a broad variety of relevant recreation programs can be provided in a cost-efficient manner.

G.2.3: Provisions are made to enable disabled individuals to participate in CPCSD recreational activities and programs.

G.2.4: Recreation programs are as self-supporting as possible from user fees collected and community endowments, except for selected programs offered for special recreation populations.

Baby Ballet at the Community Center Dance Studio

Policies

P.2.1: Persons with disabilities are encouraged to fully participate in CPCSD recreational programs and activities.

***Implementation**: CPCSD staff working with disability advocates will create an inclusion program with elements such as: policies to allow for caregiver attendance at events; web links to programs and events that can accommodate persons with disabilities; volunteer caregivers; accommodations request forms; and other elements as needed to provide a safe and rewarding recreation experience for disabled residents.*

P.2.2: The CPCSD will regularly revisit the types of recreation programs it is offering to make sure they are continuing to meet the evolving needs of the residents it serves.

***Implementation:** The CPCSD Park and Recreation staff will annually evaluate program offerings and participation to determine which programs are most in demand and those that are less popular.*

***Implementation:** Periodic surveys of the CPCSD community members will be conducted to assess how well current program offerings are meeting residents' needs, and to identify changes in types of programs and the way they are delivered.*

P.2.3: A system to monitor the funding self-sufficiency of recreation programs will be maintained by the CPCSD.

***Implementation:** The Park and Recreation staff will evaluate at least monthly the revenue status of all recreation programs offered by the CPCSD.*

***Implementation:** Minimum levels of attendance will be established for each program prior to the first meeting to make sure participation is sufficient to fund the program.*

P.2.4: The CPCSD will take a lead role in collaborating with other organizations to provide a wide range of programs to enhance the quality of life for CPCSD residents.

Implementation: *The CPCSD will periodically convene with representatives of various stakeholder groups and organizations to explore opportunities for the CPCSD to provide recreation programs to their members, as well as opportunities for them to offer their programs through the CPCSD.*

3.3 Funding

Goals

G.3.1: The CPCSD works closely with commercial providers of public recreation services and concessions in the CPCSD area to identify cost-effective opportunities for them to use CPCSD facilities.

G.3.2: The development process for new park facilities and programs includes a pro-forma review of expected uses, demand, revenues, and operating costs.

G.3.3: The budgeting and funding for operations and maintenance of new CPCSD park and recreation facilities is carefully matched to the needs of the new facilities. Facilities are not developed unless an adequate revenue source is identified to maintain and operate the facility.

G.3.4: The CPCSD aggressively identifies and pursues potential sources of funding for parkland acquisition and facility improvements, including federal, state, and private sources.

G.3.5: Collaboration with agencies and organizations serving CSD residents will be encouraged to maximize opportunities for cost sharing and facility utilization.

G.3.6: The joint use of school facilities is a high priority in the park development program.

G.3.7: Construction, operations, and maintenance of all park and recreation facilities will be cost-effective.

G.3.8: The CSD maximizes opportunities for economic self-sufficiency for capital improvements, operations, and maintenance.

Policies

P.3.1: A comprehensive park capital improvement and financing program (CIP) shall be aggressively pursued by the CPCSD. Funding and financing strategies shall include: sale of surplus parkland; continued implementation of the park development impact fees; benefit assessment districts for capital improvements and maintenance; landscape and lighting assessment districts; developer-constructed "turn-key" parks; donations of special recreation equipment and facilities; other types of development exactions and credits; and grant funding opportunities.

Implementation: *The CPCSD will prepare a one-year and a five-year CIP that identifies all proposed capital improvements and projected or actual revenue sources for each.*

P.3.2: The CPCSD will evaluate and approve a method of financing the anticipated maintenance costs prior to the acceptance of wetlands, creeks, trails or other types of open space lands that are proposed to be dedicated to the CPCSD.

Implementation: *Prior to acceptance of trails, wetlands, creeks or other open space lands, an approved source of maintenance and operational funding will be identified by the CPCSD for those facilities.*

P.3.3: Prior to the construction of a new park facility, the estimated annual operations and maintenance costs will be identified and approved by the CPCSD.

Implementation: *A component of the annual and five-year CIP will be a chapter that addresses the estimated operations and maintenance requirements for each proposed new facility. The funding source for the operations and maintenance will also be identified in the CIP budget.*

P.3.4: Recreation and sports facilities must be designed for multiple purposes that accommodate a variety of activities in wisely planned space.

Implementation: *As new park facilities are designed, the types of current and potential activities to be accommodated will be indentified so that infrastructure and configuration of features is appropriate to support these uses.*

P.3.5: Joint Use Agreements (JUA) may be used between the CPCSD, school districts, and other public and private agencies where there is a direct benefit to the CPCSD in doing so. JUAs should be used where they enhance the ability of each participating agency to provide cost-effective park and recreation services to the public and efficient maintenance of facilities.

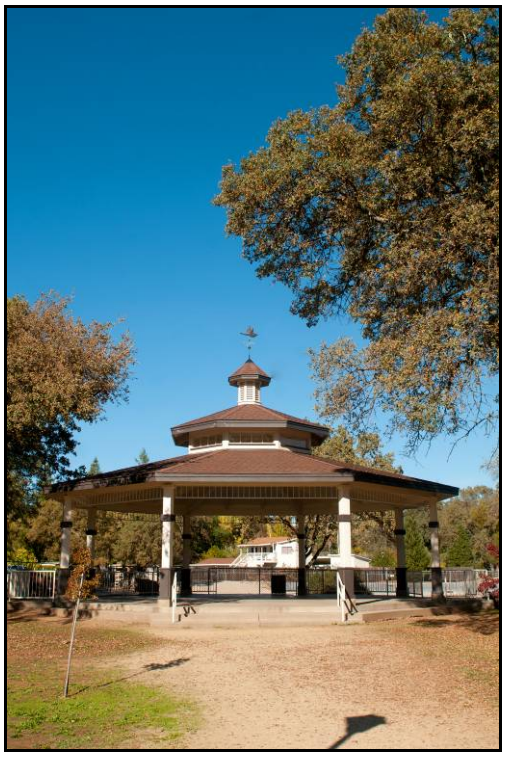
Implementation: *All proposed JUAs will be assessed to evaluate the public benefit and cost-effectiveness of the proposed agreement.*

Implementation: *CPCSD staff will establish and maintain ongoing relationships with local school districts to stay informed about changes in school facility utilization and activities that might present potential joint-use opportunities.*

Summer fun at the Community Center Pool

4 Community Overview

In order to identify appropriate strategies and recommendations for park facilities and recreation programs for the people served by the CPCSD, it is important to understand the character of the community and the people who reside here.



Gazebo at Cameron Park Lake

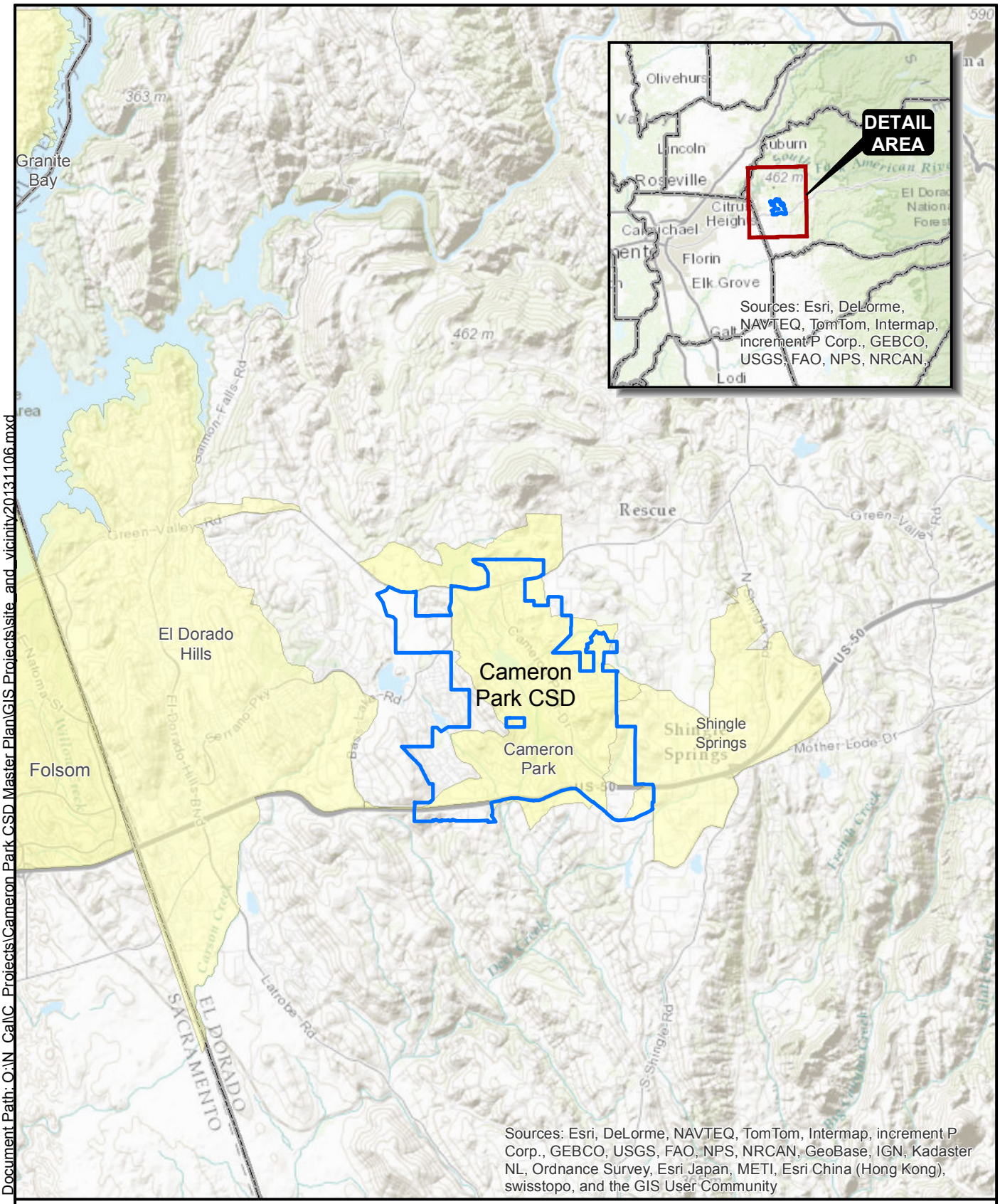
4.1 Location and District Description

The community served by the CPCSD is located in the lower Sierra Nevada foothills in west central EI Dorado County about 35 miles east of Sacramento. U.S. Highway 50 is the primary route through the community and forms a major boundary for much of the District. A small portion of the CPCSD and one park are located south of Highway 50 (Figure 1). Most of the areas in the CPCSD located south of U.S. 50 are designated as commercial land use.

As of 2013 the CPCSD area is about 4,303 acres or about 6.7 square miles. The CPCSD area is situated in a broad, relatively flat valley that follows the Deer Creek drainage and extends in a north-south direction from the vicinity of the EI Dorado Royal Country Club to north of Green Valley Road. Two north-south trending ridgelines that roughly parallel the boundary of the CPCSD form the valley. The two major north-south roads in the area are located along the base of these ridges: Cameron Park Drive on the east and Cambridge Road on the west. The major east-west roads are Green Valley Road to the north and Country Club Drive to the south. Due to the central location and north-south orientation of the Cameron Park Golf Course and the Cameron Park Airport runway, there are significant barriers to east-west vehicle, bicycle, and pedestrian travel. The opportunities for bicycle or pedestrian paths across the valley are restricted to narrow corridors at the north and south end of the valley and at two roads, one north and one south of the runway.

The circulation and development pattern of the community results in relatively discrete and isolated neighborhood areas in the community. This makes it especially important to consider the distribution of park facilities throughout the CSD, and strategies to create additional bicycle and pedestrian trail opportunities.

Surrounding communities include the EI Dorado Hills Community Services District to the west of the CPCSD and Cameron Estates located to the south. The Rescue-Green Valley Area is located to the north and northeast. The Shingle Springs community is located to the southeast. With the exception of people living in the El Dorado Hills CSD, residents in these adjacent communities live in unincorporated parts of El Dorado County and rely on the CPCSD to varying degrees for park facilities and recreation programs.



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SITE AND VICINITY

FOOTHILL ASSOCIATES
ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE

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1 inch = 12,500 feet

Drawn By: MUB
Date: 12/09/2013

FIGURE 1

4.2 Population

The demand for new parks and facilities is driven by new population growth, and by the changing recreation and leisure needs of the existing population. The population of the CPCSD has grown by about 25 percent from between 2000 and 2010, based on the U.S. Census data for the Cameron Park Census Designated Place (Table 1). While the Cameron Park Census Designated Place boundaries do not exactly match those of the CPCSD, the Municipal Services Review (MSR) completed in 2012 by the El Dorado Local Agency Formation Commission (LAFCO) determined that the 2010 Census population of 18,228 is a reasonable estimate for the CPCSD based on analysis of dwelling units and persons per dwelling unit.[8] A separate analysis based on apportioning census blocks within the CPCSD boundaries resulted in similar findings showing a 2010 population of 17,958.[9] Since the MSR number is the basis for other planning documents, the MSR number is used in this Master Plan as the basis for projecting future population. The U.S. Census data also include useful demographic detail used in other analyses for this Master Plan.

It is estimated that the population of the CPCSD will increase modestly in the next 10 years growing at a rate of about 1.37 percent[10] each year to a population of 21,748 people by 2023.[11] The actual rate of population growth will depend on several factors. These include the number of people per household, potential for new development within existing CPCSD boundaries, and potential for expansion of the CPCSD boundaries to include additional existing and/or new residences.

Table 1 – Cameron Park Population Change 2000 – 2023

Year	Population
2000	14,549
2010	18,228
2011	18,477
2012	18,730
2013	18,986
2014	19,246
2015	19,509
2016	19,776
2017	20,046
2018	20,320
2019	20,598
2020	20,880
2021	21,165
2022	21,455
2023	21,748

[8] El Dorado LAFCO. 2012. *Cameron Park Community Services District Municipal Service Review*.
[9] Foothill Associates. 2012. *El Dorado County Parks and Trails Master Plan*.
[10] Based on apportionment of growth projections by Sacramento Council of Governments (SACOG) for areas represented by Traffic Analysis Zones 851, 1026, 1099, 1100, and 1506 to approximate CPCSD boundaries.
[11] Sacramento Council of Governments. 2012. *SACOG Modeling Projections for 2008 and 2035: Total Population, Total Dwelling Units , and Total Employment.*

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4.3 Age Distribution

The age distribution of CPCSD residents in 2010 as compared to 2000 reflects the expected shifts associated with the aging of the "baby boomer" population (Table 2). All age groups that included residents 54 years and younger either remained unchanged as a percentage of total population or declined. The most significant decline (4 percent) was for the 35 to 54 years age group. All age groups that included residents older than 54 years of age increased as a percentage of total population, except the 75 to 84 years age group, which was unchanged. The most significant increase (4 percent) was for the 55 to 64 years age group.

Age is one of the key factors for predicting demand for parks facilities and recreation programs. The age distribution of CPCSD suggests that the demand for child and youth oriented facilities and programs has remained fairly steady over the past 10 years. The CPCSD area continues to provide excellent housing, schools, and safe neighborhood environments that are consistently attractive to families with children. It is likely that demand for parks and programs for children and youth will continue to be strong throughout the next 10 years. Adults 55 years of age and older comprise the fastest growing segment of the CPCSD population, and this will require the CPCSD to evaluate its role in providing services to this group. However, this should not detract from the attention paid to continuing to respond to the needs of children and youth.

Table 2 – Age Distribution in CPCSD 2000 to 2010

Age Group	2000		2010		Net Change as % of Total 2000 to 2010
	Population	% of Total	Population	% of Total	
0 - 4	968	7%	1,145	6%	0%
5 - 9	1,149	8%	1,241	7%	-1%
10 - 14	1,153	8%	1,369	8%	0%
15 - 19	1,040	7%	1,295	7%	0%
20 - 34	2,407	17%	2,890	16%	-1%
35 - 54	4,758	33%	5,251	29%	-4%
55 - 64	1,287	9%	2,407	13%	4%
65 - 74	972	7%	1,426	8%	1%
75 - 84	670	5%	829	5%	0%
85+	145	1%	375	2%	1%
Total	14,549	100%	18,228	100%	

Source: U.S. Census 2000 and 2010 DP-1 Demographic Profile Data for Cameron Park CDP

4.4 Households

The trend in household size will significantly affect the population size. Typically, as the community matures and the population ages, the average household size will diminish. As of 2010, there were 6,993 households in the CPCSD (Table 3) with an average household size of about 2.6 people. Since preparation of the 2000 Master Plan, new development in the CPCSD area has included both multi-family apartment complexes and senior housing facilities. Average household size has remained relatively unchanged. In 2010, 73 percent of all households were classified as family households with an average household size of 3 people. This is a slight reduction in the percentage of family households from 2000. There has been a more noticeable decline of about four percent from 2000 (37 percent) to 2010 (33 percent) in the percentage of households that include children under the age of 18. Single-

parent homes continue to represent about 10 percent of all households. Households with individuals 65 years of age and older have increased from 22 percent in 2000 to 27 percent in 2010.

Table 3 – Households in Cameron Park CSD 2000 and 2010

Category	2000		2010	
	Households	% of Total	Households	% of Total
Total Households	5,537	100%	6,993	100%
Family Households	4,149	75%	5,121	73%
With Children Under 18 Years	2,071	37%	2,332	33%
Single Parent w/Children Under 18 Years	569	10%	693	10%
Father with children and no mother present	148	2%	228	3%
Mother with children and no father present	421	8%	465	7%
Non-family Households	1,388	25%	1,872	27%
Households with individuals 65 years and over	1,243	22%	1,891	27%
Average Household Size	2.63 people		2.61 people	

Source: U.S. Census 2000 and 2010 DP-1 Demographic Profile Data for Cameron Park CDP

4.5 Home Ownership and Vacancy

Other significant housing data include vacancy and ownership rates (Table 4). There has been a noticeable increase in housing vacancies from 2000 to 2010 from three percent to eight percent. This decline is possibly related to the recession and mortgage crisis which has impacted home ownership nationally since 2008. As these vacant housing units begin to be occupied, there may be an increased demand for park facilities and recreation programs, but without the influx of development fees associated with new residential construction. A return to pre-recession vacancy rates of about 3 percent would equate about 1,000 additional residents in the CPCSD.

Table 4 – Housing Vacancy and Ownership 2000 and 2010

Category	2000		2010	
	Units	% of Total	Units	% of Total
Total Housing Units	5,703	100%	7,610	100%
Occupied	5,537	97%	6,993	92%
Vacant	166	3%	617	8%
Owner-occupied Housing Units	3,959	72%	4,766	68%
Renter-occupied Housing Units	1,578	28%	2,225	32%

Source: U.S. Census 2000 and 2010 DP-1 Demographic Profile Data for Cameron Park CDP

Home ownership has also declined since 2000, when 72 percent of housing units were owner-occupied. In 2010, only 68 percent of housing units were owner-occupied. This is notable because property owners may be more willing than renters to make long term investments in community improvements such as parks and recreation facilities. Renters may be less familiar than homeowners with available park and recreation opportunities and other community resources. Targeted outreach to the renting population could help them make meaningful connections and increase their participation in CPCSD park and recreation activities.

4.6 Mature Adults

As suggested by the above discussion of age distribution and household composition, the last 10 years have seen an overall aging of the CPCSD population. The population of residents 55 years of age and older as a percentage of the total population increased by 7 percent between 2000 and 2010 (Table 5). This increase was offset by population shifts in younger age groups, most notably adults aged 20 to 54 years.

Table 5 – Change in CPCSD Population by Age Group 2000 to 2010

Age Group	2000		2010		Net Change as % of Total
	People	% of Total	People	% of Total	
0 - 19	4,310	30%	5,050	28%	-2%
20 - 54	7,165	49%	8,141	44%	-5%
55+	3,074	21%	5,037	28%	7%
Total	14,549	100%	18,228	100%	

Source: U.S. Census 2000 and 2010 DP-1 Demographic Profile Data for Cameron Park CDP

As of 2010, the percentage of CPCSD residents 55 years of age or older was equal to the percentage who were 19 years of age or younger. Understanding this mature adult population is essential to successfully meeting their parks and recreation needs. Based on data from 2011, 37 percent of CPCSD households included at least one person 60 years of age or older and 26 percent of these people (Table 6) are still working.[12] The 55+ population is almost evenly comprised of men (47 percent) and women (53 percent). Among the population 65 years of age and older, about 70 percent earn more than three times the poverty level and 45 percent earn more than five times the poverty level.[13] These numbers reflect income and do not indicate additional financial resources that may be available in savings or other assets.

Table 6 – Employment Status of Older CPCSD Residents

Age-Group	Employed	Total	% of Total who are Employed
60 - 69	871	1,956	45%
70 - 74	60	533	11%
75+	78	1,385	6%
Total	1,009	3,874	26%

Source: U.S. Census American Communities Survey 5-Year 2011, B23001

These data have several important clues about the recreation needs of older CPCSD residents. The high number of these people who are still employed suggests that they have the capacity to be actively engaged with and contributing to the community. They also have the financial resources to seek out and acquire recreation experiences from throughout the broader regional marketplace including the San Francisco Bay Area and the Tahoe Basin. While there remains a need for some traditional senior activities provided at a central location, there is also a great deal of opportunity for the CPCSD to facilitate access for mature adults to recreational experiences throughout the region. In addition, the CPCSD can look at offering recreation experiences that are comparable to those provided by other entities in the region that are drawing CPCSD mature adults as consumers.

[12] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year, B23001.*
[13] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year B17024.*

4.7 Income and Education

Data about income and education are useful in analyzing parks and recreation needs for numerous reasons. These include correlations with the types of recreational activities that might be popular, potential for residents to act as program instructors, and price points for event and program participation. Of the CPCSD population 25 years of age and older, nearly 70 percent have some college education, with 41 percent having completed a degree program (Table 7).

Table 7 – Educational Attainment for CPCSD Residents

Educational Attainment	% of Population Age 25+
Grade K - 8	1.1%
Grade 9 - 12	5.5%
High School Graduate	23.8%
Associates Degree	12.0%
Bachelor's Degree	19.4%
Graduate Degree	8.7%
Some College, No Degree	29.5%

Source: Source: U.S. Census American Communities Survey 5-Year 2011, S1501 for Cameron Park CDP.

Educational attainment is often correlated to income. With a mean household income of $85,645 and a per capita include of $34,839, the overall CPCSD community is comfortably middle class.[14] However, there are households that are much less affluent, with about 11 percent (Table 8) having incomes very close to or below the national poverty level of about $19,530 for a family of three.[15] The ability of these residents to participate in CPCSD programs and events may be severely limited by fees, cost of equipment, and/or lack of transportation. Scholarships, work exchange, and other options should be explored as strategies to improve access to CPCSD facilities and programs for these people.

Table 8 – Income for CPCSD Households

Income and Benefits	% of Total Households
Less than $10,000	2.1%
$10,000 to $14,999	2.9%
$15,000 to $24,999	6.2%
$25,000 to $34,999	7.3%
$35,000 to $49,999	13.2%
$50,000 to $74,999	19.4%
$75,000 to $99,999	15.8%
$100,000 to $149,999	21.3%
$150,000 to $199,999	6.8%
$200,000 or more	4.8%

Source: Source: U.S. Census American Communities Survey 5-Year 2011, DP03 for Cameron Park CDP

[14] U.S. Census Bureau. 2011. *American Communities Survey, 5-Year, DP03.*
[15] *Federal Register*, Vol. 78, No. 16, January 24, 2013, pp. 5182-5183

4.8 Race and Ethnicity

Recreation preferences can sometimes be tied to cultural traditions and related social norms. Effective communication and outreach to CPCSD residents also require that staff understand the racial and cultural diversity of the community they serve. Based on a comparison of 2000 and 2010 census data, the CPCSD community is becoming increasingly diverse. The percentage of residents who identified their race as white decreased during the 10-year period by about 3 percent, while all other race categories increased. Hispanic or Latino ethnicity also shows an increase over the same period from 6.7 percent in 2000 to 11.3 percent in 2010. These trends are consistent with the region as a whole and point to opportunities to incorporate events and programs that celebrate the cultural richness of the CPCSD community.

Table 9 – Race and Hispanic/Latino Ethnicity

Race	% of Total Population	
	2000	2010
White	92.2	89.1
Black or African American	0.6	0.8
American Indian and Alaska Native	0.9	1.1
Asian	1.4	2.3
Native Hawaiian and Other Pacific Islander	0.1	0.2
Some Other Race	1.9	2.5
Two or More Races	2.8	4.0
Hispanic or Latino	6.7	11.3

Source: U.S. Census Bureau, 2010 Census. SF-1,Tables P5, P8, PCT4, PCT5, PCT8, and PCT11.

4.9 Development History and Projected Development

Real estate development the CPCSD began in the late 1950s on lands owned by the Cameron Land and Cattle Company. The principal developer of Cameron Park was Robert L. Cameron who, in the late 1950s, started by developing his lands as Cameron Park. Raymond Vail and Associates (RVA) prepared the development master plan for Cameron Park in the early 1960s. The RVA Master Plan included many innovative features for its time. Among these was the integration of multi-family residential land uses into "neighborhoods" and planning for an integrated airpark and residential subdivision where aircraft owners could directly access or "fly-in" to their homes and hangers. Additional features included a large 50+/-acre recreation lake (now Cameron Park Lake), and a championship golf course.

Cameron Park is comprised of several subdivision areas, each with a master phasing scheme. Cameron Park single-family residential neighborhoods developed at an average of about three units per acre. Multi-family housing developed at an average density of about 10-12 units per acre.

The Cameron Park Area Plan, adopted by EI Dorado County in 1981, continued the basic concept of the urban pattern established by the RVA Master Plan. The 1981 Cameron Park Area Plan added several additional new land use features, including an expanded commercial area at the intersection of Cameron Park Drive and U.S. Highway 50. This plan also increased the high-density residential designations in the northeast sections of the CPCSD in anticipation of future residential development.

The Cameron Park area has historically been one of the most rapidly growing areas in EI Dorado County. The availability of land for development, the proximity to Sacramento, and the relatively good environmental and aesthetic qualities have all contributed to the rapid growth of this area.

Development since 2000 has included high density multi-family housing projects, commercial centers, and an age-restricted community. With the onset of the recessionary economy in 2008, single family and multi-family residential development has dramatically slowed down in the CPCSD.

El Dorado County regulates land use in the CPCSD. Land development is required to be consistent with the adopted County General Plan for the Cameron Park area. Residential subdivisions have been the primary type of growth in the CPCSD and its Sphere of Influence. Residential development in the CPCSD has typically had a density of about three or four units per acre. The development has typically included full subdivision improvements as required by the County's Major Land Division Ordinance.

4.10 Residential Growth Areas

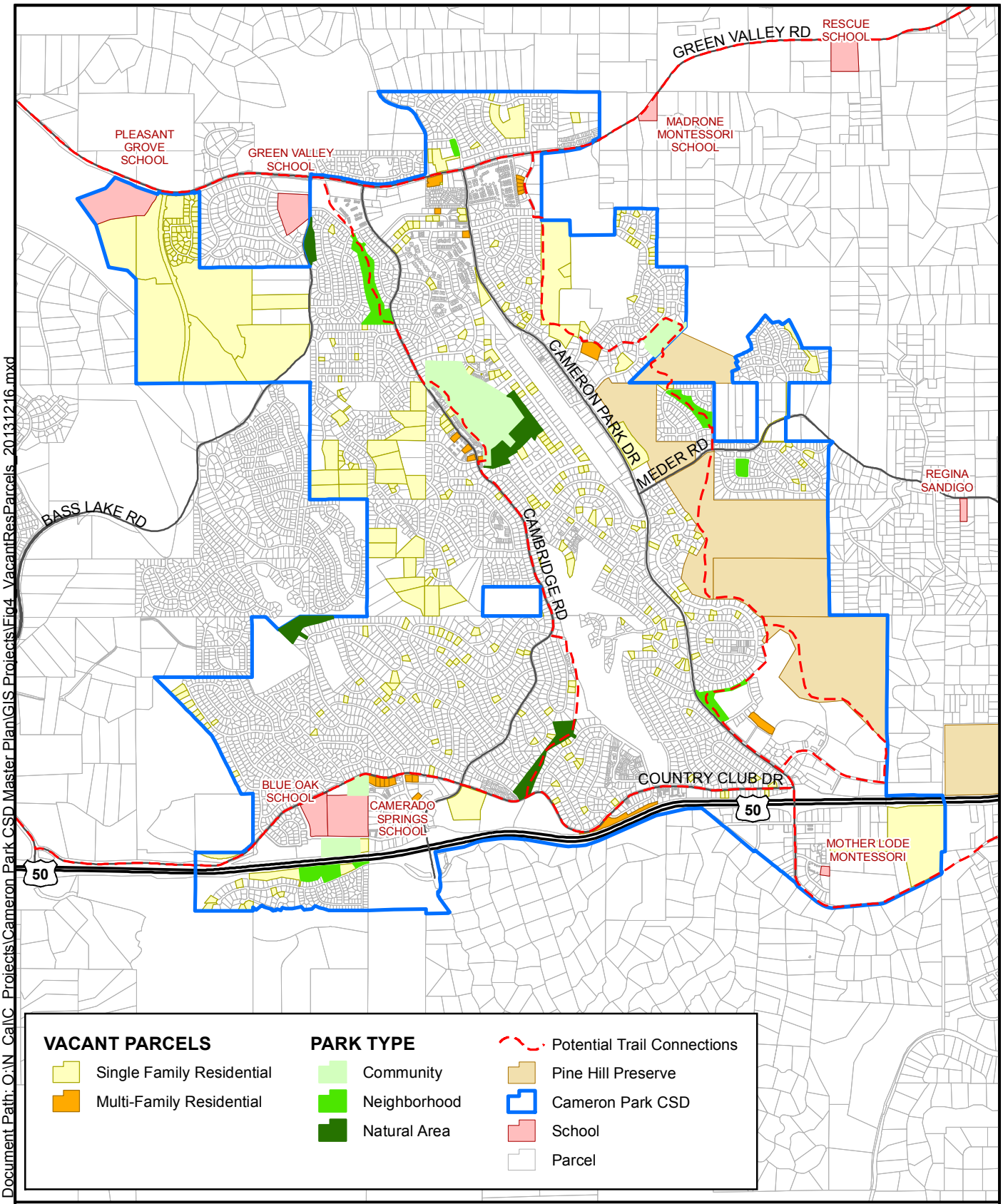
The vast majority of the residential parcels in the CPCSD have been developed. Only about 554 acres of land zoned for residential use in the CPCSD remains undeveloped (Figure 2). Most of those remaining are scattered individual or small groupings of in-fill parcels zoned for single family homes. There are also a few large, rural single family residential lots in the northeast area of the CPCSD that could potentially be subdivided in the future to allow multiple dwelling units. The location of the vacant residential parcels is shown in Figure 3. In addition, the community plan includes a small number of sites designated for multi-family use. A few of these sites remain, but most sites designated for this use have already been developed as apartments, or as a lower density residential use. As the remaining vacant land in the CPCSD is developed, the County approved park impact fees must continue to be collected to make sure funds are available to build new recreation facilities to serve the new residents.

Table 10 – Vacant CPCSD Residential Acreage

Zoning	Vacant Acreage
Multi-family Residential	13
Rural Residential (20+ acres w/existing minor non-residential improvements)	308
Rural Residential (2.51 – 20 acres allowing 1 dwelling unit)	158
Residential (2.5 or less acres allowing 1 – 3 units)	75
Total	554

The more significant development potential is in the unincorporated areas around the CPCSD, including areas between the CPCSD, El Dorado Hills CSD, and Shingle Springs. Several large planned residential developments, such as Marble Valley and Lime Rock Valley, are being considered in these areas, pending the El Dorado County development review and approval process.

As these peripheral areas develop, the increased population in the area may impact the CPCSD in several ways. There may be increased demand for underutilized CPCSD facilities and programs, which would increase operating revenues. However, the new developments will not have contributed to the substantial capital expenditures made by the CPCSD for the initial development of these facilities. In addition, increased usage may result in increased maintenance costs of these facilities. For developments outside of the CPCSD, there is currently no property tax allocation strategy that provides revenues to the CPCSD for CPCSD facilities used by non-CPCSD residents. It will be important for the CPCSD to participate in the development review process so that any new park and recreation facilities that are built in these new communities are not redundant with existing, underutilized facilities in the CPCSD that can reasonably be expected to serve the new residents based on capacity and location.



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VACANT RESIDENTIAL PARCELS

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FIGURE 2

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5 Existing Park Facilities and Programs

The CPCSD provides a wide variety parks facilities and programs to meet the recreation needs of its residents. Since the prior CPCSD *Recreation Facilities Master Plan* was prepared in 2000, significant new facilities have been added by the CPCSD and the programs offerings have evolved with residents' preferences and recreation trends. This chapter provides a current inventory of facilities and programs, and serves as a baseline for evaluating how well the CPCSD will be able to meet current and future needs.

5.1 CPCSD Parks and Facilities

The CPCSD has 14 parks and recreation facilities distributed throughout the CPCSD service area (Figure 5). These parks comprise a total of 143.1 acres, of which about two-thirds (96.3 acres) is improved for recreation use. The park sites are classified as community, neighborhood, or natural area.

Water Exercise at the Community Center Pool

Community Parks

Community parks and recreation facilities provide a focal point and gathering place for the larger community. Community parks are for use by all sectors and age groups of the community, and may include improvements such as multi-purpose fields, ball fields, group picnic areas, playground, tot lot, multi-purpose hard courts, swimming pool, tennis courts, and a community center. There are four CPCSD community park facilities.

Cameron Park Community Center

The Cameron Park Community Center (4.1 acres) was opened in 2009, and provides a much needed facility for a wide variety of events and recreation uses. It includes an assembly hall, stage, gymnasium, multi-purpose rooms, social center, commercial kitchen, dance studio, rest rooms, and aquatics center. With a parking capacity of over 200 vehicles, and convenient access to State Route 50, the Community Center is also a resource for business and regional events. Community Center facilities are available for private use by reservation on a fee basis.

Cameron Park Lake

The Cameron Park Lake complex (56.5 acres) includes a seasonal swimming beach with filtered pond, walking trails, gazebo, picnic areas, boat rentals, tennis courts, children's play area, parking, rest rooms, and concession building. The 45-acre lake, used for fishing and boating, is surrounded by a wide, flat decomposed granite trail popular with walkers and joggers. The gazebo and group picnic area are available for private use by reservation on a fee basis.

Christa McAuliffe Park

Christa McAulilffe Park (7.1 acres) is located across from Camerado Middle School. Improvements include soccer fields, playground, picnic area, paved parking, restrooms, and a skate park. The soccer fields can be reserved for private use on a fee basis.

Rasmussen Park

Improvements at Rasmussen Park (10.1 acres) include multi-use fields which can be used for soccer or softball/baseball, t-ball, a covered playground, a picnic area, paved parking, a walking trail, and restrooms. Sports fields may be reserved for tournament use.

Rasmussen Park shade shelter and play area

Neighborhood Parks

Neighborhood parks primarily focus on serving a residents' walk-to or bike-to recreation needs. When possible, neighborhood parks should be adjacent to schools, and may include improvements such as a playground, tot lot, turf areas, and picnic tables. There are six CPCSD neighborhood park sites.

David West Park

Located south of State Route 50, David West Park (6.2 acres) has a baseball field, a small soccer field, and a small picnic area. Limited parking is also available. There are no rest rooms. The park may be reserved for private use.

Dunbar Park Site

The Dunbar Park site (0.9 acres) is a small parcel north of Green Valley Road. It is the only unimproved neighborhood park. Due to its small size and topography potential improvements are limited. However, its location does provide recreation opportunities for neighborhood children without their having to cross Green Valley Road. A nice stand of native oaks at the south end of the site could provide a setting for an exercise course, and a children's play area could be located at the north end.

Eastwood Park

Eastwood Park (2.2 acres) includes a maintained turf area with numerous trees and several picnic tables.

Gateway Park

Gateway Park (13.3 acres) is a neighborhood park that is largely unimproved. There is a small parking area, an informal ball field with backstop, and an informal trail network through the park. With access points from Cambridge Road, Sterling Way, and Gateway Drive this park has the potential to serve many neighborhoods. While the narrow linear shape of the park, the topography, and the presence of many oak trees limit its potential for traditional sports fields, other active uses, such as disc golf, an exercise course, and play areas are feasible.

Hacienda Park

Hacienda Park (4.9 acres) includes a walking trail through native oak woodland, a dog park, a small picnic area and parking.

Northview Park

Northview Park (5.2 acres) is a long, narrow park that connects Ashland Drive and Bridgeport Drive. Improvements include a covered play area, a picnic table, and an unpaved path for walking and jogging.

Natural Area Parks

As the CPCSD area continues to develop, residents' access to natural areas for passive recreation uses will become increasingly constrained unless such areas are preserved. In addition, the Open Space Element of the El Dorado County General Plan calls for preservation of natural areas as open space to protect important natural resources. The natural area parks in the CPCSD represent a local component of the County Open Space Action Plan. The Pine Hill Preserve is another significant open space area within the CPCSD boundaries, but is not owned or operated by the CPCSD.

Natural area parks typically have very limited improvements and provide residents with opportunities for unstructured, nature-oriented recreation activities such as walking, bird watching, or photography. Interpretive signage and experiences should also be incorporated to build stewardship and awareness of the natural resources. There are four natural area parks in the CPCSD. With the exception of Royal Oaks Park, none are officially improved for recreation use. However, most have informal trails that have been established by neighborhood residents who are drawn to the natural setting for walking, or by children seeking informal nature exploration opportunities.

Bonanza Park Site

Located adjacent to the Cameron Park Lake complex, the Bonanza Park site (12.6 acres) includes native oak woodland, grassland, and wetland features. It has excellent potential for trail development, possibly connected to the Cameron Park Lake trail, with additional access from Spill Way, Salida Court, Fairway Drive, and Bonanza Drive.

Knollwood Park Site

The Knollwood Park site (6.5 acres) has native oak woodlands, grassland, and wetland features. It is accessible from Knollwood Drive to the south and Dunbar Dirve to the north. A large parcel designated for planned development to the west could also afford an access route, if this is provided for in the subdivision design.

Royal Oaks Park

Royal Oaks Park (10.4 acres) has a small, informal parking area and an unpaved trail that parallels Deer Creek. Oaks and riparian habitat offer interesting interpretive opportunities. The parking area is accessed from Country Club Drive. The trail terminates at the Cameron Park Country Club.

Royal Oaks Park Trailhead

Sandpiper Park Site

The Sandpiper Park Site (3.1 acres) is a narrow, sloping site bounded by Bass Lake Road on the west and residential back yards on the east. It consists mainly of chaparral with manzanita and some small young, scattered native oaks. It would be a suitable site for a small nature trail loop, with interpretive information about native plants, fuel load management, and defensible space. It could also serve as an outdoor classroom for students from the Green Valley Elementary School across the street.

5.2 Other Recreation Facilities

In addition to the park facilities owned and operated by the CPCSD, several other facilities in the CPCSD provide recreation opportunities for residents. The primary private recreation facility in the community is the Cameron Park Country Club. It includes an I8-hole championship golf course, tennis complex, pool, recreation center, and dining room.

The campuses for Blue Oak and Green Valley elementary schools, and Pleasant Grove and Camerado Springs middle schools are located within the CPCSD. They have various multi-use rooms, playgrounds, and sports fields that are used outside of school hours to varying degrees for sports leagues, events, and informal play. Rescue Elementary School and Ponderosa High School are outside of the CPCSD boundaries but also provide similar facilities and recreation opportunities. Appendix A details what types of facilities are available at each campus.

5.3 CPCSD Recreation Programs

Along with the management and development of parks, the CPCSD also provides a wide variety of recreation and life enrichment programs that are an important service to the community. These programs are designed to encourage healthful activities for the fitness of mind and body; to promote positive experiences in the community; and to bring families together to enjoy community and CPCSD resources.

Yoga at the Community Center

The District's recreation supervisor, and the full-time and seasonal recreation staff, plan and implement these recreation programs. The recreation staff is responsible for all aspects of organizing and scheduling recreation programs including identification of needs, creation of the programs, and securing the instructors and facilities.

All of the recreation programs of the CPCSD, except special events, are offered on a fee basis to the residents of Cameron Park. These same programs are available to non-CPCSD residents for a slight additional fee. By policy of the CPCSD Board of Directors, the operating costs of the recreation programs must generally be self-supporting through fees and charges, except for specialized programs.

Programs and events are offered by the CPCSD are advertised in the Recreation Guide that is published three times each year. The guides are available at the CPCSD offices or on-line. Specific program offerings change from season-to-season and year-to-year as residents' interests and recreation trends evolve. Program categories include Youth/Tot, Teens/Adults, Adults, Youth Sports, Adult Sports, Seniors,

Aquatics, Camps, Cooking, and Safety. A summary of participation in the major program categories for the past three years is provided in Table 11. Programs that have not proven to be popular are typically not offered in subsequent years and are replaced with new offerings. Consequently, data on participation are not available for all programs for all three years. Recreation staff are continuously evaluating program success and adjusting offerings to reflect community interest.

Table 11 – Summary of CPCSD Recreation Programs

Program/Activity	Number of Participants					
	2010		2011		2012	
	Residents	Other	Residents	Other	Residents	Other
4 and Under						
Dance					50	18
Gymnastics	8	12	23	18	6	2
Day Class	25	6	13	13	6	5
TOTAL	33	18	36	31	62	25
Youth (5 - 18)						
Flag Football	32	27	68	52	64	28
T-Ball	66	43	75	45	68	22
Tennis	9	0	12	5	6	5
Basketball	170	118	184	145	192	129
Volleyball	13	27	10	16	24	33
Martial Arts	26	12	21	5	7	9
Dance	27	29	4	1	17	11
Music					7	2
Gymnastics	27	10	32	15	31	12
Math	5	6	10	13	9	12
Nature Activities					10	
Cooking			14	5	18	16
Driver's Ed		2	4	4	8	3
TOTAL	375	274	434	306	461	282
Adult (19+)						
Soccer (Indoor)			4	2		
Cooking	12	13	9	8	11	8
Nature Activities					8	6
Yoga/Tai Chi/Meditation	218	137	253	108	254	112
Fitness	29	15	18	12	66	20
Art	15	4	16	5	18	8
Dance	45	43	94	62	146	118
Gardening					4	1
Safety	55	193	72	193	88	164
TOTAL	374	405	466	390	595	437
Seniors						
Senior Dance Class	27	35	36	24	20	25
Camps *(may also be counted above)*						

Program/Activity	Number of Participants					
	2010		2011		2012	
	Residents	Other	Residents	Other	Residents	Other
Sports	30	47	90	129	47	47
Dance					5	5
Arts	6	9	10	17	30	14
Math/Science					6	5
Equestrian			14	10	5	4
Summer Day	197	124	192	55	164	54
TOTAL	233	180	306	211	257	129
Leagues *(may also be counted above)*						
Basketball – Youth (teams)	3	2			2	4
Basketball – Adult (teams)	4	2	17	17	16	3
Softball – Adult (teams)	3	2	3			
Aquatics						
Public Swim	4450 participants		5334 participants		5057 participants	
Water Exercise	1085 participants		915 participants		988 participants	
Lifeguard Training	5	8	22	2	21	14
Swim Lessons - Group	298	126	304	79	284	88
Swim Lessons - Private	53	23	34	22	67	25
TOTAL	356	157	360	103	372	127

Note: Programs and years with no data indicate program was not offered at that time.

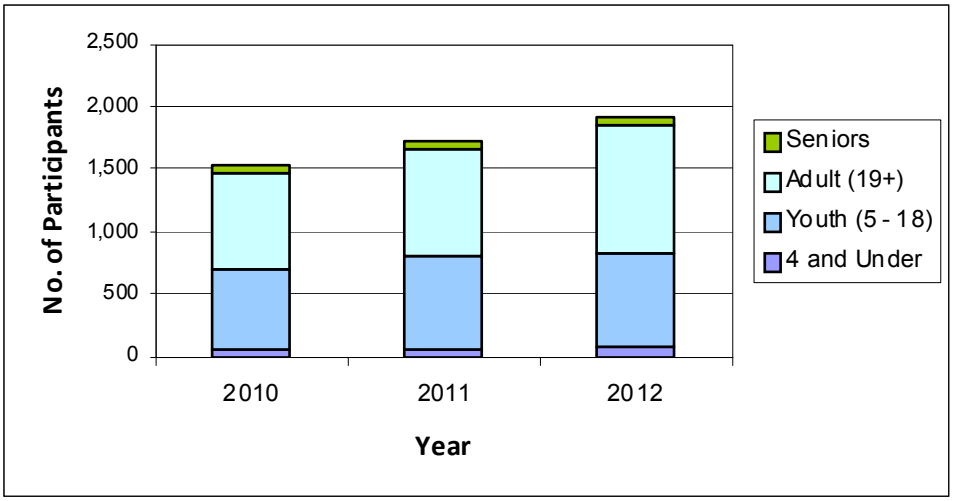
Participation data indicate that there is strong demand for sports programs among youth, particularly basketball, flag football, T-ball and volleyball showing. Among adults, yoga/tai chi/mediation courses are most popular, followed by Dance and Safety programs. It should be noted that these courses also include enrollment of older teens and seniors.

Analysis of the participation data reveals a steady growth in overall number of people participating in CPCSD programs (Figure 3). The Adult program segment is the largest and fastest growing segment, followed by Youth. This is possibly a reflection of the aging demographic composition of the CPCSD community noted in the prior chapter. It may also reflect the abundance of local non-CPCSD recreation

Table Tennis players share the Gymnasium with other activities.

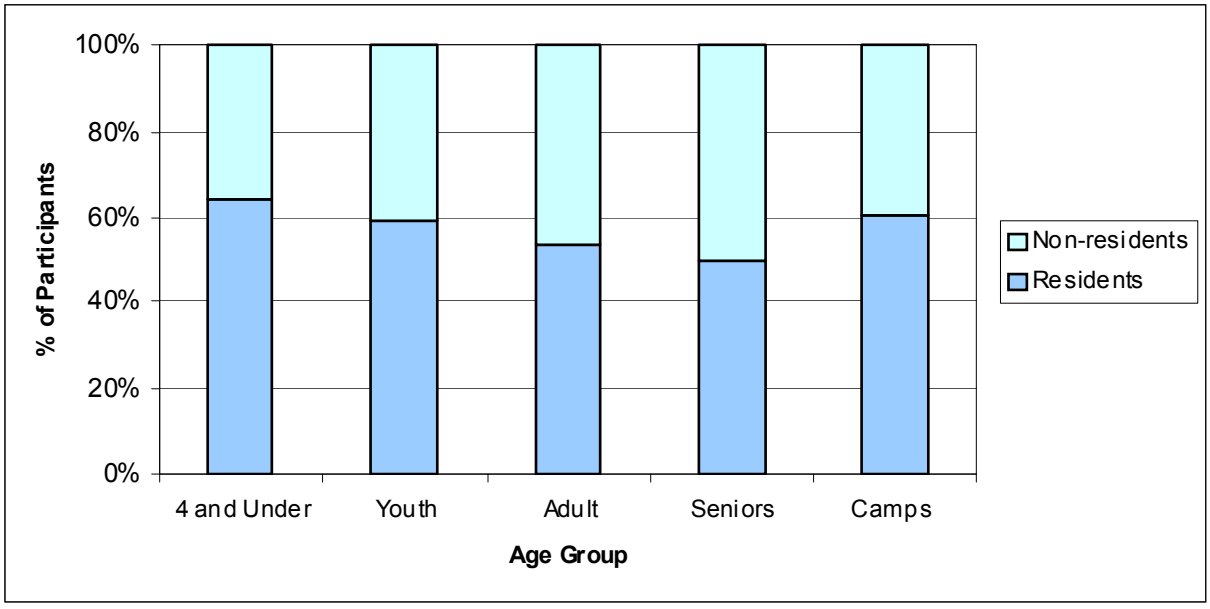
opportunities for youth, and the relative absence of such local opportunities for adults.

Figure 3 – CPCSD Program Participation by Age Group



A second significant observation is that non-CPCSD residents account for a considerable amount of program participation across all age groups (Figure 4). CPCSD residents accounted for only 57 percent of overall participation for the three-year study period (2010 thru 2012). Non-CPCSD resident participation is highest for adult and senior programs, which may point to an unmet need for these opportunities in the general region.

Figure 4 – Program Participation by Residency



The CPCSD also offers an evolving selection of special community recreation events (Table 12). Some of these are oriented to a holiday theme such as the Easter Egg Hunt, Santa Fun Run, Halloween Carnival and Pumpkin Patch. Others are focused on providing fun opportunities for the community to get together on enjoy special interest activities. Still other events are sponsored by private organizations but are held in CPCSD venues, such as the Renaissance Tudor Fayre and the Rubstock BBQ Championships.

Many events attract attendance from non-CPCSD residents. As such, they are bringing people into the community who are contributing to the local economy. All of these events demonstrate the key role the CPCSD plays in defining the character of the community for both residents and visitors.

Table 12 – CPCSD Community Events Participation

Event	Participation					
	2010		2011		2012	
	Residents	Other	Residents	Other	Residents	Other
Community Swap Meet	N/A		N/A		22 spaces	
Community Campout	N/A		N/A		11 families	8 families
Summer Spectacular	5,862 participants		6,096 participants		5,441 participants	
Cameron Park Crab Feed	320 participants		320 participants		320 participants	
Concert Series	N/A		N/A		418 (3 concerts)	
Kids Night Out	13		N/A		n/a	
It's a Wedding Affair	N/A		N/A		75 registered brides	
Easter Egg Hunt	approx 350 children		approx 325 children		approx 350 children	
Spring Antique, Craft, and Garden Show	N/A		N/A		22 vendors	11 vendors
Welcome to Summer Free Swim Day	N/A		N/A		300	
Halloween Carnival and Pumpkin Patch	300 children w/parents		300 children w/parents		300 children w/parents	
Capital Pop Concert	N/A		N/A		81	
Old Fashion Christmas Craft Faire	24	31	15	40	9 vendors	50 vendors
5k Fun Run/Walk with Santa	143 Runners		Data not available		71 Runners	
Foothill Cruisers Car Show	1,000 - 1,500 attendees		1,000 - 1,500 attendees		1,000 - 1,500 attendees	
Pooch Plunge and Laps	153 people/ 17 communities		187 people/ 16 communities		179 people/ 18 communities	

5.4 Other Recreation Programs

CPCSD residents' have access to many recreation and life enrichment programs that complement those offered the CPCSD. Adjacent to the Cameron Park Community Center, the El Dorado County Library branch in Cameron Park is a community resource for recreation programs. Regularly scheduled activities include movies, book clubs, story time, and literacy programs.

In addition to providing recreation facilities, the local CPCSD schools also sponsor activities throughout the year for students and families, often in collaboration with an active parents' organization. Some children attending these schools participate in school-sponsored sports, arts, and scholastic programs.

A wide variety of youth sports leagues offer recreation opportunities to CPCSD residents, with team practices and games held in many Cameron Park schools and CPCSD facilities. Most leagues are heavily dependent on parents and volunteers for league organization, operation, and funding. Some provide scholarship and sponsorship opportunities to make participation available for low-income children.

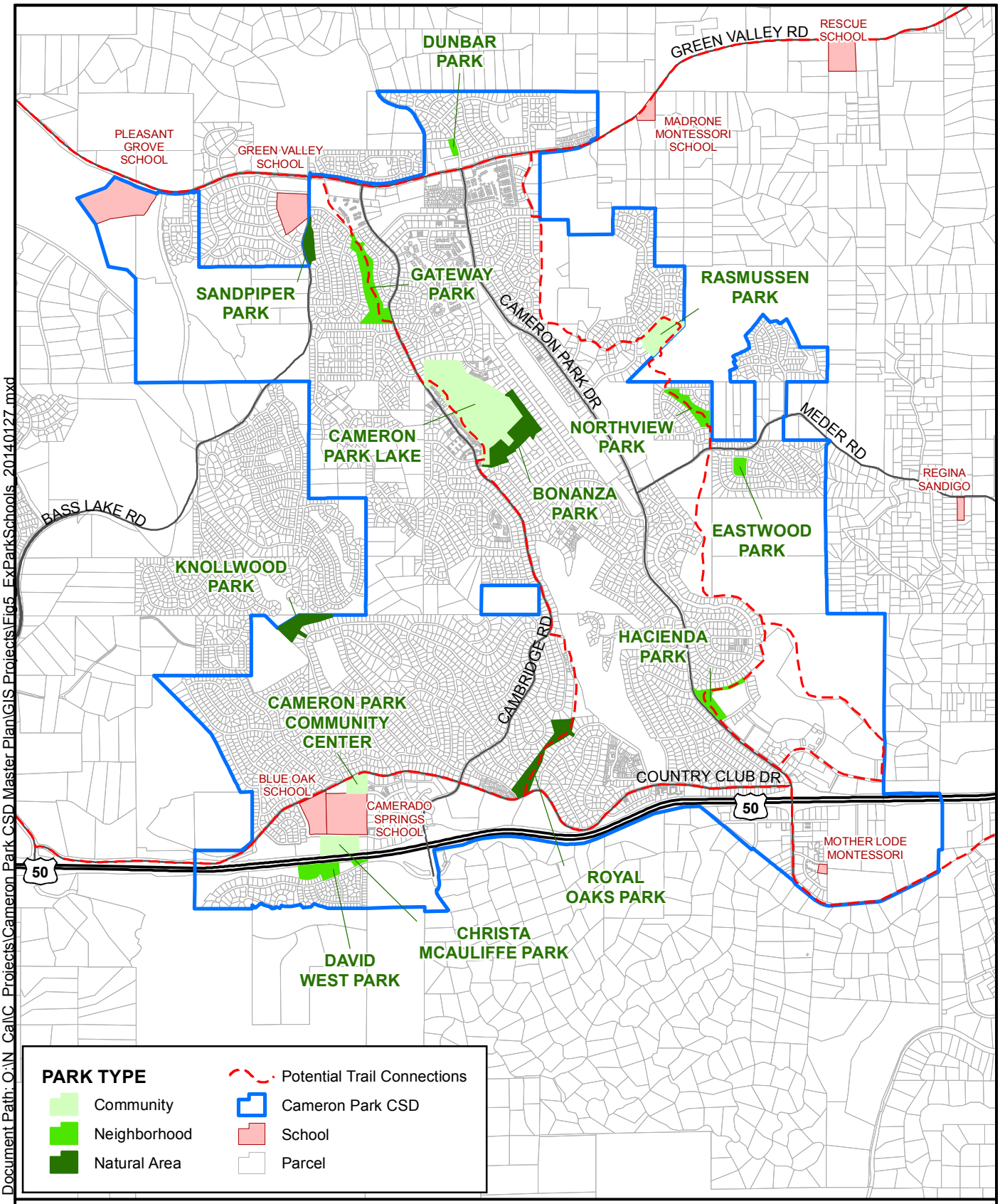
Gold Cal Juniors Volleyball has teams for boys and girls ages 6 to 12, and girls' teams for ages 13 through 18. Desperados Water Polo is a club team based in Cameron Park for boys and girls ages 8 through 18. The California Youth Basketball El Dorado Hills League is a year-round league for boys and girls ages 4 through 18. The Prospector Soccer Club is one of three recreational clubs organized under the El Dorado Youth Soccer League with programs for boys and girls ages 4 to 19. The Sierra Sharks Swim Team is a club under the Suburban Swim League, and provides recreation and competition programs for boys and girls ages 4 through 18. The Ponderosa Junior Bruin Youth Football and Cheer organization is a member of the Sacramento Youth Football Network, and provides football and cheer programs for children ages 8 through 15. Ponderosa Little League offers programs for both T-ball (ages 5 to 6) and baseball (ages 7 to 16). The Foothill Girls Softball League has Fast Pitch teams for girls ages 5 to 18. Mother Lode Rugby teams are open for boys and girls ages 6 to 18. El Dorado Hills Lacrosse provided programs for children from ages 7 to 14.

The numerous churches serving the CPCSD area are another source of recreation and life enrichment programs. Some programs and events are faith-based while others are open to participants of all denominations. Topics may include specific issues such as grief, substance abuse recovery, and parenting while some are simply focused on building community and fellowship. Several churches also provide ongoing youth programs and events.

Scouting opportunities are available for CPCSD children and youth through the Boy Scouts' Golden Empire Council El Dorado District and the Girl Scouts' Foothill Gold Service Unit 152.

Marshall Medical Center provides a wide range of wellness-oriented classes and events at the Community Health Library and other facilities at the in Cameron Park campus. Courses include CPR, first aid, pregnancy care, childbirth, breastfeeding, baby care, smoking cessation, babysitting instruction, heart health, and diabetes nutrition. The Marshall Cancer Research Center, located in the same campus, also provides support groups and classes such as art therapy, yoga, and stress reduction, Classes are open first to cancer patients and then to the community-at-large if space is available.

The Rotary Club and Soroptimist International organizations are active in Cameron Park and sponsor various member and community events. A number of private businesses active in the Cameron Park community also offer recreation opportunities including weight training, cardiovascular conditioning, martial arts, gymnastics, and dance.



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EXISTING PARKS AND SCHOOLS

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FIGURE 5

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6 Defining Community Recreation Needs

Community recreation needs reflect the preferences and interests of the residents for recreation activities. Sports and recreation activities go through cycles of popularity and decline. The interests in a community can be quite diverse and fulfilling all needs could easily overwhelm the resources of the CPCSD. Therefore, it is necessary to determine the most essential needs and prioritize the allocation of CPCSD resources accordingly.

T-ball at Rasmussen Park

As part of this master planning process, input about current and future recreation needs was derived from several sources. A series of focus group events and analysis of recreation preferences based on household profiles provided input on programs, facilities, and CPCSD operations. Information on facilities was gleaned from data from the CPCSD Reserve Study[16], and evaluation of current utilization for park facilities that are available for community use on a fee basis.

6.1 Focus Groups

Nine separate focus group workshops were convened to get input from the community about specific areas of recreation interest. Each focus group event focused on a particular aspect of recreation or life enrichment. This format allowed participants to delve much more deeply into their subject area than would have been possible in a more general community meeting setting. In-depth dialogue and brainstorming between CPCSD staff and participants generated many ideas and helpful observations about current and future CPCSD facility and programming direction.

The focus group setting also allowed participants the opportunity to get to know their peers in the community and to learn more about all the various recreation and life enrichment efforts already underway. Many participants commented on the general lack of opportunities for this type of collaboration, and appreciated the leadership role taken by the CPCSD to instigate this process.

The process for developing the focus groups began with an overview of the major recreation stakeholder interests in the CPCSD community. Recognizing that many stakeholder interests overlap, nine general stakeholder categories were identified for focus group workshops. These were:

- Business and Economic Development
- Churches
- Sports Activities
- Seniors

[16] Browning Reserve Group. 2013. *Cameron Park Community Services District Reserve Study*.

- Civic and Special Interest Groups
- Health and Wellness
- Trails and Resources
- Schools and Educators
- Low-income Youth

The next step included identifying the various organizations and individuals in the CPCSD area who are actively working with and/or representative of a particular stakeholder interest group. These organizations and individuals were contacted via telephone and e-mail and received a letter of invitation asking for their participation in the process. Workshop dates and times were set up to best accommodate participants' schedules and reminder notices were sent prior to each workshop. Focus groups met during the day at the Community Center Social Center, with refreshments and facilitation provided.

The only exception to this process was the Low-income Youth workshop, which was arranged through the Rescue Union School District (RUSD). This workshop consisted of informal conversations with children ages 4 to 15 and their parents who were participating in the RUSD summer lunch program. Raffles and prizes were provided throughout the lunch workshop to keep children engaged.

In general, each workshop began with a series of questions intended to stimulate discussion about how participants use CPCSD park facilities and recreation programs, and what changes they would like to see over the next ten years. Participants were then encouraged to move the dialogue along as they saw fit, sometime engaging with CPCSD staff to ask questions and explore ideas, and sometimes conversing with each other to learn more about partnering and collaboration opportunities. Many common themes emerged from the focus groups, as well as ideas unique to specific stakeholder interests.

Common Themes

- There is a diverse array of groups and organizations providing services to the CPCSD community.
- There is a need for a coordinating entity in the community to facilitate collaboration and partnership among community organizations and interests.
- Staff and volunteers with the various groups are so busy focusing on their specific objectives that they rarely have a chance to step back and consider their role in the overall community.
- Funding for facility use, supplies, marketing, and materials is an ongoing challenge for most organizations.
- Some organizations are actively pursuing and winning grants for specialized projects and programs. Others rely on fees, sponsorships, and donations.
- Groups would like to leverage their resources in collaboration with others to make their resources go farther.
- Transportation is frequently a barrier to providing services. Children and seniors who cannot drive are the most seriously impacted groups.
- The need to charge fees is also a

Cameron Park Lake swimming beach and gazebo

barrier for participation for some community members. Some groups have scholarships or limited reduced-fee opportunities.

- There is no centralized, recognized information source for residents and visitors to learn about what services and opportunities are available in the CPCSD community.

Business and Economic Development

- Parks can drive economic benefits such as tourism, events, quality-of-life property resale values, new employers, etc.
- Multi-generational opportunities for recreation draw new residents.
- CPCSD could offer community event and program passes through Realtors to share with potential and new residents.
- El Dorado County can help market CPCSD programs and events.
- Hold job fairs at CPCSD facilities.

Churches

- Churches need convenient off-campus sites for events and classes (food/clothing distribution, support groups, etc.)
- Celebrate Recovery program needs more space.
- Churches can reciprocate for use of space with volunteer services.
- Church networks can be used to advertise events, scholarships, etc.
- Churches need to have regular contact with CPCSD to network and learn about programs and facilities
- There are many shared interests between the churches and CPCSD programs; better coordination would benefit both.

Sports Activities

- Coordinating access to appropriate facilities and fees required for those facilities are constant challenges for many sports groups.
- There is a need for better coordination between schools, churches, CPCSD, and sports clubs to help keep maintenance and rental costs down.
- There is no central inventory of sports facilities in the community with information about rates, availability, and rental terms.
- Sports teams have need for affordable facilities for special events and fundraisers.
- It would be helpful to be able to store equipment at fields/gyms/pool rather than have to haul it from practice to practice.
- Cost to use school facilities is often high because a school-employed custodian must be on hand to open and close facility.
- There are no adequate tournament facilities for soccer, basketball, or baseball.
- Sports clubs are torn between bringing per child costs down by increasing the number of participants, and the challenge of have adequate facilities and parent participation for more teams.

Seniors

- The senior population is extremely diverse and needs vary widely depending on degree of physical and financial independence. Programs need to be tailored according to these variables rather than age alone.
- El Dorado County offers many of its Senior Services programs in Placerville and El Dorado Hills. A presence is needed in Cameron Park.
- Even though El Dorado Transit can meet some transportation needs, lack of transportation and resultant isolation may be issues for some CPCSD seniors.
- Many older adults are looking for opportunities to give back to the community through volunteerism in intergenerational settings.
- Care givers have need for support programs and respite opportunities.

Civic and Special Interest Groups

- Venues in Cameron Park that could support community art and performance events are underutilized.
- A famers market in CPCSD would help celebrate the agricultural heritage of the region.
- Private/public partnerships are needed to leverage facilities and skills in the community.
- Underserved populations include at-risk youth such as low income and foster children.
- There are 180 home-schooled families in the CPCSD area that could be a potential market for CPCSD programs and activities.
- There could be a role for the CPCSD to facilitate better collaboration among community groups through communications, shared insurance coverage, and other certifications.
- Perhaps the CPCSD could collaborate with groups serving youth to supplement art, drama, and music programs are limited in the schools.
- Groups and individuals who are interested in offering specific programs would like help in marketing and determining demand for the programs.
- Programs for special needs individuals and their caregivers are needed.
- Find ways to take programs to the people when transportation is an issue.
- There is not enough CPCSD staff to undertake all the recreation related initiatives that could be worthwhile for the community.

Health and Wellness

- There are many opportunities for coordination with wellness providers and CPCSD for programs and facility use (Smoking Cessation, CPR, etc.)
- CPCSD instructors could offer classes at remote locations under sponsorship by health and wellness providers.
- Many mental health programs could be expanded if space, staff, and funding were available.
- The CPCSD should coordinate with schools to mutually promote and offer wellness programs.
- The areas of prevention and early intervention are critical for healthy youth development.
- Grants are available for mental and physical wellness initiatives. Some require an active coalition of partners as a measure of future sustainability.

- El Dorado County Public Health (EDCPH) is focused on teaming with community agencies and organizations to implement projects, get funding, and partner on events like Health Fairs.
- EDCPH oversees the Chronic Disease Prevention Coalition that meets every other month and includes educators, community agencies, and jurisdictions for the purpose of developing initiatives related to Tobacco Control/Smoking Cessation, Cardiovascular Health, Stress Management, Injury/Violence Prevention, Obesity and Nutrition, and Physical Activity. The CPCSD should be an active participant in this coalition to help provide classes and educating residents about services and programs.
- Other important wellness program topics specific to children and youth include early nutrition, teen suicide prevention, bullying prevention, and recognizing sports concussion.

Children's cooking class at the Community Center Kitchen

- EDCPH also runs the Children's Health Initiative program called First 5 El Dorado, which engages community partners through Community Strengthening Groups in each region of the County to connect families to key services for children in their communities. The CPCSD should be participating in Western Slope Ready by 5 community strengthening group.
- Health care providers tend to interact with residents at time of need, while the CPCSD can connect with people in a proactive manner.
- When health care providers use licensed RNs as program instructors, they typically have to pay at a standard RN rate. Could CPCSD offer programs taught by RNs for a lower rate?
- Cooking and healthy eating are important areas of wellness that still need more attention.
- At-risk children and families have particular needs for health and wellness education and services.
- CPCSD could coordinate with employer-sponsored wellness programs for CPCSD program passes and class reimbursements, or could develop workplace wellness programs for employers who don't have them already.
- El Dorado County Mental Health Services and Marshal Medical have limited transportation services to get patients to services. Could similar services or volunteer drivers be used to bring CPCSD residents to wellness programs at CPCSD facilities?
- Screening clinics and health fairs could be held at CPCSD facilities and events.

Trails and Resources

- There is a huge demand for more local walking and biking options for both transportation and recreation purposes.
- There is a lack of "walkable/bikeable" connections between neighborhoods and schools. Providing these trails could improve air quality and reduce traffic congestion while also providing recreation and health benefits.
- Local trails could connect to regional trails via the SPTC.
- Could trails be developed in some of the drainage corridors if easement language were expanded to include trails?

- Trails could be used to help spatially organize and connect the community, thus helping to develop a sense of identity and place.
- Some preliminary efforts have been made to identify potential trail connections with the CPCSD, but these have not gone forward. The El Dorado County Transportation Commission (EDCTC) was recently awarded a grant to develop a Community Transportation Plan that might begin to address some of these connections.
- Children are very dependent on parent or other drivers to bring them to and from recreation activities which limits participation for some children.
- Walking trails in parks are also important.
- Historic resources in the community are rapidly being lost and forgotten with new development. Resources need to be inventoried so they can be protected and information about them shared with residents.
- Many people have no idea about the origins of the community and local history. Could this information be celebrated at public spaces like the Community Center and the Library?
- Community identity would be enhanced by incorporating more historic and place-specific elements into street treatments and way-finding.
- There need to be a balance between maintaining natural areas for habitat, fire prevention, and recreation access to these areas.
- Community groups and individuals are interested in volunteer and stewardship opportunities to promote and maintain trails and natural and historic resources.
- Local access to nature education and experiences is lacking. CPCSD could partner with Sierra Club, American River Conservancy, and others to develop and promote guided hikes, nature camps, bird watching, and watershed workshops.
- The CPCSD could use some of its nature areas as outdoor classrooms in collaboration with local schools, perhaps via grant funding for environmental education.

Schools and Educators

- Joint-use between schools and CPCSD for facilities and fields is an important strategy for meeting recreation demand from local sports leagues that leverage limited staff and budget.
- The CPCSD can offer academics in a recreation setting as an alternative to traditional summer school.
- Many schools are providing programs to supplement normal classroom instruction. It could be useful to develop programs to supplement academics in a recreation context during the school year provided fees are not prohibitive.
- The schools and the CPCSD can mutually promote complementary programs and events to benefit area children.
- There is potential to link school sponsored summer lunch program with recreation programs depending on locations and transportation options.
- Educators see many children who are unable to participate in school or private programs due to the fees and transportation challenges.
- Classes in healthy families/parenting could improve children's' ability to learn in the school setting.

Low-income Youth

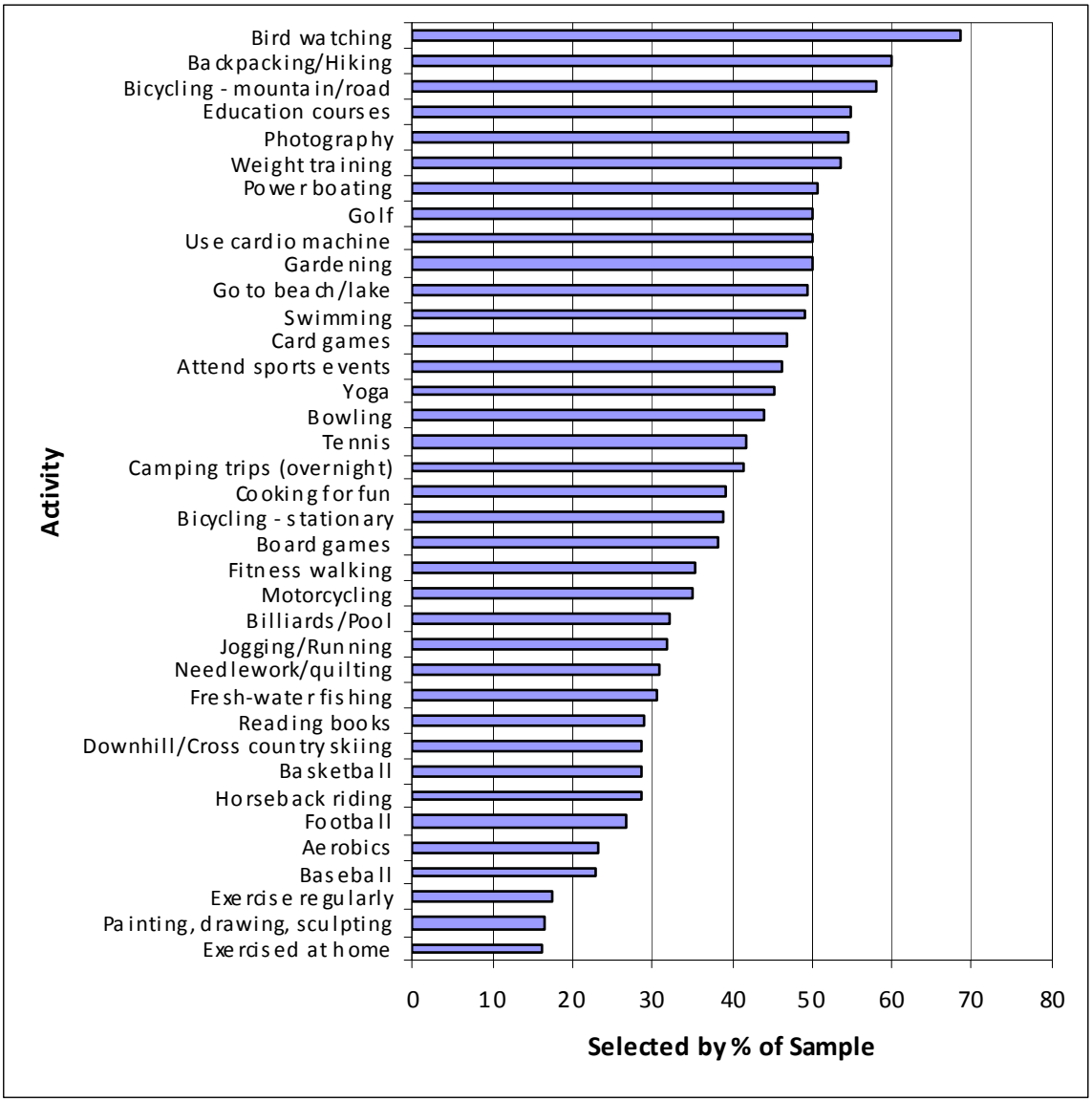
- Favored recreation activities mentioned by children included a wide range of activities such as climbing walls, monkey bars, soccer, swings, arts and crafts, music, karate, boxing, baseball, ping pong, wall ball, flag football, etc.
- Many children expressed an interest in having a summer camp affiliated with the lunch program.
- Parents noted that fees and transportation are the two biggest barriers to their children's participation in CPCSD programs. Many were not aware of scholarship options.
- Parents want to see play areas for small children separated from older children.
- Shade and convenient parking are important park amenities.
- Parents are aware of some church-sponsored summer camps, but fees are sometimes too high.
- Some children participate in after-school academic programs at school sites. It would be hard to get children to another location for other programs.
- Special needs children can rarely participate in programs because instructors are not trained in how to handle them or how to integrate a caregiver/parent into the program. This is a serious problem that limits socialization and developmental opportunities for the child and further heightens the parents' sense of isolation.
- Many children are already visiting the library on some periodic basis so perhaps recreation opportunities could be coordinated with these visits to limit transportation issues.

6.2 Household Profiles

El Dorado County contracts with Buxton Consumer Analytics for access to complex data profiles that describe the demographics, consumer preferences, and economic characteristics of households throughout the County. One subset of the available data analyzes recreation preferences for profiles occurring in a specified area. By querying this data for households in the CPCSD area, predictive information was obtained about recreation preferences and habits. Figure 6 shows which activities were predicted to have enough interest by CPCSD households to be viable in the community.

It is interesting to note that several of the most highly ranked activities are outdoors/nature oriented. The CPCSD area is commonly lauded by residents as providing an appealing blend of urban amenities with ready access to nature and outdoor activities. There may be potential for the CPCSD to expand on this area of programming to increase availability to residents.

Figure 6 – Predicted Activity Preferences (Buxton Survey)



Source: Buxton Analytics using data from Mosaic USA, a registered trademark of Experion.

There are also many special interest activities included the list that are already among the diverse list of programs being offered by the CPCSD or other groups in the area. These include yoga, swimming, photography, gardening, bird watching, cooking, art classes, needlework, tennis, basketball, football, and baseball. The data suggest that these are good programs to continue providing, with CPCSD recreation staff monitoring participation and adjusting offerings as indicated.

Another grouping of activities includes those that potentially involve going to a destination for a specific experience, such as skiing, boating, backpacking, overnight camping, and attending sports events. The CPCSD may be able to play a role in coordinating travel to these types of destinations, or provide other programs aimed at people who are interested in these particular activities. For example, fitness conditioning or safety programs could be targeted specifically at skiers, backpackers, and boaters.

Speaker series or special events featuring specific activities could also be popular, such an outdoor equipment sale/swap meet or travel films about fishing, boating, hiking, and skiing destinations.

A number of the predicted activities are also fitness-oriented, such as weight training, cardio workouts, stationary bicycling, fitness walking, jogging/running, and aerobics. As noted earlier, there are several private gyms providing opportunities for some of these activities already. However, the CPCSD may be able to complement these private businesses by offering activities in a different setting and perhaps as part of an overall individual wellness agenda. Partnering with health care providers to help package wellness programs that include exercise, nutrition, life style, monitoring, and peer support could provide added value and incentive that would encourage long-term participation.

There is also a strong national recreation trend towards group-oriented fitness training and events, such as Team in Training[17], walking and running clubs like Sacfit, walkathons, and special interest "bootcamps". This approach to wellness provides the multiple benefits of physical conditioning with social interaction, peer support, and a sense of community. Other communities have undertaken community-wide health initiatives with some notable success, and the CPCSD is a logical entity to spearhead such an effort for Cameron Park. Such programs also provide excellent opportunities for collaboration between healthcare providers, businesses, and community groups.

6.3 CPCSD Reserved Facility Utilization

A number of CPCSD park facilities are available for reserved use on a fee basis. These include facilities at the Community Center, Cameron Park Lake, Christa McAuliffe Park, David West Park, and Rasmussen Park. Fees paid to use these facilities are vitally important to help offset the operational and maintenance costs associated with providing these recreation resources to the community at large. Fee-based reservations are also an indicator of demand for specific types of facilities and may be helpful in determining what additional facilities may be needed.

Table 13 shows number of reservations for specific CPCSD facilities for a three year period (2010 through 2012) as well as the associated revenues for the reservations.

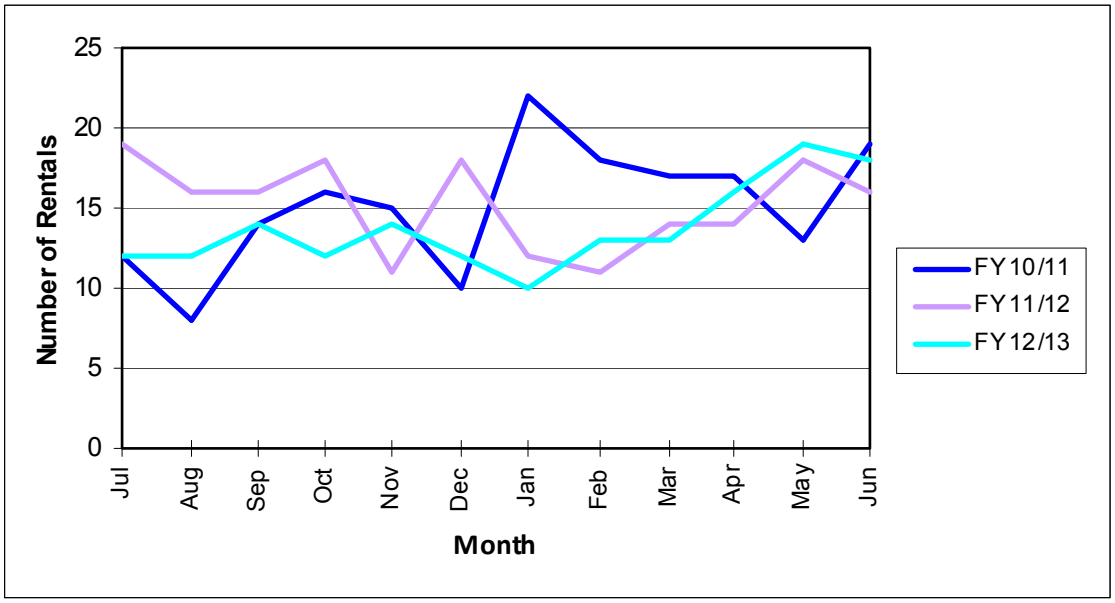
[17] Team in Training is an endurance sports training and fundraising program of the Leukemia and Lymphoma Society.

Table 13 – Park Facility Usage and Revenues

	2010		2011		2012	
	# of Reservations	Total Fees	# of Reservations	Total Fees	# of Reservations	Total Fees
Community Center						
Full Assembly Hall	19	$15,309	29	$25,925	17	$ 12,482
East Half with Stage	81	$ 9,893	88	$13,391	69	$ 10,605
North West Quarter	17	$ 3,846	62	$ 3,998	67	$ 3,344
West Half	14	$ 3,259	6	$ 1,860	5	$ 2,510
Kitchen	0	-	10	$ 1,565	5	$ 1,038
Social Room	16	$ 1,596	10	$ 1,273	6	$ 939
Dance Studio	0	-	0	-	0	-
Pool	3	$ 855	51	$13,535	12	$ 2,190
Gymnasium	90	$16,952	56	$13,703	39	$ 9,678
Cameron Park Lake						
Gazebo	16	$ 4,311	16	$ 4,677	10	$ 3,626
Flagpole Picnic Area	11	$ 1,498	7	$ 950	7	$ 960
Boats	*No data*		*No data*		270	$ 1,350
Day Use	10,645	$34,525	7,958	$25,326	8,733	$ 27,639
Christa McAuliffe Park						
Soccer Fields	36	$ 6,295	18	$ 7,425	7	$ 2,988
David West Park						
Baseball Field	1	$ 1,800	2	$ 4,050	3	$ 3,775
Soccer Field	4	$ 3,560	0	-	0	-
Rasmussen Park						
Multi-use Fields	12	$10,824	12	$12,520	13	$ 12,450

While the Community Center building shows a consistent trend of underutilization, there is nevertheless ongoing demand for its facilities. An analysis of usage by month shows that demand is quite variable, with the spring season showing perhaps the steadiest demand (Figure 7). Late summer is typically a slow period perhaps due to vacations and a focus on outdoor activities. The absence of a strong repeated pattern of use from year-to-year suggests that there are ample opportunities to market the facilities for events and uses that occur at any time of the year. It also suggests that a significant amount of facility use is made up of one time rentals rather than ongoing rentals occurring by the same groups at the same time of the year. Developing a core group of rental events with multi-year contracts could help to stabilize the utilization pattern and help focus marketing to those times with less demand.

Figure 7– Number of Community Center Rentals by Month



The most frequently reserved spaces in the Community Center include the east half with the stage, and the northwest quarter (Figure 8). These spaces have capacity for moderately sized gatherings with seating for 70 to 158 people. The full assembly room, with seating for up to 356 people, is reserved less frequently but accounts for the greatest amount of revenue generated by any of the Community Center spaces available by reservation (Figure 9). The west half, kitchen, and social room are not used frequently and consequently fees from their use are modest. Additional targeted marketing to both local and regional audiences is needed to increase utilization of all the Community Center spaces.

Figure 8 – Community Center Reservations by Space

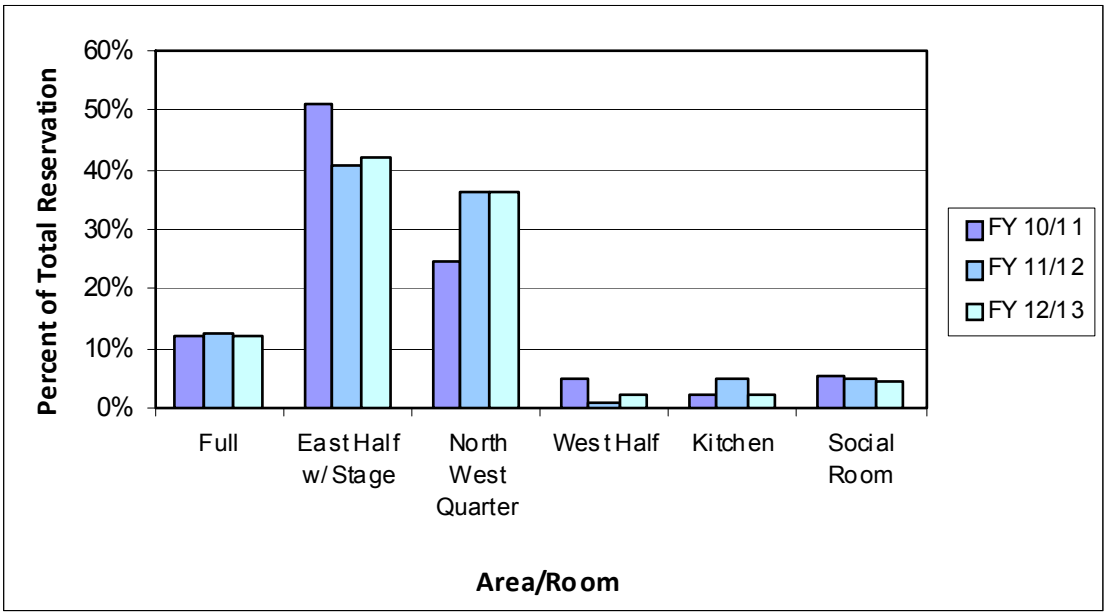
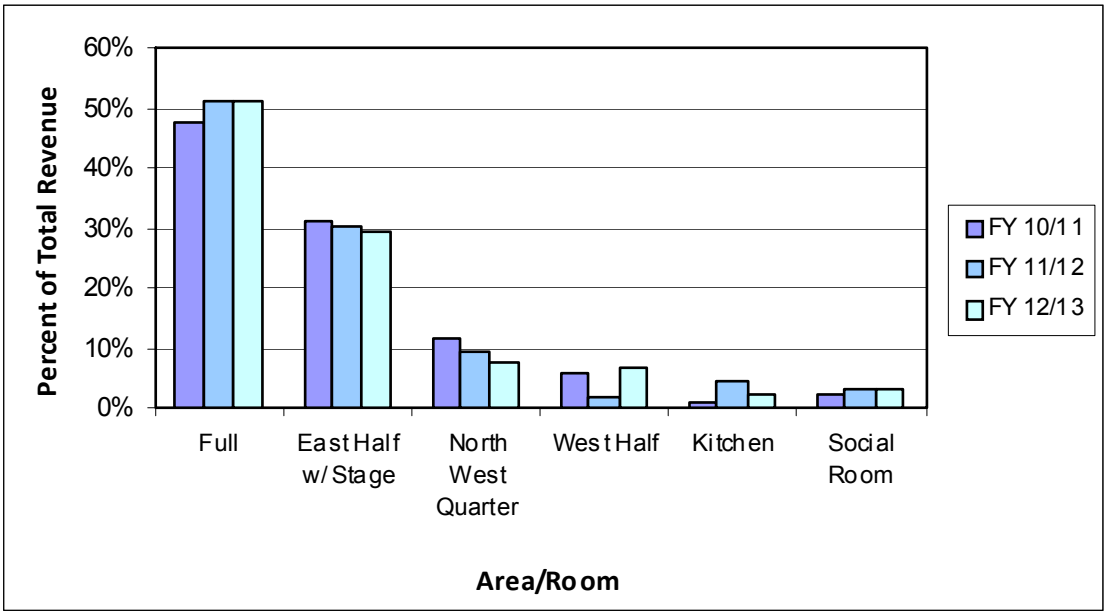
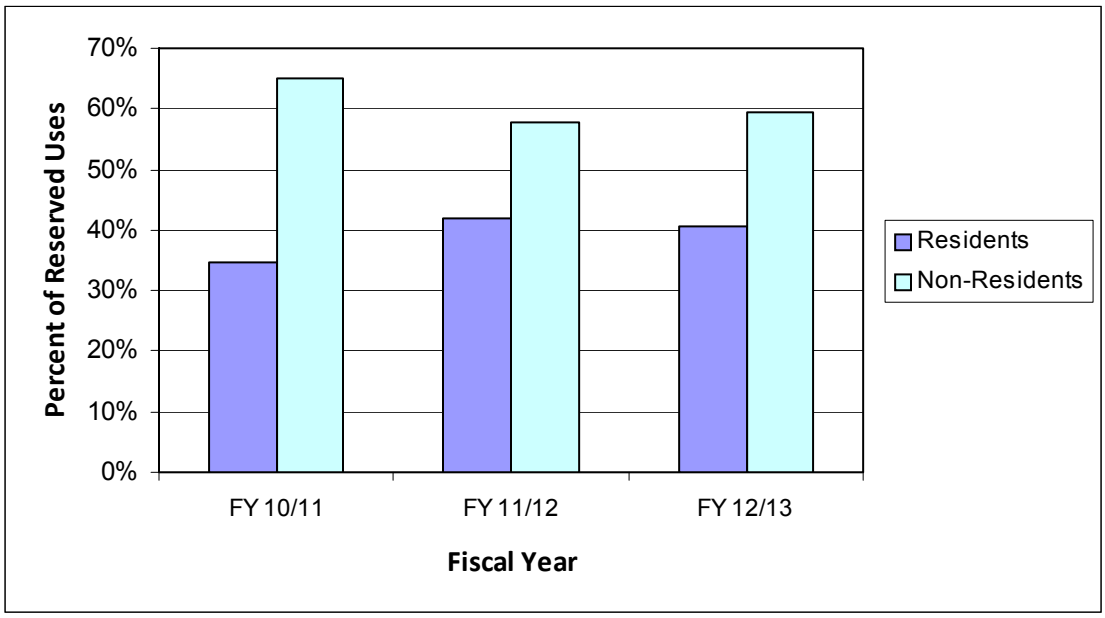


Figure 9 – Community Center Fee Revenues



The need to market the Community Center beyond the CPCSD community is borne out by examining utilization by residency over the last several years (Figure 10). About 60 percent of reserved use of the various Community Center spaces is by people who are not CPCSD residents. This is an indicator that there may be shortage of comparable facilities in the region at the price point provided by the CPCSD.

Figure 10 – Community Center Utilization by Residency



Other facilities available on a reservation basis include the gymnasium and pool located at the Community Center complex, the gazebo and group picnic area at Cameron Park Lake, and sports fields at Christa McAuliffe, David West, and Rasmussen parks. The pool consistently shows the highest number of reservations among these facilities (Figure 11), and generates the most revenue from fees (Figure 12).

Figure 11 – Other Recreation Facility Utilization

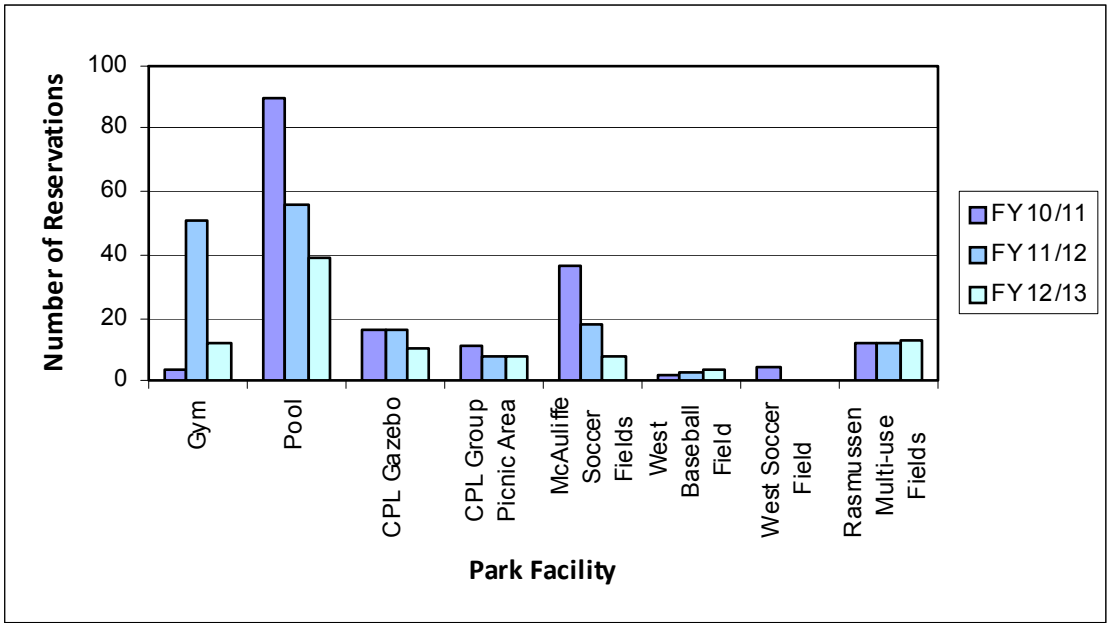
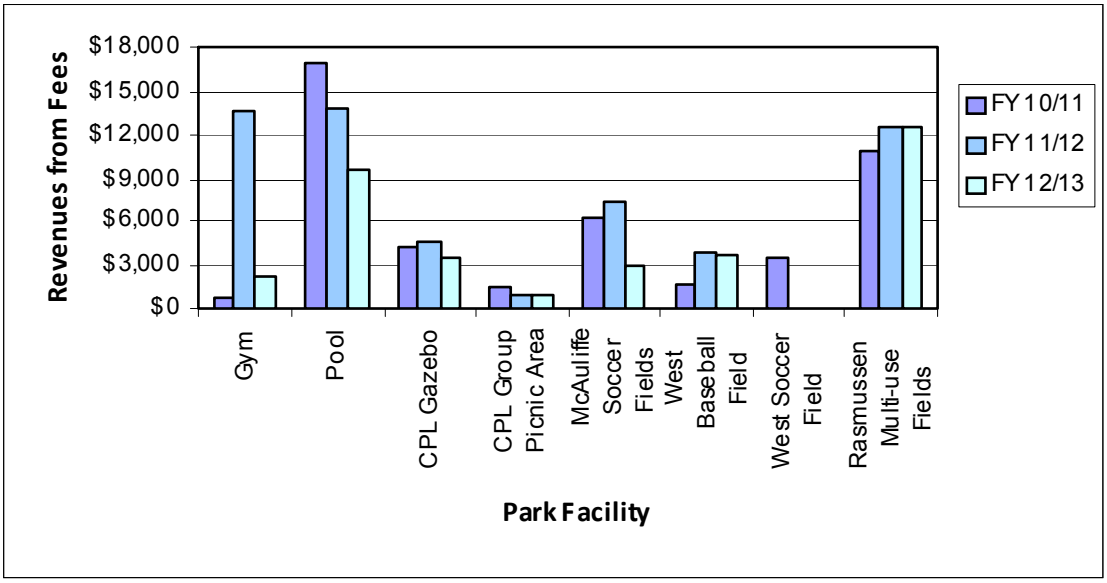


Figure 12 – Other Recreation Facility Revenues



There is also a steady demand for the multi-use sports fields at Rasmussen Park and the baseball field at David West Park, and they are a consistent source of revenue. Reserved use of the soccer fields at Christa McAuliffe Park and David West Park has declined over the last several years. All fields have potential capacity to be reserved more often. In order to optimize use of these resources, it would be helpful to indentify the carrying capacity for each field and target utilization that allows for recovery periods. Analysis of CPCSD fees and overall field quality as compared to other fields in the region would also be useful.

The gazebo and group picnic area at Cameron Park Lake are showing flat to slightly declining reserved use over the last several years. The same trend seems to be true for day use as well. In 2010, there were over 10,000 daily visitors to the lake. In 2011 and 2012, the number of day visitors was about 8,000. It is interesting to note, though, that about three-quarters of the day visitors to the lake are local CPCSD residents. The strongest demand for Cameron Park Lake facilities occurs in June, July, and August. Given the mild temperatures in the region, spring and fall shoulder season use of the facilities may be an untapped revenue source.

Bird Watching at Cameron Park Lake

7 Park Planning Standards

One purpose of this Master Plan is to define a consistent vision for the quality and quantity of CPCSD park and recreation resources, also called the level of service (LOS). The level of service includes consideration of how many parks are required, where they should be located, and the types of facilities they should include to best meet the projected need for parks and recreation services. Specific planning standards established in the CPCSD Recreation Facilities Master Plan (2000) include:

- Park Types
- Park Service Area
- Acres per 1,000 Population
- Facilities per 1,000 Population

These standards are restated and updated in this chapter to reflect current information about the CPCSD population and park inventory. In addition, new standards are included to reflect the evolving needs of CPCSD residents and trends within the parks and recreation industry. These standards address:

- Park Site Characteristics
- Park Design Standards

All standards are designed to provide flexibility in how the future park resources develop, while still setting a threshold for the level of service those resources are expected to provide. As new parks or park improvements are developed in the CPCSD, consideration will be given to these standards to determine if the proposed action is consistent with the defined level of service for parks and recreation.

It is important to remember that, in most cases, the standards apply to the entire CPCSD system of parks and recreation facilities, rather than to any one park alone. These standards are meant to be used collectively to direct the future design and location of parks and improvements so the overall quality of recreation resources throughout the CPCSD stays high. Consequently, some flexibility in applying the standards is to be expected, taking into consideration the physical characteristics of the available park sites, and the availability of similar facilities nearby.

This Master Plan establishes standards for recreational development and policies for parkland dedication that are consistent with the EI Dorado County Ordinance. The standards are intended to apply to all development in the Cameron Park CSD boundaries, and EI Dorado County should include this Master Plan, by reference, in the Recreation Element of the EI Dorado County General Plan.

7.1 Park Types

The Master Plan establishes standards for the size and type of facilities included in neighborhood parks and community or district parks. The purpose in defining these types of active parks is to ensure that there is a mix of park and recreation opportunities available to all residents.

Neighborhood Parks

Neighborhood parks primarily focus on serving walk-to or bike-to recreation needs. The distance of one-quarter to one-half mile is commonly used in park planning to define a reasonable distance that children on their own can be expected to walk or bike to reach a destination. When possible, neighborhood parks should be adjacent to schools. Improvements are generally limited to those that are intended to serve the neighborhood, and may include features such as a playground, tot lot, turf areas, and picnic tables.

Rest rooms and parking areas are typically only provided if the park improvements are expected to attract people from outside of the immediate neighborhood. Ideally, neighborhood parks should be at least 5 acres in size to allow for meaningful active recreation opportunities and to provide for maintenance efficiency.

Community Parks

Community parks and recreation facilities provide a focal point and gathering place for the larger community. Community parks are for use by all sectors and age groups of the community, and may include multi-purpose fields, ball fields, group picnic areas, playground, tot lot, multi-purpose hard courts, swimming pool, tennis courts, and a community center. In suburban and urban settings, residents should ideally have access to a community park within 3 miles. Community parks typically range in size from 10 to 100 acres depending on the types of improvements. However, smaller sized community parks may be viable if the facilities are highly-concentrated and especially if they are adjacent to other public buildings or spaces.

Natural Area Park[18]

As the CPCSD area continues to develop, open space and recreation lands will become increasingly important features in maintaining the general perception of the "quality" of the Cameron Park community. Natural area parks are those that limit recreation improvements in order to preserve the natural features of a site. Activities at natural areas are usually regarded as passive, such as hiking, bird watching, disc golf, or photography and do not require major disruption of the natural landscape. Natural area parks are typically at least 10 acres in size to provide for a significant experience of the natural environment and to preserve meaningful habitat. However, smaller natural area parks may be feasible depending on the type of habitat and surrounding land use.

7.2 Park Service Area

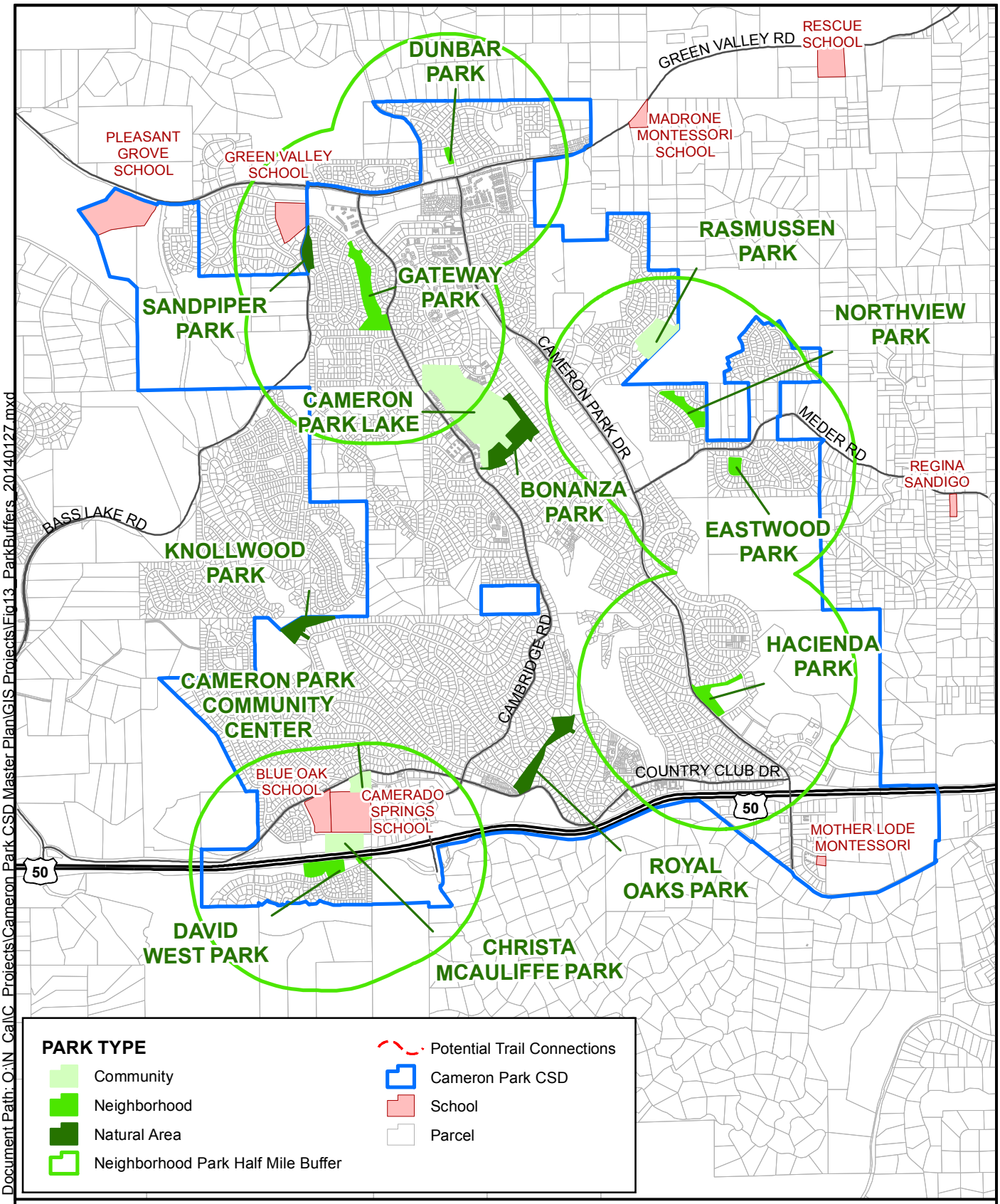
Since different types of parks provide different recreation opportunities, park service area standards are established to identify the expected geographic area that will be served by a particular park (Table 14). This helps to ensure that residents have reasonable access to a wide range of park facilities regardless of where they live within the CPCSD.

Table 14 – Park Service Areas

Park Type	Size Range	Population Served	Service Area
Neighborhood	2 – 10 acres	500 to 1,000	Up to ½ mile
Community	10 – 100 acres	5,000 – 25,000	1 to 3 miles
Natural Area	10 – 10,000+ acres	All	All of CPCSD

The community park facilities are well spaced throughout the CPCSD, however, there are some issues with the current distribution of neighborhood parks. Neighborhood park locations within the CPCSD and their service areas per the standard are illustrated in Figure 13. There are no neighborhood parks in the area west of Cambridge Drive between Cameron Park Lake and the Cameron Park Community Center.

[18] The CPCSD Facilities Master Plan (2000) refers to this park category as 'Open Space'. In the last decade the term 'open space' has become increasingly associated with many types of undeveloped land, including agricultural lands and other land uses irrespective of recreational potential. The term is replaced with "Natural Area Park" in some instances in this Master Plan where the open space has a recreational element.



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EXISTING PARK SERVICE AREAS

FOOTHILL ASSOCIATES
ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE

© 2014

N

0 1,500 3,000
FEET
1 inch = 3,169 feet

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FIGURE 13

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Other neighborhoods have access to neighborhood park sites, but the sites are not developed or only minimally improved. These include the areas around Gateway Park and the Dunbar Park site. Residents in these neighborhoods do not access to neighborhood parks for active recreation uses within walking or biking distance. As vacant parcels of an adequate size are limited in this area, priority should be given to identifying a suitable site for acquisition and for improvement in the future when funding allows.

7.3 Acres of Park Land by Population

The CPCSD has established standards for how many acres of various types of park and open space land should be available based on population. The standards address neighborhood and community parks, and open space which includes natural area parks (Table 15).

The overall standard for developed active use parks is 5.0 acres for every 1,000 people residing in the CPCSD. This is broken out as 2.0 acres of neighborhood parks and 3.0 acres of community parks. The open space requirement of 5.0 acres per 1,000 people residing in the CPCSD is in addition to the 5.0 acres of developed active use active park land. Open space includes creek corridors, preserves, wetlands, agricultural lands, and other undeveloped spaces. Some open space areas have recreational opportunities depending on the type of natural resources and how the area is managed. Existing open space lands in the CPCSD include the four natural area parks and the Cameron Park Unit of the Pine Hill Preserve, which is operated under a cooperative agreement between federal and state agencies, local government, and the American River Conservancy.

Table 15 – Park Acreage Standards

Park Type	Standard - Acres per 1,000 People	Acres Based on 2013 Population (18,986)		
		Needed per Standard	Existing	Surplus/(Deficit)
Neighborhood	2.0	38.0	32.7	(5.3)
Community	3.0	57.0	77.8	20.8
Open Space	5.0	94.9	394.3	299.4

The CPCSD has adequate community and open space acreage, while there is a deficit of about 5.3 acres of neighborhood park land. However, since two of the neighborhood park sites are largely unimproved (Dunbar Park and Gateway Park) their functional recreational value is not being realized. In addition, the natural area parks (Bonanza Park site, Knollwood Park site, Royal Oaks Park, and Sandpiper Park site) are almost entirely unimproved except for the informal trail head and path at Royal Oaks Park. The opportunities for residents to enjoy these open spaces are thus extremely limited. The Pine Hill Preserve is a popular hiking spot, but the lack of parking and designated multi-use trails in the Cameron Park Unit is noted in the Pine Hill Preserve Management Plan as an issue.[19] Various steps to improve access and educational opportunities are identified in the plan as Management Tasks and represent opportunities for collaboration with the CPCSD.

The EI Dorado County Ordinance specifies that credit for recreation facilities provided in planned developments where the facilities are privately owned and maintained by the future residents of the subdivision may be allowed against the requirements of dedications for park and recreation uses with the allowance ranging from fifty percent (50%) to seventy five percent (75%). However, the Board of

[19] Hinshaw, G., *et al.* 2008*. Pine Hill Preserve Management Plan.*

Supervisors must determine that it is in the public interest to allow this credit, and that various standards pertaining to the uses, facilities, and maintenance have been met.[20]

Opportunities for park land acquisition in order to meet and maintain these acreage standards Allocation of park land in an area must balance needs with opportunities for park land acquisition and development; but the intent is that the standards will be met within the CPCSD. The standards indicate the minimum amount of recreation facilities or parklands that should be available to the residents in a community. The standards for acres of required parkland in Table 4 reflect the statutory requirements for park acres under the California Subdivision Map Act.

7.4 Park and Recreation Facility Standards

The adequacy of park and recreation facilities is measured not only by the amount of park acreage, but also by the type and location of recreation facilities. It is important to review and update facility standards periodically so that as the community grows, additional new facilities can be developed to provide comparable access to the same level of recreation amenities that existing residents enjoy. The park and recreation standards used in the CPCSD 2000 Recreation Facilities Master Plan were derived from the nationally recognized standards developed by the National Recreation and Park Association (NRPA) with minor modifications. Several new facility standards are being added with this Master Plan update. These additions reflect changes in recreation trends and new facilities that the CPCSD has developed. New standards are shown for the following facilities: gymnasium, multipurpose room, group picnic area, skateboard park, disc golf course, and dog park. All facility standards are reflected in Table 16 along with the surplus or deficit of facilities based on the CPCSD 2013 population. The number of similar facilities at local schools is also shown.

Table 16 – Standards for Facilities

Facility Type	Standard - People Served by 1 Facility	Facilities Based on 2013 Population (18,986)			School Facilities
		Needed per Standard[1]	Existing	Surplus/(Deficit)[1]	
Baseball Field	5,000	4	3	(1)	10
Softball Field	5,000	4	0	(4)	2
Tennis Court	4,000	5	4	(1)	11
Basketball Court	10,000	2	1	(1)	17
Soccer Field	2,500	8	5	(3)	1
Gymnasium	20,000	1	1	0	1
Multiuse Room	15,000	1	2	1	5
Group Picnic Area	8,000	2	2	0	0
Skateboard Park	25,000	1	1	0	0
Disc Golf Course	25,000	1	0	(1)	0
Dog Park	25,000	1	1	0	0
Swimming Facility	10,000	2	2	0	1
Community Center	25,000	1	1	0	NA

[1] *Number of facilities needed and surplus/deficit is rounded to nearest whole number.*

[2] *Includes Cameron Park Lake swimming pond.*

[20] El Dorado County Ordinance. 2010. Section 16.12.090.

Baseball fields, tennis courts, and basketball courts show minor facility deficits. Soccer and softball field deficits are more significant. The apparent deficit of swimming facilities is mitigated significantly by the swimming pond at Cameron Park Lake, which provides a summer season water recreation area that is substantially larger in size than pool at the Community Center. The only other type of facility for which there is a deficit is a disc golf course.

In addition, consideration must also be given to the facilities available through local schools. Local sports leagues work with both the CPCSD and the schools to secure facilities for their practices and games. However, school facilities cannot be considered equivalent to CPCSD facilities for several reasons. Availability of school facilities is limited to those times when the schools' own programming needs don't take priority. This typically excludes public use during the normal school day or when after school activities are taking place. In addition, the schools have no formal agreements requiring them to provide their facilities for non-school uses. Thus access to these facilities may be quite variable from year to year depending on changes in school enrollment patterns and programming.

Establishing joint-use agreements with the local school districts may be an effective strategy to supplement CPCSD facilities without the capital outlay required to build new facilities.

7.5 Park Site Characteristics

Not all types of land are appropriate for the active recreation improvements found at neighborhood and community parks. Lands that are to be dedicated for development as active parks must have a location and physical characteristics that are suitable for the intended uses. The following guidelines will be used to evaluate the suitability of proposed land to be dedicated for active use parks.

a. The service area standards determine how far park users can reasonably be expected to travel to access the park. Land that is to be dedicated for a neighborhood park should generally be within ½ mile walking or biking distance of the population it will serve. Community park land should be within 3 miles of the intended user population.
b. Proposed park land should have access to appropriate infrastructure such as roads, water, sewer, and power.
c. The types of land uses surrounding the potential park site should be considered. Land adjacent to an existing or proposed school site is desirable because it offers future joint use opportunities. Land that provides opportunities to connect to trails or bikeways is also desirable. If a proposed park site is adjacent to land uses that are incompatible with the proposed park use, the land may not be suitable.
d. The types of improvements that are typically developed in an active use park include, but are not limited to: playgrounds, sports fields, hard surface courts, meeting rooms, paths, and gymnasiums. The size of a site, as well as its topography, geology, presence of water courses, and any other physical constraints must be suitable for these and any other intended uses.
e. The site should be no less than 4 acres for a neighborhood park due to the limited improvements that can be built on smaller parcels and the increased maintenance cost per acre. A community park should be no less than 8 acres.
f. Land that is constrained by the presence of special status species, jurisdictional wetlands, cultural/historical resources, or other protected resources may not be suitable, depending on how much of the site is constrained and the extent of the constraint. In situations where the resources may offer meaningful interpretive opportunities, provide additional passive recreation

opportunities, and/or would not be damaged by the proposed uses, the presence of these resources would not necessarily make a site unsuitable for active park uses.

g. A site may be deemed unsuitable for park land dedication if previous uses have resulted in the presence of hazardous materials, excessive erosion, unstable ground, or any other condition that cannot be corrected without excessive remediation costs. If such conditions can be remediated to the satisfaction of the CPCSD, at no cost or an acceptable cost to the CPCSD, the land may be considered suitable.

h. The CPCSD reserves the right to make the final determination on the suitability of a proposed park land dedication for both active and recreational open space uses because individual site conditions are unique and cannot fully be anticipated in these guidelines. The CPCSD may also determine what portion of a proposed site is suitable.

7.6 Park Design Standards

The following standards should guide planning, design, and construction of new parks and improvements at existing parks. All park projects shall also comply with the El Dorado County Design and Improvements Standards Manual.

7.6.1 Facilities

a. The standard minimum improvements at all neighborhood parks developed in the future by the CPCSD, or as turn-key projects by other parties, should be similar so that the overall quality of park resources throughout the CPCSD is consistent. Neighborhood parks should include the following minimum improvements:

- Turf area for unstructured play
- Landscaping
- Irrigation
- Bicycle parking
- Vehicle parking (ADA accessible)
- Restrooms (ADA accessible)
- Multi-age play structures
- Site furnishings such as drinking fountains, trash cans, and benches (ADA accessible)
- Paths (ADA accessible)
- Covered picnic tables (ADA accessible)

b. Sports fields and/or courts or other improvements may be included in neighborhood parks as guided by needs identified in this Master Plan and the preferences of the residents the park is primarily intended to serve.

c. Community parks should generally include the same minimum facilities as neighborhood parks with additional improvements as identified by the facilities needs in this Master Plan. Exceptions are special use parks that serve the community such as skateparks.

d. Community parks should also function as neighborhood parks for areas that lack neighborhood parks by providing comparable improvements.

e. Conjunctive use and multi-use recreation areas and facilities should be emphasized to efficiently utilize park resources.

f. Facilities within parks should be sited to optimize recreation value by locating features with synergistic uses adjacent to each other.

g. Play areas shall be a minimum of fifty feet (50') from the street or parking lot, or surrounded by an enclosure that will effectively prevent movement between the play area and street or parking lot.

h. Play areas should be located near the main circulation route, picnic areas, and open lawn areas.

i. Sport courts should be located near park edges or adjacent to streets to maximize visibility for security. However, some physical separation should be provided between courts and the street such as a low berm or landscape buffer approximately fifteen feet (15') in width.

j. Sport courts and fields should generally be oriented with the long axis running north south as feasible.

k. Where night lighting is included in parks for safety and anticipated recreational uses, glare impacts on nearby residential areas shall be mitigated through appropriate equipment choices and placement.

7.6.2 Design Process

a. Consider the social, recreation, and economic needs of the residents who will be served by a neighborhood or community park.

b. Residents should actively participate in developing the site master plan and selecting which improvements will be provided in their neighborhood or community park.

c. Consider providing a unique character for each park consistent with the local identity. Express this identity through consistent use of selected colors, materials, and design motifs.

d. Sites, facilities, structures or landscapes of historic or cultural significance within each park should be included where possible in the park design.

e. The size of any given neighborhood or community park should be established after considering the population it will serve, the types of facilities needed, and costs.

f. Parks should be designed for phased implementation in case funding for full implementation is not available. Designate phases to avoid rework or temporary improvements that add cost to the project.

7.6.3 Location

a. Parks should be located with consideration for proximity to expected users consistent with the Park Service Area Level of Service guidelines.

b. Park locations should be selected based on compatibility the adjacent land uses, site suitability, and opportunities to optimize existing infrastructure.

c. Barriers and screens such as landscaping, earth berms, and fences should be included as buffers between parks and residential or other land uses where park use adversely impacts or is adversely impacted by the adjacent land use.

7.6.4 Parking and Circulation

a. Adequate parking shall be provided at parks in accordance with anticipated levels of use. On-street parking shall not cause traffic congestion or interfere with parking for and access to adjoining land uses, particularly residential neighborhoods.

b. The main entrance to the park should be located near public transit stops or crosswalks if possible.
c. Park entrance improvements shall include a park name sign with hours of operation.
d. Circulation for maintenance vehicles shall be provided that does not interfere with pedestrian or bicycle circulation in the park.
e. Adequate access for fire, emergency, and safety vehicles and equipment shall be provided.
f. An ADA accessible circulation route shall be provided connecting all accessible features in the park.
g. The circulation route shall provide safe access to all improvements so that users do not create their own pathways through landscape or turf areas.
h. Sight lines shall be maintained along circulation routes so that users have adequate opportunity to see oncoming pedestrians and cyclists and to eliminate blind spots.

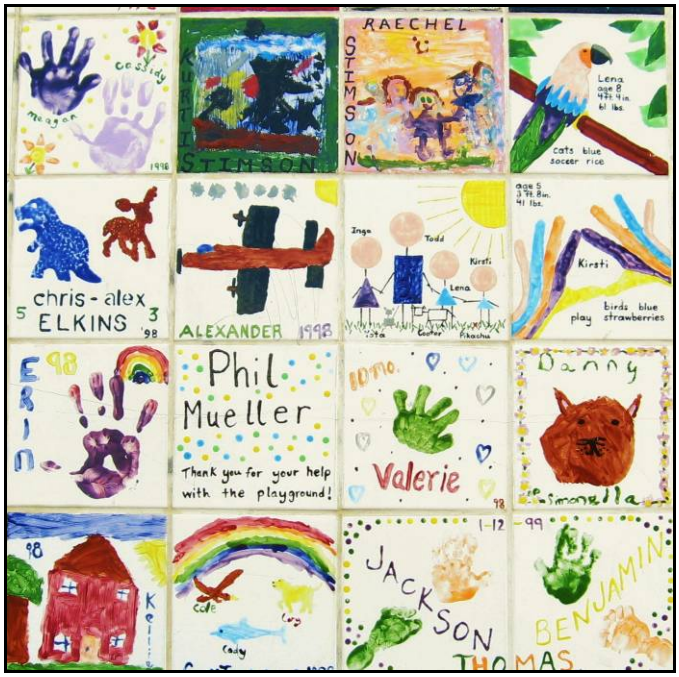
7.6.5 Sustainability

a. Promote water conservation by using efficient irrigation controls with seasonal adjustment.
b. Where appropriate, use drought tolerant and native plant materials in parks.
c. Design park facilities to minimize maintenance requirements.
d. Preserve natural site characteristics as feasible in park design.
e. Incorporate techniques to manage stormwater discharge from the park site such as permeable surfaces, erosion control planting, and detention/retention swales.
f. Select energy and water efficient equipment options when possible.
g. Provide recycling containers in parks along with standard trash receptacles in communities with recycling programs.
h. Minimize grading and import/export of fill material.
i. Preserve mature healthy trees as feasible by locating park improvements outside of the trees' drip line and preserving natural drainage

8 Recommendations

Recommendations for specific parks and recreation projects and initiatives are provided in this chapter, reflecting the policy implementation measures, community input, and analysis detailed in the prior chapters. The recommendations are grouped into key issue areas, although each individual recommendation potentially affects multiple issues. The implementation strategy for these recommendations is addressed in Chapter 8. The key issue areas are:

- Administration
- Planning
- Programs
- Existing Facility Repairs and Renovations
- New Facilities
- Acquisition



Children's Tile Wall at Christa McAuliffe Park

8.1 Administration

Administrative recommendations are generally related to operational aspects of the CPCSD park facilities recreation programs, and CPCSD's role in providing these services to District residents.

Fiscal Oversight and Planning

The fiscal sustainability of CPCSD park facilities and recreation programs is one of the most crucial responsibilities of the District. Revenues and expenses must be managed to provide the optimal benefit to current CPCSD residents. As the remaining vacant land in the CPCSD is developed, the County approved park impact fees must continue to be collected to make sure funds are available to build new recreation facilities to serve the new residents.

In addition, the following measures implement the policies of this Master Plan related to fiscal operations.

- The CPCSD General Manager will update the CIP annually with the submittal of the CPCSD annual budget to the Board of Directors.
- The CPCSD will prepare a one-year and a five-year CIP that identifies all proposed capital improvements and projected or actual revenue sources for each.
- Prior to acceptance of trails, wetlands, creeks or other open space lands, an approved source of maintenance and operational funding will be identified by the CPCSD for those facilities.
- A component of the annual and five-year CIP will be a chapter that addresses the estimated operations and maintenance requirements for each proposed new facility. The funding source for the operations and maintenance will also be identified in the CIP budget.
- The Park and Recreation staff will evaluate at least monthly the revenue status of all recreation programs offered by the CPCSD.

- Minimum levels of attendance will be established for each program prior to the first meeting to make sure participation is sufficient to fund the program.

Collaboration Leadership

There is an extensive group of governmental, non-governmental, private business, school, and church organizations that are focused on improving life for Cameron Park residents. There is also a clear need for a coordinating entity to facilitate collaboration and partnership among these community organizations and interests. The benefits of such collaboration are extensive including improved chances to receive grants; cost-efficient use of shared resources; and coordinated program offerings and facility use. The CPCSD is the logical community entity with the name recognition, network of contacts, familiarity with local issues, and reputation to take on this role. The CPCSD should assume a leadership role in facilitating communication among all the various interests that, in one way or another, provide services to benefit the lives of CPCSD residents. Specific collaborative opportunities include the following:

- Establish a Community Partners program to facilitate better collaboration among community groups through communications, shared insurance coverage, and other certifications.
- Work with local interest groups and agencies to address the two most significant barriers to increased parks and recreation access: transportation and fees. Develop and implement strategies to eliminate these barriers including transit, ride-share, walking/biking routes, on-site programs, scholarships, and alternative fee structures.
- Coordinate with schools, churches, and sports clubs to develop strategies to help keep maintenance and rental costs down for shared facilities.
- Connect with businesses, the El Dorado Arts Council, local artists and musicians to identify venues in Cameron Park that could support community art and performance events, and make the arts a more visible feature of life in Cameron Park.
- Identify and implement private/public partnerships to leverage facilities and skills for the both the economic and recreation benefits for the community.
- Use collaborative partnerships to strengthen grant applications. Many grantors require an active coalition of partners as a measure of future sustainability.

Marketing and Outreach

The success of the CPCSD depends largely on the frequency with which residents use programs and facilities. A comprehensive approach to marketing is needed to both publicize available programs and facilities, and to better understand what services are needed. The CPCSD Marketing and Program Plan (MPP)[21] includes a number of specific strategies and action items that should be pursued to address these goals. In addition, the following measures implement the policies of this Master Plan related to understanding the market for recreation programs.

- The CPCSD Park and Recreation staff will annually evaluate program offerings and participation to determine which programs are most in demand and those that are less popular.
- Periodic surveys of the CPCSD community members will be conducted to assess how well current program offerings are meeting residents' needs, and to identify changes in types of programs and the way they are delivered.

[21] Cameron Park Community Services District. 2013.

The following additional marketing initiatives should also be pursued in coordination with those outlined in the MPP and Master Plan policies.

- Target non-CPCSD residents for outreach and surveys as they comprise a significant percentage of recreation consumers for classes, events, and facility rentals.
- Include short, focused market surveys with the program guides and incorporate the surveys with the online registration system so people can complete the surveys while registering.
- Offer community event and program passes through Realtors to share with potential and new residents.
- Actively engage El Dorado County, schools, churches, and other community partners in helping to market CPCSD programs and events.
- Develop a core group of rental events for the Community Center facilities with multi-year contracts to stabilize the utilization pattern and help focus marketing to those times with less demand.
- Identify markets for the Cameron Park Lake facilities during the spring and fall shoulder season when there is currently little demand.

Foothill Cruisers' Car Show at Christa McAuliffe Park

- Continue to work with local businesses to provide advertising opportunities in return for sponsorships.
- Work with groups and individuals who are interested in offering specific programs at CPCSD facilities to help them market and determine demand for the programs.

Sustainability

The CPCSD should integrate sustainability practices in all aspects of facility design and operations. The Park Design Standards outlined in this Master Plan provide sustainability guidance to limit water, energy, and resource consumption ad CPCSD facilities. In addition, the following measures implement policies of this Master Plan related to sustainability.

- Scenic areas, valuable habitat, and natural resources in developed and undeveloped park sites will be identified. Maintenance practices and development procedures will be implemented to protect and preserve these resources
- The CPCSD will investigate the use of reclaimed wastewater for the irrigation of parks and landscape corridors.

Accessibility

The CPCSD should undertake the following measures to implement policies of this Master Plan related to accessibility.

- CPCSD will require that designs for new parks and modifications of existing parks be prepared in accordance with DOJ ADA Standards and any applicable requirements of local and state codes.

- The design of all new facilities and retrofitting of existing public recreation facilities for disabled access will be a priority where access barriers exist. The CPCSD General Manager will annually provide a report to the Board of Directors regarding the status of disabled access in the CPCSD area.
- CPCSD staff working with disability advocates will create an inclusion program with elements such as: policies to allow for caregiver attendance at events; web links to programs and events that can accommodate persons with disabilities; volunteer caregivers; accommodations request forms; and other elements as needed to provide a safe and rewarding recreation experience for disabled residents.

Joint-use Agreements

The CPCSD currently has no formal joint-use agreements (JUAs) with area schools that govern use of shared facilities. Such agreements should be put in place to clarify the quantity of school resources that are available for non-school use before additional CPCSD facilities are built. Joint-use agreements are essential to long-term planning and benefit the CPCSD, schools, and local sports leagues by eliminating the need to annual renegotiations of access agreements. In addition, the following measures implement policies of this Master Plan related to joint-use agreements.

- All proposed JUAs will be assessed to evaluate the public benefit and cost-effectiveness of the proposed agreement.
- CPCSD staff will establish and maintain ongoing relationships with local school districts to stay informed about changes in school facility utilization and activities that might present potential joint-use opportunities.

Volunteerism

Cameron Park is fortunate to have many talented, capable, and civic minded people who are interested in contributing to their community. There are many meaningful opportunities to engage these people on a volunteer basis to meet the park and recreation needs of the CPCSD. Community groups and individuals are interested in volunteer and stewardship opportunities to promote and maintain trails and natural and historic resources. Many older adults are looking for opportunities to give back to the community through volunteerism in intergenerational settings. Volunteerism should be encouraged and supported by the CPCSD, including identifying and coordinating volunteer activities, and publicly recognizing volunteer contributions.

8.2 Planning

Planning recommendations are focused on the vision for future CPCSD parks and recreation programs. They also include recommendations related to potential new facilities, with additional research and study required before implementation.

Development Review

As new development projects are presented to El Dorado County for entitlement, CPCSD needs to play an active roll in the process to make sure the parks and recreation needs of current and future residents are met. It will be important for the CPCSD to participate in the development review process so that any new park and recreation facilities that are built in these new communities are not redundant with existing, underutilized facilities in the CPCSD that can reasonably be expected to serve the new residents

based on capacity and location. The following measures implement the policies of this Master Plan related to development review.

- The CPCSD will actively participate in the County's preliminary development review process. The CPCSD will work with the County Planning Department to provide "early consultation" between the CPCSD and developer whenever possible regarding park site dedications, locations, or payment of in-lieu fees.
- CPCSD staff will participate in the project design review process of the County Planning Department. Recommendations will be forwarded to the County Planning Commission and Board of Supervisors as may be appropriate.
- The CPCSD will make the site criteria and facility design guidelines included in the CPCSD Parks and Recreation Master Plan available for distribution to the development community. Prior to each park dedication, the developer shall have a preliminary park development master plan prepared and submitted to the CPCSD for approval prior to actual dedication.
- The CPCSD will encourage the protection of scenic areas, valuable habitat, and natural resources as part of the County Planning Department's development project review process and as project conditions-of-approval.
- Development plans for new park sites will strive to preserve natural areas while also providing the proposed active recreational uses for the sites. Preservation of natural areas will consider availability of similar areas in the neighborhood and alternatives for configuration of active uses to limit impacts on natural areas. Buffering techniques will be used where feasible and beneficial between these different use areas.
- The park and facility standards as adopted in the CPCSD Park and Recreation Master Plan will be enforced as a part of the County General Plan; as such, the County will regulate development activity and the collection of associated fees.
- The El Dorado County General Plan Parks and Recreation Element provides direction on incorporating trails in new development and limits the use of Quimby fees/land dedication primarily for neighborhood parks or to help met community park standards. Thus trail rights-of-way are not credited against the "Quimby" active parkland dedication requirements.

Process for New Parks

Planning for any new park facilities should incorporate meaningful public engagement to inform the design, foster a sense of community identity, and encourage park stewardship. The following measures implement the policies of this Master Plan related to planning for new park facilities.

- The CPCSD will actively encourage public participation in the Park and Recreation Master Plan public review and update process, as well as individual park design efforts.
- As new park facilities are designed, the types of current and potential activities to be accommodated will be indentified so that infrastructure and configuration of features is appropriate to support these uses
- Each conceptual park site master plan will be prepared in draft and then reviewed in a public hearing process to solicit comments and suggestions from the specific neighborhood and the community in general regarding the proposed development.
- The facility sustainability design guidelines incorporated into the CPCSD Parks and Recreation Master Plan shall be used in all new and retrofitted/refurbished park improvement projects.

Standards for Quantity of Parks

Standards related to the quantity of available of park facilities are necessary to maintain a consistent level of recreation experience for CPCSD residents as the population changes. It is important to periodically review the adopted standards to make sure they are aligned with currents needs and are being followed. The following measures implement the policies of this Master Plan related to setting and meeting these standards.

- As part of the 10-year review and update of the Park and Recreation Master Plan, standards for park dedication and development will be revisited.
- The CPCSD General Manager will provide an Annual Report to the CPCSD Board prior to or with each Annual Budget proposal that identifies the status of park and recreation acreages relative to current population and proposed new development.

Updated Community Center Financial Study

The revenue and maintenance cost projections developed for the Cameron Park Community Center financial study just prior to opening in 2009 identified a revenue shortfall of about 13 percent or $75,000.[22] Several operational recommendations are provided in that study calling for new programs and facilities that could potentially boost revenues. The Community Center and pool have now been open for 5 and 4 annual seasons respectively. The financial analysis for the Community Center and pool needs to be updated with actual revenue and expense data to provide an accurate fiscal profile of the facility, and to determine whether or not the recommendations in the 2009 plan have merit.

Trails Master Plan

A major theme repeated frequently through the focus group process was the need for more off-street bicycle and pedestrian trails in the CPCSD. Such multiuse trails are needed to facilitate transportation, provide recreation and wellness opportunities for all ages, and reduce congestion and air quality impacts. Improving bicycle and pedestrian trails is specifically identified as one of the desired outcomes in the Cameron Park Vision Statement, adopted by the CPCSD Board in 2011.

Young and old enjoy a multiuse trail

The primary connections that appear to be needed include north-south routes roughly parallel to Cameron Park Drive and Cambridge Road; and ease-west alignments roughly parallel to Green Valley Road and Country Club Drive. Designated walking and biking routes through neighborhoods are also needed as linkages to these major connectors. In addition, there are several preserved drainage ways within the CPCSD that are potentially wide enough to accommodate multiuse trails. Multiuse trails could also be situated through natural areas and existing parks and incorporated as part of the circulation plan for these parks.

In order to determine exactly where alignments should be located, a comprehensive Trails Master Plan needs to be developed for the CPCSD. Such a plan will also be crucial for obtaining grant funding to

[22] RJM Design Group. 2009. *Cameron Park Community Services District Community Center Financial Analysis*.

implement trail segments in the future. The following measures implement the policies of this Master Plan related to trails planning.

- A trails master plan will be developed identifying potential off-street routes that will connect neighborhoods to park and recreation destinations, including schools and open space. The master plan will also identify potential right-of-way, fee title, easement acquisition, and funding strategies to implement the proposed trails. Trail routes in the plan will be prioritized and evaluated for implementation costs and regulatory issues.
- The Trail Design Standards included in the El Dorado County Parks and Trails Master Plan (2012) shall be used as guidelines for location and development of CPCSD trails and related facilities until such time as a CPCSD Trails Master Plan is developed.

Pine Hill Preserve Implementation

The Pine Hill Preserve is a unique resource area and potential recreation amenity for CPCSD residents. However, there is a lack of parking and designated multiuse trails in the Cameron Park Unit as noted in the Pine Hill Preserve Management Plan. The Management Plan outlines steps to improve access and educational opportunities. The CPCSD should work closely with the agencies that manage the Preserve to help move these initiatives forward and improve its recreational value in a manner that does not compromise it resource preservation mission.

Historic Resources Study

Cameron Park is a unique community with its own rich history related to pre-European cultures, agriculture, and pioneer settlements. That history is at risk of being lost to future generations if the significant artifacts and places are forgotten or neglected. Preserving this history builds identity for the community and provides themes for unified design of public and commercial spaces, and even community events that can lead to increased geotourism. As a community leader, the CPCSD should collaborate with others who are interested in developing an inventory of these resources and a plan to protect and preserve them. Potential partners include the El Dorado County Indian Council and the El Dorado County Historical Society. Since there are two designated National Historic Trail alignments that pass through Cameron Park[23], the National Park Service is also a potential partner in developing signage and wayfinding strategies to demarcate and promote these historic resources.

Soccer Field Evaluation

Soccer is one of the most popular league sports in the United States, providing teams for all ages and abilities. There are a number of soccer leagues serving CPCSD residents and using CPCSD and school facilities. Input from the focus groups suggests that more soccer facilities are desired, yet reserved use of the soccer fields at Christa McAuliffe Park and David West Park has declined over the last several years. Before new facilities are developed, more information is needed about the carrying capacity of

Soccer practice on the Rasmussen Park multiuse fields

[23] The California National Historic Trail (http://www.nps.gov/cali/index.htm) and the Pony Express National Historic Trail (http://www.nps.gov/poex/index.htm)

the existing facilities, types of features needed, fees, field quality, and seasons of use. This information will help to optimize utilization on existing fields and provide information on the value of artificial turf and/or lighted fields.

8.3 Programs

Recreation programs provided by the CPCSD are continually being evaluated and revised to make sure the offered programs are meeting the community's needs as activity preferences evolve. Input received from the focus groups provided some helpful direction on ways to further improve CPCSD programs.

Program Collaboration

The CPCSD plays a central role in providing for the recreation needs of the community. With their specialized expertise and access to CPCSD facilities, CPCSD recreation staff is in a logical position to provide collaborative leadership with other community partners for program and event planning. This collaboration is consistent with direction provided in the CPCSD Marketing and Program Plan.[24] The polices of this Master Plan also direct the CPCSD to periodically convene with representatives of various stakeholder groups and organizations to explore opportunities for the CPCSD to provide recreation programs to their members, as well as opportunities for them to offer their programs through the CPCSD. Specific collaborative opportunities include, but are not limited to:

<u>El Dorado Arts Council</u>

- Work with the Council to bring more sponsored events to CPCSD facilities and other Cameron Park venues

<u>Local Schools</u>

- Offer classes in healthy families/parenting to support children's' ability to learn in the school setting.
- Develop a summer camp affiliated with the school summer lunch program.
- Develop programs to supplement academics in a recreation context during the school year and as an alternative to traditional summer school.
- Work with the schools to mutually promote complementary programs and events to benefit area children.
- Collaborate with groups serving youth to supplement art, drama, and music programs that are limited in the schools.

<u>Sports Leagues</u>

- Work with sports leagues to develop agreements that will make CPCSD facilities affordable for their special events and fundraisers.

<u>El Dorado County</u>

- Collaborate with El Dorado County to expand its Senior Services programs currently offered in Placerville and El Dorado Hills to the Cameron Park area at CPCSD facilities such as the senior nutrition and day care services.
- Work with area businesses and El Dorado County Economic Development to hold job fairs at CPCSD facilities.

[24] Cameron Park Community Services District. 2013.

Multi-cultural Communities

- Identify and work closely with multi-cultural interests in the region to bring their events and programs to CPCSD facilities.

Community Wellness Initiative

Access to parks and recreation programs is closely correlated to community wellness. The CPCSD should assume a leadership role in promoting community wellness by spearheading a Cameron Park Community Wellness initiative modeled after the many similar programs that have been successfully implemented in other communities. A formal wellness program developed in collaboration with area health providers will better position the CPCSD to compete for grants to fund wellness related recreation programs. The advantage of having the community wellness initiative driven by the CPCSD is that health care providers tend to interact with residents at time of need, while the CPCSD can connect with people in a proactive manner. The CPCSD may also be able to offer classes for lower costs since health care providers are required to pay instructors who are medical professionals at the standard rate for their profession. Specific opportunities that could be pursued under the umbrella of a Community Wellness initiative include:

- Work with area wellness providers to bring their programs at CPCSD facilities and to bring CPCSD programs to their facilities under their sponsorship.
- Work with El Dorado County Mental Health to expand programs offered in the Cameron Park area by helping to identify grants and specific mental health needs.
- Work with El Dorado County Mental Health Services and Marshal Medical to improve transportation options to bring CPCSD residents to wellness programs at CPCSD facilities, such as using volunteer drivers or vans.
- Since prevention and early intervention are critical for healthy youth development, work with the schools to mutually promote and offer wellness programs.
- Take an active role in the El Dorado County Public Health Chronic Disease Prevention Coalition to help provide classes and educate residents about services and programs.
- Implement wellness programs specific to children and youth include early nutrition, teen suicide prevention, bullying prevention, and recognizing sports concussion.
- Participate in the El Dorado County Pubic Health Children's Health Initiative program called First 5 El Dorado by joining the Western Slope Ready by 5 community strengthening group.
- Coordinate with employer-sponsored wellness programs for CPCSD program passes and class reimbursements, or to develop workplace wellness programs for employers who don't have them already.
- Hold screening clinics and health fairs at CPCSD facilities and events.

Yoga at the Community Center

- Partner with health care providers to package incentive-based wellness programs that include exercise, nutrition, life style, monitoring, and peer support that would encourage long-term participation.
- Continue to expand CPCSD programs for healthy cooking and eating and collaborate with local restaurants and grocery stores to raise awareness of these important issues.

Mature Adult Programs

Adults 55 years of age and older comprise the fastest growing segment of the CPCSD population. Programs for adults in general also show the fastest growing level of participation of al CPCSD program areas. This is related to the demographic dynamics as well as the lack of availability for adult programs offered by other recreation providers. While there are many youth sports leagues and school and church sponsored recreation activities for children and youth, the CPCSD is really the primary provider for recreation programs for adults. Participation statistics also show that attendance in CPCSD adult programs includes a significant number of adults who are not CPCSD residents.

As such, the CPCSD should pay special attention to the opportunities to increase services to all adults, and older adults in particular. The older adult population is extremely diverse and needs vary widely depending on degree of physical and financial independence. Programs need to be tailored according to these variables rather than age alone. There is a great deal of opportunity for the CPCSD to facilitate access for mature adults to recreational experiences throughout the region, not just those offered at CPCSD locations. Wine tasting, theater trips, adult education classes, and even foreign travel could be part of the suite of programming services coordinated through the CPCSD. In addition, the CPCSD can look at offering recreation experiences that are comparable to those provided by other entities in the region that are drawing mature adults as consumers.

Focus on expanded programming for mature adults should not detract from providing some of the more traditional senior activities that the CPCSD offers and for which there is ongoing demand.

Youth Programs

It is likely that demand for programs that provide recreation opportunities for CPCSD children and youth will continue to be strong throughout the next 10 years. Youth programming is already a major focus of CPCSD recreation staff, but there is a fair amount of competition from school, church, and private businesses that provide youth recreation options. The success of youth programming at the CPCSD will depend on indentifying those programs for which there is an unmet need, or those that can be more cost effectively offered by the CPCSD than by other providers. Collaboration with other community recreation providers will also be very important as a mechanism for bringing their programs to CPCSD facilities and increasing facility utilization.

Intergenerational Programs

Cameron Park is a unique community that appeals both to families with children and to older, retired adults who are not living with their children. Providing recreation opportunities that bring different generations together is important because it strengthens community connections, creates a sense a belonging, and makes the community more vibrant. Older adults who share recreation activities with their younger family members or neighbors experience less isolation, are more motivated to remain active, and have a way to pass on their valuable life experience. Children also have a greater sense of well-being when they have access to an extended network of responsible adults within the community

beyond their parents. Interaction with older adults also teaches children empathy, patience, and a more positive attitude towards aging.

The number of CPCSD children living with their grandparents increased by 39 percent between 2010 and 2012.[25] This shift tracks with a national trend showing an increase in multigenerational households. In 2008, 2.6 million more Americans lived in a multigenerational family household than in 2007.[26] Factors associated with this trend include the economic necessities of consolidating households as a response to the recession, and the increased number of Latin and Asian families for whom multigenerational living is a cultural norm.

The CPCSD should develop recreation programs that intentionally provide opportunities for young and old to participate together. Activities that are well-suited to intergenerational participation included music, theater, arts and crafts, swimming, yoga, organized games, and movies.

Programs for Low-income Families

The demographic analysis in the Master Plan indicated that about 11 percent (Table 8) of CPCSD household have incomes very close to or below the national poverty level of about $19,530 for a family of three. The ability of these residents to participate in CPCSD programs and events may be severely limited by fees, cost of equipment, and/or lack of transportation. Scholarships, work exchange, and other options should be explored as strategies to improve access to CPCSD facilities and programs for these people. Foster children are another at-risk population who could benefit from these strategies.

At-risk children and families also have particular needs for programs that provide health and wellness education and services. Through the proposed Community Wellness initiative, the CPCSD could play a meaningful role in meeting these needs in collaboration with community health care providers.

Nature Experiences

Cameron Park is a suburban community situated in a rural setting. The combination of good housing choices and access to services situated in close proximity to nature makes the community very attractive and livable. CPCSD residents who participated in the focus groups indicated a strong demand for more access to local nature education and recreational experiences. The Children's Outdoor Bill of Rights, which is incorporated in to the CPCSD Marketing and Program Plan,[27] calls for nature play as one of the 10 activities every California child should experience by the age of 15. To increase nature oriented programming, CPCSD could partner with Sierra Club, American River Conservancy, and others to develop and promote guided hikes, nature camps, bird watching, and watershed workshops. The CPCSD could also use some of its nature areas as outdoor classrooms in collaboration with local schools, perhaps via grant funding for environmental education.

Fishing at Cameron Park Lake

[25] U.S. Census Bureau. 2008-2012, 2006-2010. American Community Survey, B10001
[26] Pew Research Center. 2010. http://www.planning.org/research/family/briefingpapers/multigenerational.htm
[27] Cameron Park Community Services District. 2013.

Other Program Focus Areas

Input from the focus groups identified several potential program areas that could be explored to expand CPCSD offerings. These should be considered as part of the ongoing process of evaluating the changing community needs for recreation programs. These include:

- Develop programs that offer care givers support and respite opportunities.
- Bring a famers' market to the CPCSD to help celebrate the agricultural heritage of the region.
- Connect with the 180 home-schooled families in the CPCSD area that could be a potential market for CPCSD programs and activities.
- Provide coordinated travel for specific experiences, such as skiing, boating, backpacking, overnight camping, and attending sports events.
- Expand fitness conditioning or safety programs targeted at specific activities such as skiing, backpacking, and boating.
- Coordinate a speaker series or special events featuring specific activities such as an outdoor equipment sale/swap meet, or travel films about fishing, boating, hiking, and skiing destinations.
- Consider extending the pool use season and including a U.S. Masters Swimming program.

Transportation

Program participation is dependent on residents' ability to get to the sites where the programs are being offered. Limited access to transportation was identified repeatedly as an issue during the focus group sessions. Therefore, the CPCSD should explore ways to bring programs to locations where potential participants are already situated. For example, some children participate in after-school academic programs at school sites. It may be possible to provide CPCSD recreation programs at these sites as part of an extended after-school activity strategy. Many children are already visiting the library on some periodic basis so perhaps recreation programs at the Community Center could be coordinated with these visits to limit transportation issues.

8.4 Existing Facility Repairs and Renovations

Existing CPCSD facilities will only continue to serve community needs if they are maintained and renovated on a regular basis in accordance with the limited life span of materials. Keeping these facilities in safe and functional working condition is essential to the CPCSD's ability to meet current and future recreation needs. Therefore, understanding the condition and expected lifespan of existing facilities is a key component in the master planning process. The CPCSD commissioned the Browning Reserve Study to examine the condition and remaining life of existing park facilities.[28] The Study describes specific repairs and renovations that will be needed in the next ten year to keep these facilities in good working order (Appendix C). These expenditures are summarized in Chapter 8 of this Master Plan.

8.5 New Facilities

The facility standards and community input suggest that several new facilities are needed to serve the residents of the CPCSD. These include specific individual facilities as well as planning for improvements on undeveloped or partially developed park sites to increase their recreation value.

[28] Browning Reserve Group. 2013. *Cameron Park Community Services District Reserve Study*.

8.5.1 Needed Facilities

The facility standards indicate that several types of new facilities are needed. These include sports fields and courts, a disc golf course, and improvements at existing parks.

Sports Fields and Courts

Based on the current CPCSD population and recreation patterns, there is a need for one additional baseball field, four softball fields, three soccer fields, one tennis court, and one basketball court. These shortfalls may be addressed through a combination of means. The least expensive approach would be to secure joint use agreements with the schools to provide at least some portion of the needed facilities. Limitations on availability of school facilities may require that some additional facilities are developed at CPCSD owned and operated parks. As land for new parks is acquired, those facilities for which there is a deficit should be included as a priority in the park master plans.

Cost for building these sports fields and courts will vary depending on site conditions, proximity to utilities, parking, and restrooms, and whether or not they are lighted.

Disc Golf Course

Disc golf is a popular year-round recreation activity that can successfully be enjoyed on land that is not well-suited for sports fields and courts. It is also very inexpensive to set up requiring no extensive paving, utilities, irrigation, or infrastructure other than the tees and basket poles. Players often travel to courses throughout a region, and a disc golf course could bring visitors to Cameron Park for this recreation opportunity. As of 2009, there were over 3,000 disc golf courses worldwide with an annual growth projection of 15 percent.[29] Disc golf can be a lifetime fitness activity enjoyed by school aged children to mature adults. There are many online forums, course reviews, and tournaments for all abilities. The Professional Disc Golf Association, with a member base of 50,000+, is the governing body for the sport and sanctions competitive events for men and women of every skill level from novice to professional.[30] Installation is often accomplished by volunteers. While, there are several suitable locations on existing CPCSD park land where a disc golf course could be set up, Gateway Park may be the preferred location since it is adjacent to many neighborhoods, and has topography and mature trees that would make for an interesting course layout.

Disc golf players at a hole

Existing Park Improvements

Several specific improvements are recommended for existing parks to enhance their recreation value to the community.

[29] http://www.parkcirclediscgolf.com/disc-golf-history.htm
[30] http://www.pdga.com/introduction

- At Royal Oaks Park, the trail should be improved for better ADA access and interpretive signage should be installed to provide education about the park's riparian habitat.
- More shade is needed at the Cameron Park Community Center Pool especially for parents and spectators during swim meets. The specific type and placement of shade solutions should be determined by staff based on observed patterns of use.
- Sports teams using CPCSD facilities would like to be able to store equipment at the facilities rather than having to haul it from practice to practice. Staff should determine which facilities need storage containers, the types of facilities needed, and where they could be located. For Community Center facilities, it may be possible to find space in the existing buildings for the needed storage. For parks such as Rasmussen or Christa McAuliffe portable, weather resistant, storage containers may either be rented or purchased.
- The Skate Park at Christa McAuliffe Park needs additional improvements, including landscaping, a security system, shade structure, and additional seating. The extent and design of these improvements should be determined with input from the park users and CPCSD parks maintenance staff to ensure that facility meets user needs, is resistant to vandalism, and is cost effective to maintain.

8.5.2 Master Plans

Park sites that are undeveloped or only partially developed should be master planned with community input in accordance with the CPCSD policies for new park development. There are five CPCSD park sites for which master plans are needed before specific capital projects can be indentified. While each of these is discussed below along with suggestions for possible improvements, the final list of improvements will reflect the input from the community. The master planning process should identify estimated costs, regulatory permitting, and recommended phasing for improvements at each park site.

Dunbar Park Site

The small size (0.9 acres) and presence of native oak trees limits future recreation improvements at the Dunbar Park Site. However, there is adequate room for children's play area and adult fitness course. This is the only CPCSD park site north of Green Valley Road. While it is not large enough to be a full service neighborhood park, providing these recreational opportunities at this location means that neighborhood children will not need to cross Green Valley Road to get to a play area, and parents will have a recreational activity to enjoy while their children are playing.

Bonanza Park Site

The Bonanza Park Site (12.6 acres) is the largest area designated to be a natural area park in the CPCSD. It includes native oak woodland, grassland, and wetland features. It has excellent potential for trail development, possibly connected to the Cameron Park Lake trail, with additional access from Spill Way, Salida Court, Fairway Drive, and Bonanza Drive. It would be an excellent location for a comprehensive environmental interpretive program including signage, kiosks, and self-guided tours. Its proximity to parking, the Gazebo, picnic areas, and restrooms at Cameron Park Lake would make it an ideal destination for school field trips focused on environmental education. This type of use would also help expand the demand for the Cameron Park Lake facilities beyond the summer season.

Knollwood Park Site

The Knollwood Park Site (6.5 acres) with its native oak woodlands, grassland, and wetland features would make an excellent natural area park as an adjunct to a new active use park to serve the

southwest area of the CPCPSD. Master planning for this site will need to consider its relationship to other future residential or park developments on the adjacent parcels, and the timing of proposed improvements such as off-street parking and neighborhood access routes. Trails, disc golf, exercise routes, and interpretive features would all be appropriate improvements for this site.

Sandpiper Park Site

Unlike the Bonanza, Knollwood, and Royal Oaks natural areas, the Sandpiper Park Site (3.1 acres) is primarily foothill scrub habitat. It would be a suitable site for a small nature trail loop, with interpretive information about native plants, fuel load management, and defensible space. It could also serve as an outdoor classroom for students from the Green Valley Elementary School across the street.

Gateway Park

While Gateway Park (13.3 acres) has some limited improvements, it has the potential to accommodate additional recreation opportunities in keeping with its function as a neighborhood park. The long, linear nature of the park and presence of oak trees would make it an excellent location for a disc golf course and trail with exercise stations. A small play area could also be designed to work with the topography and shape of the park. It is easily accessible by bicycle or walking from the many surrounding neighborhoods so additional parking should not be needed.

8.6 Acquisitions

Based on the deficit of neighborhood park land, minimum recommended park sizes, and the analysis of park service areas, there are several locations where acquisition of new park lands are recommended. Once land is acquired, the CPCSD park planning process should be undertaken to identify the specific improvements, configuration, and costs associated with implementing the expanded park vision.

Green Valley Road Corridor

Dunbar Park Site, Gateway Park, and Sandpiper Park Site are located near the neighborhoods along the Green Valley Road corridor. However, none of these is suited to as a site for a full service neighborhood park. The Dunbar Park Site is too small, the Sandpiper Park Site is a natural area, and the configuration of Gateway Park will not allow typical neighborhood park improvements such as sports fields and courts. Therefore, a new neighborhood park site of suitable size and topography should be acquired in the Green Valley Road area. Ideally the new park would be at least 5 acres to allow space for multiple sports fields and courts, children's play area, covered group and individual picnic areas, and walking paths with exercise stations.

Southwest Area

There are no neighborhood parks in the area west of Cambridge Drive between Cameron Park Lake and the Cameron Park Community Center. With dense residential development south of Knollwood Drive, and some sizeable undeveloped parcels to the north, efforts should be undertaken to create at least one neighborhood park in this area. This may be accomplished either by identifying and purchasing suitable acreage or through land dedication during the development review process if a large enough project is proposed.

Expansion of Christa McAuliffe

Christa McAuliffe Park is 7.1 acres and located adjacent to State Route 50. The expansion of the park to incorporate several vacant acres to the east would increase the potential for this park to be used for larger community events and potentially small regional sports tournaments. The expansion area would need to eventually include additional parking, picnic areas, and other improvements to accommodate the anticipated increased level of use. Other recommendations in this Master Plan address the apparently limited demand for reserved use of the existing soccer fields, so acquisition of the adjacent land must be carefully considered with an eye to the specific types of improvements that would be developed and how they would be marketed. If the land in question is not acquired by CPCSD, and is developed for some other use, there will be no future opportunity to expand this park since all adjacent land is developed.

David West Parcel Exchange

The small (approximately 1.5 acres) parcel immediately east of David West park is currently undeveloped. With frontage on Crazy Horse Road, this parcel provides better visibility and access for neighborhood use than the undeveloped portion of David West Park to the west, which is behind residences and has two stormwater detention features. The parcel could potentially be acquired by fee purchase or in exchange for other CPCSD properties that are less well-suited for park uses, such as the undeveloped portion (3.1 acres) of David West Park to the west, or the small (0.1 acres) parcel north of the intersection of Voltaire Drive and Crazy Horse Court. There is a significant elevation change between the developed portion of the park and the potential expansion area, and an open stormwater swale runs through part of the site. These constraints would need to be considered in the planning for future uses on the expansion area.

9 Implementation

The recommendations provided in this Master Plan address a wide variety of park facility, program and operational considerations. The plan is visionary in the sense that it includes recommendations for which funding and resources may not currently be available to implement. However, these recommendations are included so that they may be pursued as new opportunities arise and economic circumstances evolve over the next 10 years.

Boating and fishing at Cameron Park Lake

9.1 Costs and Priorities

The recommendations described in Chapter 7 are summarized in Table 17. While all of these recommendations are important for the future success of the CPCSD in meeting residents' park and recreation needs, relative priorities are assigned to guide the implementation process. Priorities as shown are only suggestions, and actual implementation sequence should be adjusted to reflect new opportunities, resources, and changing values of the community.

Recommendations that are ongoing refer to activities that should already be part of the regular operation of the CPCSD. Priority 1 recommendations are those that should be pursued within the next 3 years. These are generally important strategic initiatives or facilities for which there is a significant demand that can be readily accommodated on existing park sites. Priority 2 recommendations should generally be pursued in the next 5 years. These initiatives are also important, but do not require immediate action because associated needs are being met to some degree, or because they depend on the completion of Priority 1 actions. Priority 3 recommendations should be pursued within the next 10 years, and are generally dependent the completion of other recommendations.

Each recommendation is also classified as either an overhead or capital project. Overhead projects are those that would typically be completed by CPCSD staff as part of their job responsibility. Capital projects are those that will require outlay of funds to a contractor, supplier, or consultant to complete. While a significant number of the recommendations in this Master Plan are overhead projects, the estimated cost for the capital projects is about $4.7 million dollars over the next 10 years. This does not include the costs for recommended property acquisitions since specific properties are not identified, and therefore these costs cannot be determined.

Table 17 - CPCSD Parks and Recreation Recommendations

	Priority	Type	Cost
Administration			
Fiscal Oversight and Planning	Ongoing	Overhead	Staff
Collaboration Leadership	1	Overhead	Staff
Marketing and Outreach	1	Overhead	Staff
Sustainability	Ongoing	Overhead	Staff
Accessibility	1	Overhead	Staff

	Priority	Type	Cost
Joint Use Agreements	1	Overhead	Staff
Volunteerism	1	Overhead	Staff
Planning			
Development Review	Ongoing	Overhead	Staff
Process for New Parks	Ongoing	Overhead	Staff
Standards for Quantity of Parks	Ongoing	Overhead	Staff
Updated Community Center Financial Study	2	Capital	$ 10,000
Trails Master Plan	1	Capital	$ 30,000
Pine Hill Preserve Implementation	2	Overhead	Staff
Historic Resources Study	2	Capital	$ 18,000
Soccer Field Evaluation	2	Overhead	Staff
Programs			
Program Collaboration	1	Overhead	Staff
Community Wellness Initiative	1	Overhead	Staff
Mature Adult Programs	1	Overhead	Staff
Youth Programs	1	Overhead	Staff
Intergenerational Programs	2	Overhead	Staff
Low-Income Families	2	Overhead	Staff
Nature Experiences	2	Overhead	Staff
Other Focus Areas	3	Overhead	Staff
Transportation	2	Overhead	Staff
Existing Facility Repairs and Renovations thru FY 2023/24			
Community Center and Pool	Varies	Capital	$ 979,669
Cameron Park Lake	Varies	Capital	$ 939,512
Rasmussen Park	Varies	Capital	$ 143,361
Christa McAuliffe Park	Varies	Capital	$ 112,009
Hacienda Park	Varies	Capital	$ 67,654
Eastwood Park	Varies	Capital	$ 116,654
David West Park	Varies	Capital	$ 43,627
Northview Park	Varies	Capital	$ 77,997
New Facilities			
Baseball Field (1)	3	Capital	$ 325,000
Softball Fields (4)	3	Capital	$ 1,300,000
Soccer Fields (3)	3	Capital	$ 225,000
Tennis Court (1)	3	Capital	$ 100,000
Basketball Court (1)	3	Capital	$ 60,000
Disc Golf Course (1)	1	Capital	$ 15,000
Royal Oaks Park Trail and Signage	2	Capital	$ 35,000
Pool Shade Shelter	1	Capital	$ 15,000
Equipment Storage Lockers (3)	1	Capital	$ 10,800
Skate Park Improvements	1	Capital	$ 55,000
Dunbar Park Site Master Plan	2	Capital	$ 7,500

	Priority	Type	Cost
Bonanza Park Site Master Plan	2	Capital	$ 25,000
Sandpiper Park Site Master Plan	2	Capital	$ 15,000
Gateway Park Master Plan	2	Capital	$ 15,000
Acquisitions			
Green Valley Road Site	1	Capital	TBD
Southwest Area Site	3	Capital	TBD
Christa McAuliffe Park Expansion	2	Capital	TBD
David West Park Parcel Exchange	3	Capital	TBD
		TOTAL:	**$ 4,741,783**

9.2 Parks and Recreation Funding

Funding for CPCSD park facilities and recreation programs comes from several sources. Nearly two-thirds of the funding, about 63 percent, typically comes from the General Fund which includes property taxes. Recreation program fees account for about 17 percent, while facility use fees add another 13 percent. The balance comes from special events (6 percent) and scholarships (1 percent).[31] Property tax revenues are relatively static, pending reassessments of property values and tax rates. Revenues from the other sources, however, can be increased in response to expanded marketing for programs, special events, and facility use. Increased revenues from these sources will be key to having adequate resources to implement many of the recommendations in this Master Plan. Other potentially important funding sources include park impact fees, grants, donations, and sponsorships.

9.2.1 Park Impact Fees

The CPCSD Board of Directors approved a Park Impact Fee Nexus Study in 2007 that establishes the legal and policy basis for assessing park impact fees on new development within the District. [32] The proposed fees were subsequently adopted by the El Dorado County Board of Supervisors.[33] The fees include funding for park land acquisition and facilities so that the level of recreation service enjoyed by current CPCSD residents will not be eroded as new residents move into the community (Table 18).

Table 18 - CPCSD Park Impact Fees

Residential Use	Parkland Acquisition Fee per Unit	Park Facilities Fee per Unit	Total Park Impact Fee
Single-Family Detached	$3,037	$4,984	$8,021
Single-Family Attached	$2,248	$3,690	$5,939
Multi-Family Unit	$2,325	$3.816	$6,141
Mobile Home Unit	$1,503	$2,467	$3,970

Very shortly after the fees were adopted, a significant economic recession ensued that severely curtailed new residential development in the region and resulted in decreased real value for existing

[31] Based on FY 2013/14 projections.
[32] SCI Consulting Group. 2006. *Cameron Park Community Services District Park Impact Fee Nexus Study*.
[33] El Dorado County Board of Supervisors Resolution 178-2007.

homes. Housing starts and home prices are still not recovered to pre-recession levels although both are improving. Construction costs were initially depressed, but have begun to recover driven both by demand and inflationary factors. The current park impact fees should be revisited in several years if the economic recovery and trend towards increasing construction costs continues. This will be necessary to make sure fees collected are adequate to construct new park facilities that are on a par with existing facilities.

9.2.2 Grants

There are many grantors that provide funding for the type of park facilities and program recommendations included in this Master Plan. Typically grant funds may be used for parkland acquisition, planning, facility development, or to design and implement special pilot programs. These funds are usually one-time only and may not be used for maintenance of facilities.

Grantors include public agencies, private foundations, community organizations, and special interest groups. Successful grant applications are careful to match the project with the grantors' criteria. Since parks and recreation programs provide so many benefits, there are many ways to seek funding from alternate sources for any given project. For example, a trail project could be funded by grantors focused on transportation, wellness, or nature. Other keys to grant success include strong collaboration with community partners, in-kind contributions, and clear understanding about how the proposed project complements the community's overall recreation vision. If the multiple collaborative recommendations in the Master Plan are implemented, the CPCSD will not only be a stronger competitor for grants, but will also benefit from the grant awareness and experience of partner organizations.

Competition for grant funds from public recreation agencies has been especially fierce during the recession due to a lack of available taxes to support grants and the corresponding need for funding. Pursuing other non-recreation grant sources is a viable alternative strategy when specific projects can be aligned with the grantors' objectives.

In the last decade, a number of internet-based grant resource directories have been launched. These are efficient, easy to use tools that can quickly help identify possible funding sources. Information about more than one thousand grant programs from 26 federal grantor agencies is available at www.grants.gov. Searchable grant databases are also available from online publishers such as Houghton Mifflin Harcourt (http://www.hmhco.com/); foundations such as the Ford Foundation (http://www.fordfoundation.org/grants/); and subscription services such as Grant Select (http://www.grantselect.com/). It is important for CPCSD staff to implement a strategy for pursuing more grants either using permanent staff or contract resources.

9.2.3 Donations

Donations are contributions of funds, goods, or services from individuals, businesses, or organizations to benefit the CPCSD parks and recreation programs. People are more inclined to make a donation when they know how their donation will be used. There are many worthy projects that the CPCSD could promote as a way of encouraging targeted donations, ranging from scholarships for low-income children to specific facilities such as the shade shelters for the pool. Donations made through the Cameron Park Community Foundation, a 501(c)3, may also provide favorable tax benefits to the donor. Strategies to increase donations include better publicity for the Cameron Park Community Foundation (CPCF), and developing and promoting a catalog of projects for which targeted donations are sought. Older residents may also be inclined to make charitable donations to the CPCF part of their estate planning if this option were more widely promoted.

9.2.4 Sponsorships

Sponsorships differ from donations in that the sponsoring individual, business, or organization receives some form of public acknowledgment that has an image or advertising benefit for the sponsor. Typical sponsorships include signage at facilities, a logo on the District website, or advertisements in publications. Sponsorships should be encouraged when the sponsor's message is not in conflict with the mission of the CPCSD and if the acknowledgement can reasonably be integrated with facilities or events. As with donations, sponsorships could be increased by developing a catalog of sponsorship opportunities and presenting the catalog to potential sponsors via the District's website and in one-on-one meetings.

9.3 Current Staffing Levels

The ability of the CPCSD to implement recommendations in this Master Plan is heavily dependent on having an adequate number of staff with the right professional qualifications, training, and support. A significant number of the higher priority recommendations in this Master Plan are overhead projects that are expected to be implemented by administrative and recreation program staff. In addition, as new park facilities are added, additional maintenance staff will be needed to ensure these facilities are kept in safe and efficient operating condition.

Currently, the CPCSD employs 3 full-time recreation program staff, including a Recreation Supervisor, A Recreation Coordinator, and a Customer Service/Front Desk person. There are 7 full-time equivalent (FTE) positions that provide maintenance for park facilities, as well as other CPCSD landscape areas. These positions include a full-time Parks and Facilities Superintendent, full-time Parks Maintenance Supervisor, full-time Parks Maintenance Mechanic, full-time Maintenance Foreman, and 6 part-time Maintenance Workers. Management and accounting for all CPCSD staff and programs are provided by 2.5 FTEs, including a full-time General Manager, full-time Senior Accountant, and part-time Payroll Clerk and Web support.

It will be challenging for the current level of Recreation Program and Management staff to adequately support the full level of outreach, collaboration, marketing, and program development envisioned in this plan. It will be necessary to assign duties strategically, so that resources are optimized before considering whether or not to hire additional staff. This includes making sure that more senior staff are not tasked with duties that could be performed by staff with less experience. The strategic use of skilled volunteers where possible may be helpful in freeing up staff to pursue activities that require their unique expertise. When considering the addition of staff positions, the anticipated benefits the new positions will provide in terms of additional revenues and operational efficiencies should be carefully weighed against the increased staff costs.

Maintenance staff are less likely to be initially impacted by the recommendations in this Master Plan, as new facilities and park expansions will take at least several years to implement. The need for repairs and renovations to existing facilities as outlined in the Browning Reserve Study (Appendix C) is relatively steady until fiscal year 2017/18. At that time Cameron Park Lake, Christa McAuliffe Park, Hacienda Park, and Eastwood Park are all anticipated to need significant attention. Major renovations at Cameron Park Lake are anticipated the following year. While some of these repairs and renovations will be contracted out, CPCSD maintenance staff should be used where possible to reduce costs to the CPCSD.

9.4 Implementation Process

Implementation of this Master Plan will require an annual process of review and goal setting to determine which recommendations are realistic to pursue, based on available resources. This process should involve the CPCSD Board of Directors and staff, and include an assessment of the progress made towards the prior year's objectives, barriers to success, and new opportunities. The timing and specific implementation of all recommendations in the Master Plan are flexible, so that the CPCSD can respond to changing community dynamics, prior outcomes, and unanticipated circumstances.

Glossary

ACTIVE USE – A type of recreation use that typically includes developed facilities such as play grounds, sports fields, swimming pools, or gymnasiums.

CAPITAL IMPROVEMENT PLAN (CIP) - A financial plan of a local agency which is usually prepared each fiscal year, and which identifies the facilities to be improved/constructed, the budget amount necessary to do so, and the funding source(s).

CARRYING CAPACITY - The amount of use that land can support over a long period without damage to the resource. It is measured in terms of recreation use per time unit (usually a day or a year), and varies with the conditions of rain, topography, soil, climate and vegetative cover. It can be increased by protective measures that do not in themselves harm the resources.

CONCESSION AREA -That portion of the recreation area or facilities that is to be operated by private parties.

DAY USE - Recreation use of an area for one day or less. Day use may include participation in a number of recreation activities, e.g., picnicking, play, water sports, sightseeing, etc., but excludes overnight use.

DEDICATION - A process where a local agency requires a mandatory contribution of land or fees, usually within the process of subdividing land. For parks and recreation, Quimby is the most common form of land or in-lieu fee dedication.

DEVELOPMENT PLAN - A plan showing development proposals for a given park or portion thereof.

FLOODPLAIN - The areas subject to periodic flooding, usually defined by the frequency of flood events, such s as the 10-year or I00-year floodplain.

GEOTOURISM – Visitation to a destination driven by unique natural or cultural characteristics of the destination.

JOINT-USE AGREEMENT - A formal agreement between a local agency and another agency, private individual or club that articulates the rights and responsibilities of each in the development, operation or administration of a particular park and recreation facility.

LANDSCAPE CORRIDOR - A linear strip or area, usually adjacent to a street or road, which is landscaped with turf, groundcover, shrubs, and/or trees, and may include pedestrian or bike paths.

LAND USE MAP - A map showing in a diagrammatic fashion the existing land use.

LAND USE PLAN - A plan showing in a diagrammatic fashion the proposed land uses.

LOOP TRAIL - A trail that returns the user to the original beginning point.

MASTER PLAN - The document guiding the development of a park or a series of parks on a regional/district scale.

MANAGEMENT PLAN - The controlling document that establishes direction for development, operation, programming, operations and maintenance of a park.

MULTIUSE TRAIL – A trail that is designed to support uses by several types of user groups, such as bicyclists, walkers, and/or equestrians.

NATURAL AREA - An area or entire park which is left generally undeveloped except for passive recreation use and provides access to nature as a recreation experience.

OPEN SPACE - An area that is left in its natural state for the protection of a resource such as oak forests or other environmental characteristic.

PASSIVE USE – A type of recreation use that typically needs only minimally developed or no developed facilities, such as hiking or nature photography.

PERCENT (%) GRADE - A figure used in determining the rise or fall of the ground. Vertical change (distance) divide horizontal distance = % grade.

PHASING (PHASED DEVELOPMENT) - The construction of recreation facilities in stages. The basis for phasing or phased development may be recreation demand (for types and/or numbers of facilities), availability of money, etc.

PICNIC - A type of recreation day use which includes at least one meal in the open air. Note: Picnic areas, picnic grounds, picnic sites, picnic units and picnic facilities are usually planned for either family use or group use. In general, the unmodified term "picnic" implies family use (or use by other than a large group). Consequently, the modifier "group" should be used if group use is planned.

PICNIC AREA - The portion of land surface within a recreation site designated or zoned for picnic use.

PICNIC UNIT - A group of facilities developed to accommodate picnic use.

PLAY AREA - A space, usually with play apparatus, and generally for children ages 2 to 13.

PLAY FIELD - Open play space for activities such as frisbee, softball, volleyball, football, etc.

POTABLE WATER - Water that can be used for drinking.

QUIMBY DEDICATION - A statute in the California Subdivision Map Act Section 66477 that allows a local agency to require the dedication of land or payment of in-lieu fees for parklands, usually at the time that a tentative subdivision map is filed.

RECREATION - An activity beyond that required for personal or family maintenance or for material gain, that is, for enjoyment rather than for survival.

ACTIVE RECREATION AREA - That portion of land and water surface that is designated for active recreation use and sports activities.

RECREATION ELEMENT - A non-mandated element of the General Plan of a local agency in California. Recreation Elements often provide standards and diagrams for how and where an agency will construct parks.

RECREATION DEMAND - The measured, implied or predicated ability and desire of the people in a designated recreation area to expend (exert) recreation in a designated recreation resource. It may be latent, as in an undeveloped area that would be used if it were developed. It may be expressed or measured in units of use plus units turned away.

RECREATION FACILITY - A specific structure or device built, installed, or established to accommodate recreation use; e.g., a gymnasium, playground, skateboard park, etc.

RECREATION SITE - A parcel of land within a recreation area that has recreation potential and is designated for recreation development and use. Does not imply specific development for the type of designated recreation use.

RECREATION USE - The occupation, utilization, consumption or enjoyment of a recreation resource, or of a particular part of a recreation resource.

RIPARIAN ZONE - An area adjacent to creeks and streams that usually harbor vegetation which rely on the semi-wet conditions found in a narrow strip along each side of these streams.

SERVICE AREA – A geographic area for which a specific park is intended to provide recreation resources to the residents therein.

TRAIL - A pathway or roadway designed and constructed to carry other than normal vehicular traffic. Use of a trail may be as restricted as is desired by the recreation operator. For example, hikers, equestrians, cyclists, or some combination may use a trail.

TRAILHEAD - A developed area that serves as the beginning point of a trail and includes typically parking, trail information, rubbish containers, potable water, and sanitary facilities.

Appendices

Appendix A – CPCSD Park Inventory

Cameron Park CSD - Park Facilities Inventory

		Total Acres	Improved Acres	Unimproved Acres	Baseball Fields	Basketball Courts	BBQ's	Boating	Children's Play Area	Community Building	Concession Building	Dance Studio	Dog Park	Fishing	Football Fields	Gymnasium	Horseshoes	Kitchen	Lake/Water Feature	Multi-purpose Room	Multi-use Field	Parking Capacity	Performance Stage	Picnic Areas	Picnic Tables	Restrooms - Public	Shade Structure	Skate Park	Soccer Fields	Softball Fields	Swimming Pond	Swimming Pool	T-Ball Fields	Tennis Courts	Track	Trail System	Trails (miles)	Turf Area - Acreage	Volleyball Courts
CPCSD Facilities																																							
Name	**Park Type**																																						
Cameron Park Community Center	Community	4.1	4.1			1				1		1				1		1		2		200+	1	1	6	1						1						0.50	
Cameron Park Lake	Community	56.5	56.5				12	1	1		1			1			1		1			98+		20	50	1	1				1			4		1	1.10	5.00	
Christa McAuliffe Park	Community	7.1	7.1						1													64		1	4	1		1	2									4.00	
Rasmussen Park	Community	10.1	10.1		2				1													98		1	2	1			2				1			1	0.75	7.00	
David West Park (LLAD)	Neighborhood	6.2	3.0	3.0	1																	12		1	2				1									2.00	
Dunbar Park Site	Neighborhood	0.9		0.9																																		
Eastwood Park (LLAD)	Neighborhood	2.2	2.2																					1	1													2.00	
Gateway Park	Neighborhood	13.3		13.3																		4														1		1.00	
Hacienda Park	Neighborhood	4.9	4.9										1									7		1	4											1	0.75	1.00	
Northview Park (LLAD)	Neighborhood	5.2	5.2						1															1	1		1									1	0.75		
Bonanza Park Site	Natural Area	12.6		12.6																																		
Knollwood Park Site	Natural Area	6.5		6.5																																		
Royal Oaks Park	Natural Area	10.4		10.4																		6														1	0.50		
Sandpiper Park Site	Natural Area	3.1		3.1																																		
	TOTAL	**143.1**	**93.1**	**49.8**	**3**	**1**	**12**	**1**	**4**	**1**	**1**	**1**	**1**	**1**		**1**	**1**	**1**	**1**	**2**		**489**	**1**	**27**	**70**	**4**	**2**	**1**	**5**		**1**	**1**	**1**	**4**		**6**	**3.85**	**22.50**	
Other Facilities																																						
Name	**Owner**																																						
Blue Oak Elementary	School	10.2	10.2			3			2											1	1						4												
Green Valley Elementary School	School	10.3	10.3		2	1			2											1	1						2												
Rescue Elementary School	School	19.8	10.3	9.5	2	1			2											1	2						1												1
Camerado Springs Middle School	School	20.0	20.0		2	4														1	1													2				
Pleasant Grove Middle School	School	26.0	26.0		2	3														1	2													4				3
Ponderosa High School	School	40.6	40.6		2	5									1	1											1		1	2		1		5	1			
Bass Lake Park Site	County	40.0		40.0																																		
	TOTAL	**166.9**	**117.4**	**49.5**	**10**	**17**			**6**	**0**					**1**	**1**				**5**	**7**						**8**		**1**	**2**		**1**		**11**					**4**

Appendix B — El Dorado County Major Land Division Ordinance Parkland Dedications

16.12.090 Dedication-Park and Recreational Uses.

A.Required.

A. When a subdivision proposes to or creates lots, the board of supervisors may require the dedication of land, the payment of fees in lieu thereof, or a combination of both for park and recreational purposes as a condition of the approval of the final subdivision map when the condition has been imposed as a condition of approval of the tentative map of the subdivision; provided, that:

A. The dedication of land, payment of fees or combinations thereof are in conformity with the goals, objectives and standards contained in the recreation element of the general plan and any applicable specific plans or amendments thereto; and

B. The land, fees or combinations thereof are found to have a reasonable relationship to the use of the park and recreation facilities by the future residents of the subdivision; and

C. The land, fees or combinations thereof are to be used only for the purpose of providing park or recreation facilities to serve the subdivision.

A. In the event park and recreational services and facilities are provided by a public agency other than a city or a county, the amount and location of land to be dedicated for active recreational use or fees to be paid shall be jointly determined by the county having jurisdiction and the public agency.

B. Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a community- wide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting the land or fees shall develop the land or use the fees only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreation facilities that serve the subdivision. For the purposes of this section of the chapter, where land is dedicated by the subdivider, and where improvements are made thereto, the value
of the improvements, together with any equipment located thereon, shall be a credit against the calculated land dedication requirement, or fees, or combination thereof.

C. The county or other local public agency to which the land or fees are conveyed or paid shall develop a schedule specifying how, when and where it will use the land or fees, or

both, to develop park or recreational facilities to serve the residents of the subdivision. Any fees collected under this chapter shall be committed within five (5) years after the payment of such fees or the issuance of building permits on one-half '(%) of the lots created by the subdivision, whichever occurs later. If the fees are not committed, they, without any deductions, shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bear to the total area of all lots within the subdivision.

D. The provisions of this section do not apply to commercial or industrial subdivisions nor do they apply to stock cooperatives or condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five (5) years old when no new dwelling units are added.

E. Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less, except that when condominium project, stock cooperative, or community apartment project exceeds fifty (50) dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than fifty (50).

F. Subdivisions containing less than five (5) parcels and not used for residential purposes shall be exempted from the requirements of this chapter. However, a condition may be placed on the approval of such a parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four (4) years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit.

G. It is found and determined that the public interest convenience, health, welfare and safety require the dedication of land and/or the payment of fees in lieu thereof be required to be devoted to park and recreational purposes as herein provided.

H. Population density for the purpose of this section shall be determined in accordance with the following:

B. Single family dwelling units and duplexes, three persons per dwelling unit within the boundaries of the Cameron Park Community Services District, three and three-tenths persons per dwelling unit within the boundaries of the El Dorado Hills Community Services District, and two and eight-tenths person per dwelling unit throughout the remainder of the county; and

C. Multiple family dwelling units, two and one-tenth persons per dwelling unit.

B.Amount of Land to be Dedicated.

C. The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. However, the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide three acres of park area per one thousand (1,000) persons residing within a subdivision subject to this section, unless the amount of existing neighborhood and community park area, as calculated pursuant to this subdivision, exceeds

that limit, in which case the legislative body may adopt the calculated amount as a higher standard not to exceed five (5) acres per one thousand (1,000) persons residing within a subdivision subject to this section.

C. The amount of land required to be dedicated by a subdivider pursuant to this section shall be based on the total number of lots or units shown on the approved or conditionally approved tentative map in accordance with the provisions set forth in subsection A(8) and (9) of this section.

C. The following formula shall be used for calculated the park dedication requirement:

"D" is equal to the number of proposed dwelling units.

"P" is equal to the average population density of the type of dwelling unit; i.e., whether single family or multiple family units as determined by census report.

"CR" is equal to the number of acres as determined pursuant to B(1).

"A" represents the land dedication requirement in acres.

C. "Dwelling unit" means one or more rooms in a building or structure or portion thereof designed exclusively for residential occupancy by one family for living or sleeping purposes and having kitchen and bath facilities, including mobile homes.

C. "Single family area" means an area of land used for or proposed for detached buildings designed for occupancy by one family.

C. "Multiple family area" means an area of land used for or proposed for residential occupancy in buildings or structures designed for two (2) or more families for living or sleeping purposes and having kitchen and bath facilities for each family including two family, group, and row dwelling units.

C.Fee In-lieu of Land Dedications.

1. Where a fee is required to be paid in lieu of land dedication, the amount of the fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to the ordinance codified in this section. The amount of fee shall be the sum equal to the fair market value of the

amount of land required in subsection B of this section.

C. The following formula shall be used for calculating in lieu of land dedication fees: A x V =

F

"A" is equal to the amount of land required for dedication as provided for in subsection B of this section.

"V" is equal to the fair market value per acre of the land proposed for subdivision as established by the county assessor under the terms of this section.

"F" is equal to the fee in lieu of land dedication.

C. The amount of parkland area required to satisfy the provisions of this section shall be determined as of the time of approving or conditionally approving the tentative map. Where a park in-lieu fee rather than parkland dedication is required, the fee shall be calculated on the amount of parkland area required for the tentative map with the fee amount to be determined based on the fair market value established by the county assessor's office. The fair market value shall be established at the time a final map or parcel map is submitted, except that where it has been determined by the planning department that the amount of parkland area required is .03 acres or less. In such case where the parkland required is .03 per acres or less, there shall be a minimum in-lieu fee of One Hundred Fifty Dollars ($150), and the county assessor will not be required to establish the fair market value.

Where there is an objection to the fair market value, as determined by the assessor's office, the party filing the objection may, at their own expense, obtain an appraisal of the property by a qualified real estate appraiser. The board of supervisors shall determine fair market value in the case of such objections. (Ord. 4250, 1992)

D.Procedure. The procedure for determining whether the subdivider is to dedicate land, pay a fee or both shall be as follows:

C. Subdivider. Prior to the filing of a tentative map, the owner of the property shall contact the county and/ or the local public agency providing park and recreational services for the area to be subdivided to confer and determine whether a fee should be paid, land should be dedicated, and/or suitability of any land proposed to be dedicated for park land.

C. Action of County. At the time of the tentative map approval, the planning commission shall determine as the part of the approval whether to require the dedication of land within the subdivision, payment of a fee in lieu thereof, or a combination of both except that if park and recreational services and facilities are provided by a public agency other than the county, such determination shall be made jointly by the planning commission and such public agency.
3. Prerequisites for Approval of Final Map. Where dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act. Where fees are required, except as to the collection of in-lieu fees as to other than single family subdivisions provided for in section 16.12.110 hereinafter, they shall be paid prior to approval of the final map and required dedications shall be recorded concurrently with the final map.

C. Determination. Whether the county accepts land dedications or elects to require payment of a fee in lieu thereof or a combination of both, the county determination may include, but not be limited to consideration of the following: (Ord. 4250, 1992)

C. Recreational element of the county's general plan;

C. Topography, geology, access and location of land in the subdivision available for dedication;

C. Size and shape of the subdivision and land available for dedication;

C. Capital improvement programs of public agencies providing recreational services and facilities as incorporated in the recreational element in the county general plan.

The determination of the board of supervisors as to whether land shall be dedicated or whether a fee shall be charged or a combination thereof, shall be required.

C. Limitations. Dedicated land and fees are to be used for the purpose of providing local park and recreation facilities to serve residents of the subject subdivision. If the general plan of the county calls for a larger park or recreational development within the serving district or county service area containing the subdivision the lands or fees may be applied to local park or recreational facilities within the larger recreational area so long as the use otherwise complies with 66477(c).

C. Credit for Privately Owned Recreation Facilities. Where private open space for park and recreational purposes is provided in a planned development, real estate development, stock cooperative, or community apartment project, as defined in sections 11003, 11003.1, 11003.2, 11003.4 and 11004, respectively of the Business and Professions Code and condominiums as defined in section 783 of the Civil Code and the space is to be privately owned and maintained by the future residents of the subdivision, the areas shall be credited against the requirements of dedication for park and recreation purposes as set forth in this section or the payment of fees in lieu thereof as set forth in this section with a credit allowance ranging from fifty percent (50%) to seventy five percent (75%) of the amount of the required park land dedication or fees in-lieu thereof; provided, the board of supervisors finds it is in the public interest to do so and that the following standards are met:

1. That yards, court areas, setbacks and other open areas required to be maintained by the zoning and building regulations shall not be included in the computation of the private open space; and
2. That the private ownership and maintenance of the open space is adequately provided for by written agreement; and

3. That the use of the private open space is restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of property within the tract and which cannot be defeated or eliminated without the consent of the board of supervisors; and (Ord. 4250, 1992)

4. That the proposed private open space is reasonably adaptable for use for park and recreational purposes taking into consideration such factors as size, shape, topography, geology and location of the private open space land; and

5. That facilities proposed for the open space are in substantial accordance with the provisions of the recreational element of the general plan and are approved by the board of supervisors; and (Ord. 4250, 1992)

6. Land or facilities which may qualify for credit will generally include the following: parks, playing fields, playgrounds, picnic areas, and golf courses; court areas for tennis, badminton, shuffleboard or similar hard-surfaced areas designed and used exclusively for court games; recreational swimming areas of no less than one thousand (1,000) square feet of water surface defined as fenced areas devoted primarily to swimming and diving,

including decks, lawned area, bathhouses or other facilities developed and used exclusively for swimming and diving; recreational buildings, designed and primarily used for the recreational needs of the subdivision residents; special areas such as historic sites, hiking, riding or bicycle trails, lake sites or river beaches. A plan designating the timing of the completion of such private recreation facilities receiving such credit shall be submitted at the time of the final map.

7. That private recreational facilities for which credit is given, pursuant to this section, shall be constructed as agreed upon in the subdivision improvement agreement.

H. Calculation of Credit Allowance. Credit in excess of the fifty percent (50%) allowed under subsection G of this section may be approved by the board of supervisors upon appropriate showing by the applicant. (Ord. 4007 §1(part), 1989: prior code §9351(4))

Appendix C — CPCSD Browning Reserve Study Summary of Park Repairs and Renovations through FY 2023/24

CPCSD Park Repairs and Renovation through FY 2023/24

Source: Browning Reserve Study October, 2013

Capital Project	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Community Center												
Paving	-	-	16,578	-	-	-	-	18,756	-	-	-	35,333
Concrete	-	-	13,267	-	-	-	-	15,011	-	-	-	28,278
Painting: Exterior	-	2,721	-	-	6,110	34,895	-	-	6,744	3,315	-	53,785
Painting: Interior	-	-	-	-	-	53,864	-	-	-	-	-	53,864
Structural Repairs	3,075	-	4,846	-	3,394	5,798	3,566	1,828	3,747	-	3,936	30,190
Rehab	-	-	-	-	-	26,093	-	-	-	-	3,936	30,029
Pool	-	7,801	-	6,623	-	54,969	8,826	81,657	-	-	39,363	199,239
Basektball/Sport Court	-	-	-	-	-	-	-	-	-	-	17,713	17,713
Office Equipment	-	-	-	-	-	74,800	-	-	-	-	-	74,800
Mechanical Equipment	-	-	-	-	-	-	-	14,377	-	-	275,538	289,915
Furnishings	-	-	-	-	-	11,017	-	-	-	-	6,101	17,118
Audio/Visual	-	-	-	-	-	8,988	-	-	-	-	-	8,988
Safety/Access	-	-	-	-	-	-	-	-	-	-	13,121	13,121
Flooring	-	-	-	-	-	7,014	-	7,771	-	-	57,131	71,916
Outdoor Equipment	-	-	-	-	-	7,654	-	-	-	-	1,050	8,704
Appliance	-	4,203	538	-	453	8,756	-	4,874	-	640	-	19,463
Miscellaneous	7,175	-	-	-	-	9,278	-	-	-	-	10,759	27,212
Grand Total	**10,250**	**14,725**	**35,229**	**6,623**	**9,956**	**303,126**	**12,392**	**144,273**	**10,490**	**3,955**	**428,648**	**979,669**
Cameron Park Lake												
Paving	-	-	6,331	-	-	-	-	7,162	-	182,127	-	195,620
Concrete	-	-	4,256	-	-	-	-	4,815	-	-	-	9,071
Painting: Exterior	5,453	7,417	1,602	3,296	1,856	11,133	3,124	-	5,777	7,578	6,781	54,017
Painting: Interior	-	-	-	-	2,154	-	-	-	-	-	-	2,154
Structural Repairs	7,544	-	-	7,247	5,657	-	-	-	8,199	25,602	9,657	63,905
Roofing	-	-	-	-	-	-	-	-	-	21,505	-	21,505
Rehab	-	-	-	-	-	-	-	-	-	11,521	-	11,521
Gate Equipment	-	-	-	-	-	-	-	-	-	3,840	-	3,840
Tennis Courts	-	-	-	15,785	-	-	-	-	-	-	18,763	34,547
Landscaping	-	-	5,384	-	35,023	-	-	6,092	-	-	-	46,499
Lakes/Ponds	-	-	-	8,279	25,457	-	-	-	9,366	-	-	43,102
Fencing	-	-	17,774	-	-	-	-	-	37,940	-	-	55,714
Retaining Wall	-	-	-	-	-	-	-	-	-	5,600	-	5,600

CPCSD Park Repairs and Renovation through FY 2023/24

Source: Browning Reserve Study October, 2013

Capital Project	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Lighting	-	-	3,877	-	-	-	-	4,386	-	-	-	8,263
Signage	-	-	-	1,656	-	-	-	-	1,873	-	-	3,529
Mechanical Equipment	-	-	-	-	-	-	-	6,092	-	-	-	6,092
Outdoor Equipment	-	2,627	-	-	2,829	-	-	3,046	-	135,945	3,280	147,726
Miscellaneous	21,525	22,063	-	-	83,159	37,690	6,538	7,920	4,995	15,361	27,554	226,804
Grand Total	**34,522**	**32,107**	**39,224**	**36,261**	**156,133**	**48,823**	**9,662**	**39,513**	**68,151**	**409,080**	**66,035**	**939,512**
Rasmussen Park												
Paving	-	-	7,034	-	-	-	-	7,959	-	-	-	14,993
Concrete	-	-	1,933	-	-	-	-	2,187	-	-	-	4,121
Painting: Exterior	-	1,576	-	-	-	-	1,783	-	-	-	-	3,359
Painting: Interior	-	-	-	-	1,249	-	-	-	-	-	-	1,249
Structural Repairs	-	-	-	-	-	-	-	-	-	3,200	-	3,200
Roofing	-	-	-	-	-	-	-	-	-	1,024	-	1,024
Rehab	-	-	-	-	-	-	-	-	-	7,681	-	7,681
Landscaping	-	2,101	9,676	-	2,263	-	-	13,384	-	968	2,624	31,016
Fencing	-	-	-	-	-	-	-	-	27,631	-	-	27,631
Signage	-	-	-	-	2,829	-	-	-	-	-	-	2,829
Flooring	-	-	-	-	-	-	-	-	-	1,720	-	1,720
Outdoor Equipment	-	2,734	-	-	2,944	4,175	-	5,413	-	25,858	3,415	44,539
Grand Total	**-**	**6,411**	**18,643**	**-**	**9,285**	**4,175**	**1,783**	**28,943**	**27,631**	**40,451**	**6,039**	**143,361**
Christa McAuliffe Park												
Paving	-	3,608	-	-	-	-	4,082	-	-	-	-	7,690
Concrete	-	-	1,406	-	36,205	-	-	1,591	-	-	-	39,202
Painting: Exterior	-	4,633	-	-	-	5,114	-	-	-	5,645	-	15,393
Painting: Interior	-	-	-	-	1,376	-	-	-	-	-	-	1,376
Roofing	-	-	-	-	453	-	-	-	-	-	-	453
Rehab	-	3,677	-	-	-	-	-	-	-	-	-	3,677
Fencing	-	-	-	-	-	-	-	-	12,333	13,441	-	25,773
Signage	-	-	-	-	2,829	-	-	-	-	-	-	2,829
Outdoor Equipment	-	-	-	-	-	-	-	-	-	15,617	-	15,617
Grand Total	**-**	**11,918**	**1,406**	**-**	**40,862**	**5,114**	**4,082**	**1,591**	**12,333**	**34,703**	**-**	**112,009**

CPCSD Park Repairs and Renovation through FY 2023/24

Source: Browning Reserve Study October, 2013

Capital Project	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Hacienda Park												
Paving	-	-	1,054	-	-	-	-	1,193	-	-	-	2,247
Concrete	-	-	995	-	-	-	-	-	-	-	-	995
Structural Repairs	-	-	-	552	-	-	-	-	624	-	-	1,176
Landscaping	1,025	2,101	5,384	1,104	35,600	-	1,189	8,529	-	1,280	2,624	58,836
Fencing	-	-	-	-	1,471	-	-	-	-	1,408	-	2,879
Signage	-	-	-	-	-	-	1,189	-	-	-	-	1,189
Outdoor Equipment	-	-	-	-	-	-	-	-	-	333	-	333
Grand Total	**1,025**	**2,101**	**7,434**	**1,656**	**37,071**	**-**	**2,377**	**9,721**	**624**	**3,021**	**2,624**	**67,654**
Eastwood Park												
Painting: Exterior	-	1,503	-	-	-	1,660	-	-	-	1,832	-	4,995
Landscaping	-	7,617	-	-	9,334	-	-	8,833	-	1,536	9,513	36,833
Fencing	4,715	4,833	4,954	5,078	5,204	5,335	5,468	5,605	5,745	5,888	6,036	58,860
Landscaping	-	-	-	-	2,829	-	-	-	-	-	-	2,829
Fencing	-	-	-	-	-	696	-	-	-	12,442	-	13,138
Grand Total	**4,715**	**13,953**	**4,954**	**5,078**	**17,367**	**7,690**	**5,468**	**14,438**	**5,745**	**21,699**	**15,548**	**116,654**
David West Park												
Paving	-	1,634	-	-	-	-	1,849	-	-	-	-	3,482
Concrete	-	1,681	-	-	-	-	1,902	-	-	-	-	3,583
Painting: Exterior	-	946	-	-	-	-	1,070	-	-	-	-	2,015
Structural Repairs	-	1,182	-	-	-	-	1,337	-	-	-	-	2,519
Basektball/Sport Court	-	-	-	-	-	-	-	-	-	3,200	-	3,200
Landscaping	-	1,576	-	-	2,829	-	-	1,828	-	1,536	1,968	9,736
Retaining Wall	-	-	1,292	-	-	-	-	1,462	-	-	-	2,754
Outdoor Equipment	-	-	-	-	-	-	-	975	-	15,361	-	16,336
Grand Total	**-**	**7,018**	**1,292**	**-**	**2,829**	**-**	**6,158**	**4,264**	**-**	**20,097**	**1,968**	**43,627**
Northview Park												
Concrete	-	-	4,656	-	-	-	-	5,267	-	-	-	9,923
Landscaping	1,025	7,682	-	1,104	2,829	-	6,909	3,046	-	1,280	3,280	27,154
Fencing	2,995	3,070	3,146	3,225	3,306	3,388	3,473	3,560	3,649	3,740	3,834	37,385
Outdoor Equipment	-	788	-	-	849	-	-	914	-	-	984	3,534
Grand Total	**4,020**	**11,540**	**7,802**	**4,329**	**6,983**	**3,388**	**10,382**	**12,787**	**3,649**	**5,020**	**8,098**	**77,997**

CAMERON PARK COMMUNITY SERVICES DISTRICT

PARK IMPROVEMENT PLANS

SEPTEMBER 10, 2020

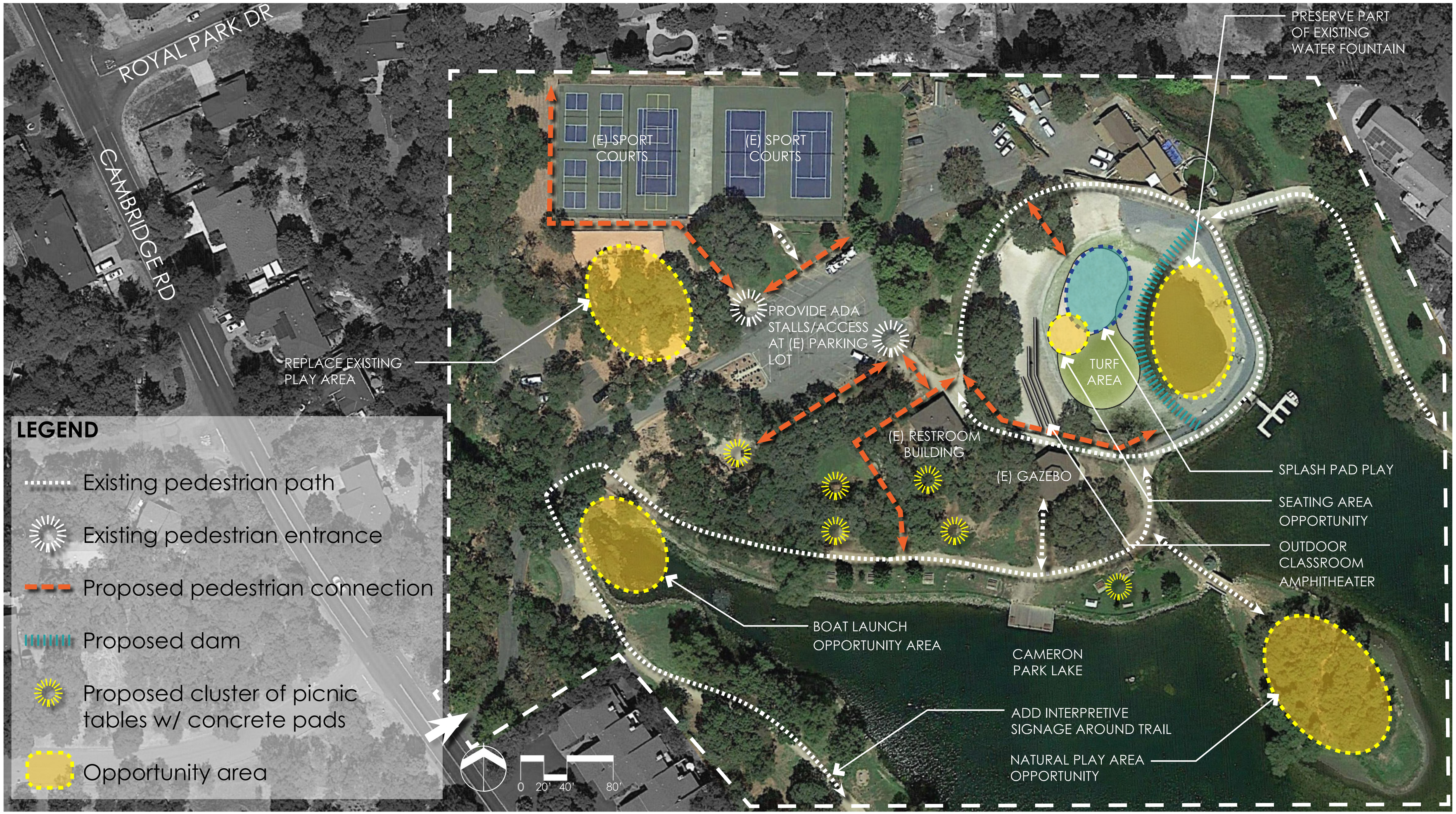
CALA

COMMUNITY SERVICES DISTRICT
A special place to live.
CAMERON PARK

CAMERON PARK LAKE

COMMUNITY PARK | 56.5 ACRES

CONCEPT DESIGN



RASMUSSEN PARK

COMMUNITY PARK | 10.1 ACRES

CONCEPT DESIGN

CHRISTA McAULIFFE PARK

COMMUNITY PARK | 7.1 ACRES

CONCEPT DESIGN

GATEWAY PARK

NEIGHBORHOOD PARK | 13.3 ACRES

CONCEPT DESIGN

DUNBAR PARK

NEIGHBORHOOD PARK | 0.9 ACRES

CONCEPT DESIGN

DAVID WEST PARK

NEIGHBORHOOD PARK | 6.2 ACRES

CONCEPT DESIGN

ROYAL OAKS

TRAIL/NATURE AREA | 10.4 ACRES

CONCEPT DESIGN

Park Improvement Process

Parks & Rec Master Plan

✱ 2014 Board Approval

✱ *Community Outreach Survey*

Community & Parks Needs Assessment

- Priorities

✱ Parks & Rec Committee

✱ *Community Outreach Re: Project*

Park Improvement Plan

- Prioritize Projects

✱ Board of Directors Approval

We are HERE

Project Description

- Plans
- Specifications
- Costs

Informal Discussion with County Staff

✱ Board of Directors Approval

Environmental Review

- CEQA

✱ Board of Directors Approval

✱ Board of Supervisors Approval

From Environmantal Review

Seek & Secure County Permits

County Staff or Board of Supervisors ✱ Approval

Develop Grant Application

Submit Grant

✱ Board of Directors Approval

Permits & Funding Secured

Public Bid Project Construction

✱ Board of Directors Approval

Award Contract

✱ Board of Directors Approval

Construction

KEY

Landscape Architects | Environmental Consultants | Grant Writer | ✱ Public Mtg. Input

Cameron Park
Community Services District

Fire Department Master Plan and Capital Improvement Plan

2015-2020

Administrative Review Final

August 19, 2015

Cameron Park
Community Services District

Fire Department Master Plan and Capital Improvement Plan

2015-2020

Administrative Review Final

August 19, 2015

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SECTION 1 INTRODUCTION

This Fire Protection Master Plan was prepared in mid-2015. It draws extensively on an internally prepared Final plan of January 1, 2011, the Cooperative Fire Programs Fire Protection Reimbursement Agreement (July 1, 2013-June 30, 2018), related documents and research, and key person interviews. It also draws heavily on the experience and knowledge of the consulting team from Mintier Harnish Planning Consultants of Sacramento.

Recommendations contained in this plan for personnel, facilities, and apparatus and equipment strike a balance between "ideal" requirements (i.e., national standards), and the needs of the community given the resources that are available.

This plan has been prepared to serve several purposes, including:

1. Serving as a guide for the District's Board of Directors and its Fire Committee and its General Manager,
2. Informing District residents, businesses, and other interested parties about the current and planned future configuration of the District's fire protection services so they meet the community's needs effectively and efficiently,
3. Meeting various administrative and regulatory requirements, such as El Dorado County's letter of March 4, 2105 titled *Development Impact Mitigation Fee Reporting Requirements, Review Process, and Reporting Schedule*,
4. Serving as a Capital Improvement Program (CIP) to support future financing decisions and allocations, and
5. Providing the basis for periodic updates as the District's fire protection services program adapts to meet current and anticipated demands.

The following sections present the policy and program context governing Cameron Park's fire protection services, fire stations and training facilities, a suggested Capital Improvement Plan (CIP), and the need for a long-term financial strategy. Some key references also are listed.

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SECTION 2 POLICY AND PROGRAM CONTEXT

As one of 2,948 special districts organized under California state law, the Cameron Park Community Services District (CPCSD) provides fire protection, important recreational services, and coordination of green waste management. The District was organized in 1961 under the provisions of Government Code Sections 61000 – 61850.

The latest approved version of the Fire Department Mission Statement states that "The mission of the Cameron Park Fire Department is to preserve and enhance the quality of life to the community of Cameron Park and to safeguard the health, safety and welfare through fire prevention, fire control, emergency medical, and public education programs." (June 17, 2015)

Fire protection services generally include fire prevention inspections and code enforcement; fire response and suppression, fire investigation, emergency medical services (EMS); special operations, such as rescue, vehicle extrication, and hazardous materials response; fire department administration and staff training; and public safety education, including Community Emergency Response Training (CERT); and response to other public emergencies.

These particular activities are governed by the Safety Element of El Dorado County's General Plan; state laws and regulations exercised through the District's cooperative agreement with CAL FIRE; other County requirements and regulations; applicable District resolutions and ordinances; and Department standard operating procedures and protocols.

The *Fire Safety Section of the Public Health, Safety, and Noise Element of the El Dorado County General Plan* establishes a goal of minimizing "fire hazards and risks in both wildland and developed areas". Supporting this goal are five objectives relating to defensible space and fire code building requirements; limitations on development in high and very high fire hazard areas; fire protection standards; fuel management activities; and fire prevention education. (pp. 108-110)

In sum, the cooperative agreement between CAL FIRE and the CPCSD states that CAL FIRE will provide emergency fire protection, emergency response, and basic life support medical services; paramedic level Advanced Life Support (ALS) services; and extended fire protection service availability. Dispatching is through a Joint Powers Agreement (JPA) with the multiagency Camino Emergency Command Center.

Of particular importance to this plan is work by the District being done related to impact fee mitigation requirements pursuant to a March 4, 2015 letter from the Chief Administrative Office of El Dorado County. It notes that under state law the "County is the local agency responsible for the development and imposition of any development impact fees…, including fees to mitigate for impacts to services including fire services…" The CPCSD is required to prepare and maintain a five year Capital Improvement Plan (CIP) and a "nexus study" that demonstrates the relationship between the facilities and/or equipment needed and the anticipated or new development."

Fire protection services are currently governed also by three Board Resolutions and one Ordinance. Resolution No. 2005-04 (March 30, 2005) established development impact fees permitted by County Ordinance 3991; No. 2006-04 (March 15, 2006) amended the development impact fees; and No. 2011-22 (September 21, 2011) adopted the *Fire Department Fire Prevention Fee Schedule.* The CPCSD's Ordinance No. 2010.11.17 adopted the 2010 edition of the *California Fire Code.*

Recommended standards for fire protection and emergency medical services issued by the National Fire Protection Association (NFPA) are important considerations. Sometimes these are incorporated into law and regulations, and often are used by courts to determine industry standards. Some of NFPA's recommended standards have been incorporated into the *California Code of Regulations*. For purposes of this plan is *NFPA 1710 – Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments."* This covers response time objectives and staffing standards.

Also of importance to fire departments and property owners served by them are Public Protection Classification Surveys performed by the Insurance Services Office (ISO) for the insurance industry. The results have a direct bearing on the premiums charged by companies for fire insurance. ISO considers the distribution of engine companies, in-service engines and equipment, company personnel, and training. In its May 27, 2014 letter to the District, the ISO's Public Protection Classification rating for the CPCSD's services was 03/3X. Recent experience shows that the failure to meet minimum acceptable service standards causes immediate and expensive increases in fire insurance premiums for property owners in the rated area. This is discussed more fully below.

SECTION 3 FIRE STATIONS AND TRAINING FACILITIES

As part of a review of the Cameron Park Fire Department (CPFD), analysis has gone into fire station location and facility sufficiency. Existing fire stations are the Country Club (Station 89) and the Alhambra (Station 88). Station 88 particularly causes concern about the sustainability (e.g., response times and physical plant) related to the delivery of fire services by the CPFD, now and into the future, without improvements being made to the department's current facilities. The options under consideration have ranged from fire station remodeling and refurbishment, to station relocation, or adding fire stations.

Station 88 (Alhambra Drive; expansion would be on the left side)

Station 89 (Country Club Drive)

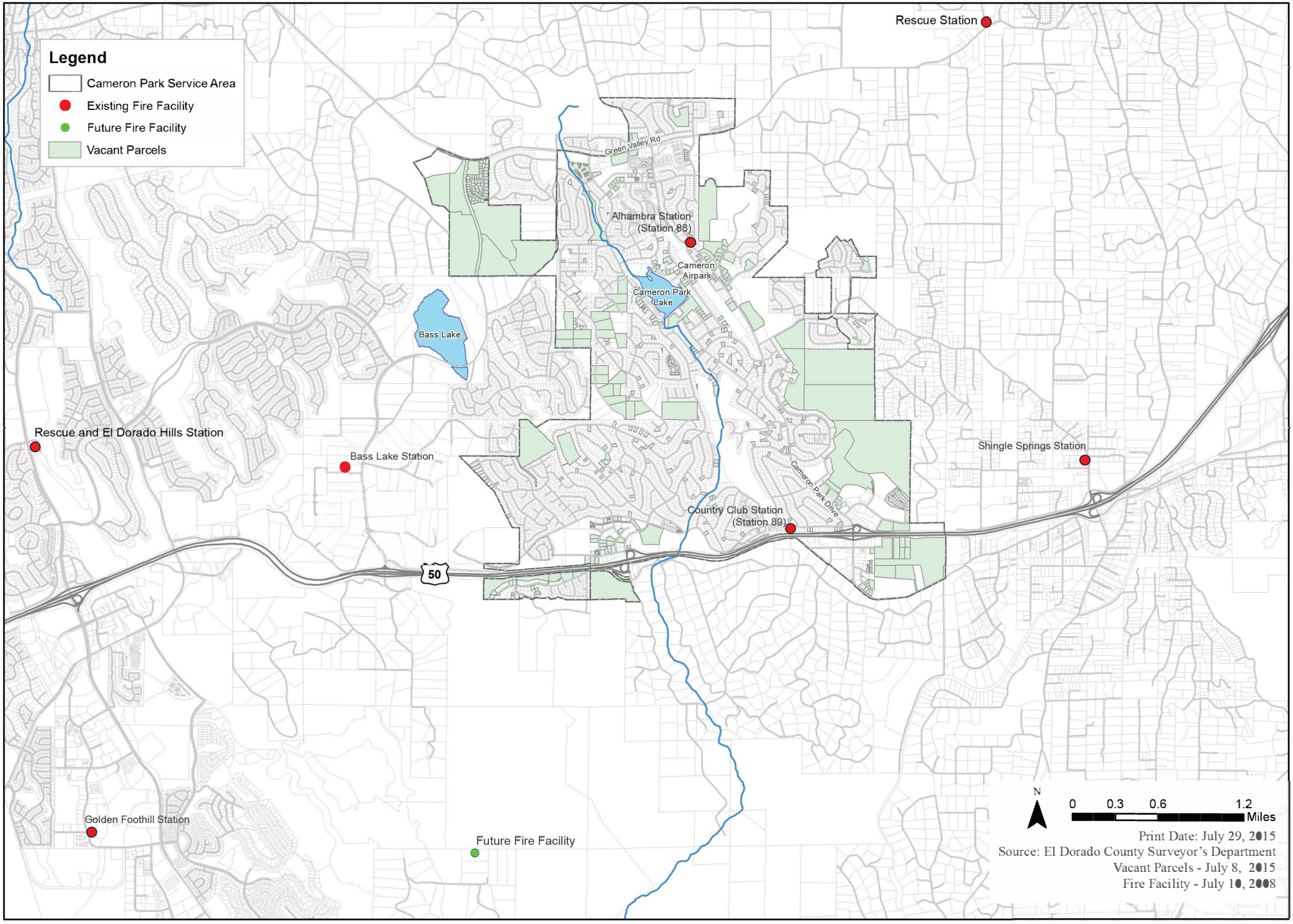
El Dorado County's current automatic-aid response system (i.e., closest available unit response or essentially "boundary drops"), does provide a degree of improved ability to assemble the appropriate number of personnel for a first-alarm structure fire (14 personnel in an average of 8 minutes travel time, 90% of the time). This practice is much better than relying on "stand alone" response systems operated by each fire department. The boxed text below outlines the closest automatic-aid fire companies for a Cameron Park response. Two control points are used to estimate travel times under normal driving conditions. It is most likely that under "Code 3" emergency responses, the travel times will be less. See the following map that shows the locations of CPFD's two fire stations and those closest to Cameron Park.

TABLE 1
FIRE STATION LOCATIONS FOR CAMERON PARK'S AUTOMATIC-AID RESPONSE PARTNERS AND ASSOCIATED (NON-EMERGENCY) TRAVEL TIMES

Vehicle	Minutes to: Cameron Park Drive and Country Club Drive (southern control point)	Minutes to: Cameron Park Drive and Green Valley Road (northern control point)
Engine 28[1]	4	9
Engine 83[2]	10	4
Engine 86[3]	5	11
Truck 85[4]	10	12

[1] Engine 28: El Dorado Co. FPD, 3860 Ponderosa Rd., Shingle Springs CA 95682
[2] Engine 83: Rescue FD, 5221 Deer Valley Road, Rescue CA 95672
[3] Engine 86: El Dorado Hills FD, 3670 Bass Lake Rd., El Dorado Hills CA 95762
[4] Truck 85: El Dorado Hills FD, 1050 Wilson Blvd., El Dorado Hills CA 95762
Source: Cameron Park Fire Department, Weisgerber Consulting, G-Maps Travel Time Calculator; July 2015.

Figure 1: Vacant Parcels within the Cameron Park Service Area



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Given this stronger response model and the CPFD's limited resources to remodel, relocate, or expand the number of fire stations in the District, the most practical, efficient, and cost-effective action the CPFD can take is to renovate/remodel Fire Station 88.

It also is important to note that the boundary lines for the District and the Fire Department are not coterminous. For example, the planned new development in the northwest corner of the map is within the District's boundary, but it is not within the Fire Department's service area.

The call volume density and dispersal (see Figure 2 using 2014 data) indicates that possibly a third fire station may be warranted sometime in the future to reduce response times (due to proximity or simultaneous alarms) and to bolster on-duty staffing. Currently, the Cameron Park Fire Department has 2-person engine staffing, augmented by resident and volunteer firefighters, rendering 3-person staffing approximately 70% of the time. This practice leaves the community vulnerability to low frequency, high risk events, such as a working structure fire.

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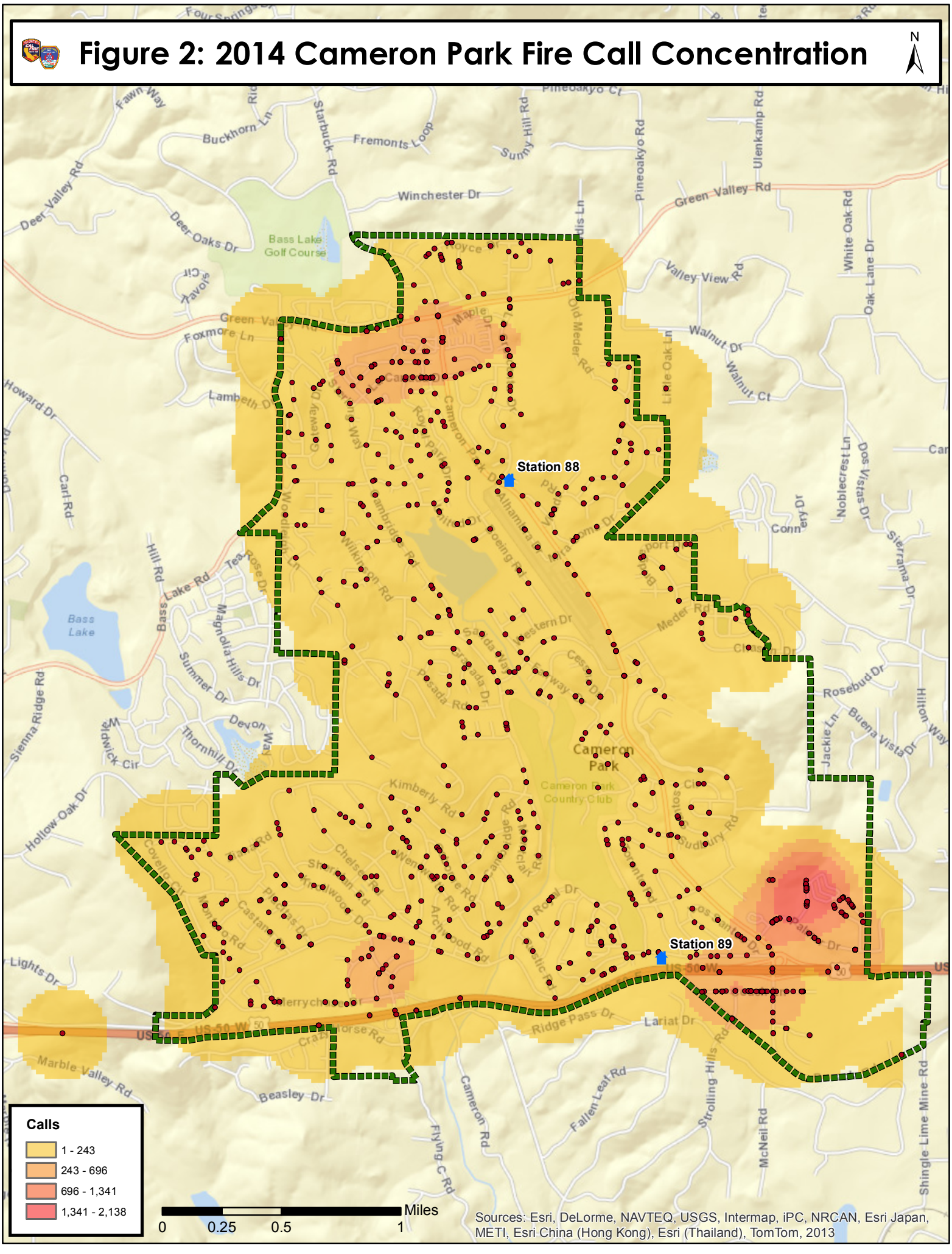
Figure 2: 2014 Cameron Park Fire Call Concentration



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The highest concentration of call volume is at the nearby Ponte Palmero Senior Community; followed by the Green Valley Road area between La Crescenta Drive and Bass Lake Road; then the area surrounding the Cambridge Plaza Shops and Shopping Center; and, finally, the highway services and shopping areas surrounding the Highway 50 and the Cameron Park Drive interchange.

These call volumes show a triangle pattern of three response concentrations. This data suggests several improvement possibilities and raises a distinct issue regarding the frequency and volume of calls to the Ponte Palmero Senior Community. Ponte Palmero places a disproportionate demand on departmental resources. In holding a non-profit status, the facility pays no ad-valorem taxes and thus pays for no governmental services. This unfunded consumption of Fire Department resources is further discussed in the Financial Strategy section of this plan.

Refurbishing Station 88: Fire Station 88 was constructed in the 1980's when part-time volunteer staffing was in effect. Given the present fire protection need, the station is undersized and not conducive to full-time staffing due to limitations on space and amenities. Due to the age and construction of the current Station 88 the addition of a second story is not likely to be possible without significant foundation and building upgrades that may exceed the cost of other alternatives. However, preliminary discussions with a design consultant have suggested a realistic possibility of adding an "at-grade" addition of approximately 1,500 square feet to the existing building.

An initial cost of an engineering analysis is likely to be in the $52,500 - $60,000 ($35-$40/square foot) range; with construction costs estimated to be in the $240,000-$255,000 ($160-$170/square foot) range.

This building addition would modernize the on-duty staff's living quarters, and provide a vastly improved working environment. Preliminary investigation into typical, average fire station design and construction costs render this option a very realistic possibility for improving the department's existing facilities. Conclusion: ***Most viable alternative.***

Other Fire Station Alternatives Considered

Relocating Station 88: A new Station 88 would likely be located to the aforementioned area near Green Valley Rd. so as to provide for the most effective response to that area. However, that option simply shifts the response weakness from the new location to the former location. Thus, it is not judged to be a viable alternative. Moreover, there are few if any available land parcels on which to build a new Station 88 in that area.

Based on recent experience, it would likely be in the range of $250-$300 per square foot for new construction costs, which does not include the purchase of the land, architectural and engineering fees, furnishings and equipment, meeting LEED and essential facility certification standards, or adding apparatus, equipment, and personnel. Therefore, a 5,500 square-foot fire station would be in the construction cost range of $1.4M-1.65M. Conclusion: ***Not a viable alternative.***

Establishing a third fire station: Based on call volume and frequency, a likely location for a third fire station is in the vicinity of Cambridge Plaza (Merrychase Drive/Cambridge Road area). This would serve the Cameron Park community in an area of concentrated alarm activity, which is not likely to diminish because of the proximity of the shopping center and the CSD's recreation center. This location is also is very likely for service to any development in the Marble Valley area that would

impact fire and emergency resources to or from Cameron Park. Moreover, the location provides access to Highway 50 from the Bass Lake Road interchange, allowing a dual response (or an alternative response) to freeway incidents that would complement responses from Station 89. However, given that CPFD routinely responds on automatic-aid alarms twice as often as it receives automatic-aid, a third fire station should be carefully considered within the context of reviewing and adjusting the reciprocity formula of the automatic-aid agreement. In fact, it may only serve to exacerbate this dilemma. While not resulting in any substantial benefits to Cameron Park. Lastly, the same parcel availability and construction costs exist for this option as for the relocation of Station 88. Conclusion: ***Not a viable alternative.***

Recommendations:

- Conduct an architectural/engineering study for expanding the living quarters at Station 88 to accommodate full-time staffing.
- Maintain the automatic-aid agreement that calls for the closest available unit to respond to calls for service (regardless of ownership).
- Periodically evaluate fire station locations, response times, and strengths of the automatic-aid agreement regarding agency participation and reciprocity.
    - Adopt policy for response time effectiveness. It should be measured in terms of 90% efficiency for the following indicators:
        - Call processing time: 1 minute,
        - Turnout time: 1 minute,
        - Travel time: 5 minutes, and
        - 14 personnel on-scene of a structure fire in 8-minutes 90% of the time.

Priority:

- Immediate: complete facility modifications to Station 88.
- Intermediate-to-long range: Monitor and evaluate first-responders' efficiencies related to call concentrations, response times, and the effectiveness of closest available unit automatic-aid response.

Schedule:

- Station 88 facility modifications: 18-24 months
- Response time monitoring and analysis: on-going

2015 Estimated Cost:

- Station 88 facility modifications:
  - Approximate footprint of addition: 1,500 square feet
  - Typical average design and engineering estimate:
    - $35-$40/square foot = $52,500 -$60,000
  - Typical average construction cost estimates
    - $160 – $170/square foot = $240,000-$255,000
  - Total rough estimate: $292,500 -$315,000

Fire Training Facility.

Firefighters (both career and volunteer) are mandated to train a minimum of 240 hours per year per person. The CSD property adjacent to Fire Station 89 has viable potential for a fire training facility. There are several manufacturers that construct custom training facilities from refurbished sea-cargo containers. These are legitimate facilities that can be client customized (West Sacramento has one that is only 3 years old). These training structures can be completed for approximately $125,000 - $300,000 depending on the design. This is a fraction of the cost for building a concrete cast-in-place training tower.

Proposed training facility space adjacent to Station 88

A local training building with a burn chamber would afford the CPFD the ability to train fire companies within the District's boundaries with some level of live fire, search and rescue, ventilation, and ladder work training; using on-duty personnel without involving extended travel time the CalFire location in Ione, and paying overtime for back-fill personnel or overtime for the personnel actually going to training during their off-duty time.

Beyond a full-scale training tower, there is an array of viable alternative training facility options to consider. Most of these are achievable through the Assistance to Firefighters Grants (AFG) funded through FEMA with the typical grant application filing dates taking place annually in December. Some options include:

- SCBA confidence course,
- Flashover simulator,
- Mobile multi-trainer (live fire, ventilation, and roof training aids),
- Stacked system of containers forming multiple configurations, and
- 2-story residential unit with a working gable roof, burn room chamber, balconies, stairs, above ground ladder-work, and hose stream training aids.

Another option to consider exploring is including a regular budget item for the rental use of any number of established regional live fire training trailers that may be available for annual or bi-annual live fire training for all personnel. This would require some research and negotiation for daily/weekly rates of equipment and training personnel. An economy of scale can be achieved by sharing the cost regionally amongst the automatic-aid partners. Conclusion: ***Research viability of alternative; plan/budget accordingly.***

- **Recommendation:** Research viability of each alternative and plan and budget accordingly.
- **Priority:** Intermediate
- **Schedule:** 3-5 years
- **2015 Estimated costs:** $100,000 - $300,000, depending on size and complexity of training facilities and aids, or budgeting for the annual rental and cost of instructors for 1-2 weeks use of an on-site "live fire" training trailer. Consider negotiating as a county or regionally shared resource with costs shared on pro-rata basis.

SECTION 4 CAPITAL IMPROVEMENT PLAN

A well-formulated Capital Improvement Plan (CIP) is rooted in consistent planning for major expenditures and in anticipation of the "just-in-time" replacement of apparatus, equipment, and facilities. CIPs are most effectively done in 5-year increments in which the current year drops into the annual operating budget and off of the 5-year plan. Then the CIP is replaced by a new 5th year so that it is a continuing process that is tied directly to normal annual budget preparations. Supported by an appropriate funding stream and thoughtful analysis and forecasting by staff, the CIP is a powerful instrument for managing a Fire Department's level of service delivery.

Major capital improvements may include the following:

- **Apparatus:** Purchase and/or refurbishment/replacement of Type-I/Type-III pumper engines; squad and/or rescue vehicles; aerials; ladder trucks; water tenders; command vehicles; utility vehicles; and light vehicles or sedans.
- **Major equipment:** Purchase and/or replacement of: personal protective equipment (PPEs); self-contained breathing apparatus (SCBAs); rescue tools; advanced life support (ALS) cardiac monitoring/intervention equipment, and fire hose.
- **Facilities:** New construction and/or renovation of fire stations, vehicle maintenance facilities, training facilities (both didactic classrooms and manipulative drill ground buildings and props), emergency operations centers, and administrative and support offices.

The CIP allows policymakers and management to effectively plan, approve, and implement a sustained and continuous effort when operating a modern suburban fire protection service delivery system through a proactive budgeting strategy. If funding for a CIP has not yet been established, there is a requisite initial investment whenever inaugurating or restoring a CIP. This is necessary for creating a baseline of equipment and identifying the sources of funding to support an equipment and facilities replacement schedule based on a formally established policy specifying the useful service life of equipment and facilities. Certain safety equipment, such as structural and wildland firefighting gear and self-contained breathing apparatus, has OSHA-mandated service lives.

Some estimated expenditures could include the following:

- **Apparatus Replacement:** Currently, the Cameron Park Fire Department (CPFD) has no standard apparatus and equipment depreciation and replacement schedule, nor does it have an amortized equipment replacement fund. As a result, front line apparatus fall either into a deferred replacement mode or apparatus replacement is funded through a variety of creative methods ranging from one-time capital appropriations to seasonal apparatus "leasing" agreements with the State.

  Apparatus replacement funding has most recently been accomplished through the aforementioned seasonal leasing of apparatus to the California Department of Forestry and Fire Protection (CalFire) for statewide deployment during wildland fire season (generally May through October). And, while this is a creative solution for leveraging fire department resources to fund new apparatus, it represents a short-term stop-gap solution for a long-term problem that must be addressed.

Some drawbacks to continuing the current approach include:

1. The funding stream is not sufficient to replace apparatus on a reasonable schedule of 10 years for front line service and 5 years for reserve service. Even with an extension of that replacement schedule to 15 years front line and 5 years reserve service for a total of 20 years, the leasing revenue is insufficient given the present number of front line apparatus, and the problem will only worsen over the course of time.
2. This strategy places CPFD into what amounts to being engaged in a vehicle "rental service" with no accounting for apparatus depreciation or the useful service life of the apparatus used to support the funding stream. Once these assets are depreciated and/or reach the end of their useful service lives, they will need to be funded for replacement. Regardless, there is currently no ongoing process for funding apparatus replacement.

A standard cycle of front line apparatus replacement (depreciation and replacement amortization) for a modern suburban fire department would likely be as previously stated: 10 years front line service followed by a minimum of 5 years reserve service before being decommissioned from the fleet. However, given the available resources of the CPFD, it may be more practical to extend the service life to 15 years front line service followed by a minimum of 5 years reserve status service before being evaluated for being decommissioned from the fleet (i.e., 15 to 20 years of service).

A recommendation for adjusting the service life of apparatus (up or down in the number of service years) is based on the continual analysis of on-going maintenance costs to determine trends in exceptional costs that are in excess of routine preventative and regular maintenance expenditures. The apparatus maintenance record system should be able to indicate how much is spent in time and materials for maintenance costs on any single apparatus. It should have the ability to flag those apparatus that have gone beyond their cost-effectiveness equilibrium, thus reaching a point of diminishing returns where the value of continuing repairs exceeds those of servicing a new apparatus.

Recommendations: Adopt and implement an apparatus replacement schedule policy of 15 years front line service for all firefighting apparatus, with a minimum of 5 years reserve service before consideration of decommissioning the apparatus.

Policy should also require the maintenance of accurate equipment and repair records. This data will support the evaluation of useful service life for each apparatus, and it will take into account any necessary adjustments to either extend or reduce front line or reserve service status.

Staff should regularly review and analyze maintenance records and cost-effectiveness to determine if capital outlay for refurbishing and repowering apparatus may be considered as a viable alternative to transitioning from front line to reserve status—or, from reserve status to de-commissioned from service altogether. This analysis should be done on a case by case basis. It is recommended that Engine 389 be replaced to maintain two reserve engines. After the new engine arrives (on/about September 2015), the Fire Department will then have two Type 1 reserve engines.

It is recommended that light vehicles should be considered for a replacement policy of 5 years for Battalion Chief Command Vehicles (due to intense, high mileage use), and 15 years

for Utility Vehicles. It is also recommended that Utility 289 not be replaced when it becomes no longer serviceable, and that CPFD maintain only 2 utility vehicles, thereafter.

Several light vehicles in the CPFD's fleet could be due for replacement next year (2016), most notably the B/C Command Vehicles and Utility 89. One of the B/C vehicles could be relegated to replace Utility 89, leaving only the two B/C vehicles to be evaluated for replacement. The replacement cost for the two completely outfitted B/C vehicles could run between $110,000 and $140,000. Since this should happen soon, the cost for the replacement of both vehicles would be outside the recommended amortization funding. Alternatively, the replacement of one or both B/C vehicles could be deferred based on a cost-effective analysis of mileage and maintenance costs versus the costs of a newly purchased vehicle. Future replacement of these vehicles would be financed via the amortized replacement fund when it is established.

Regular analysis should determine the need for adjusting any of the recommended apparatus/vehicle replacement schedules with the corresponding funding level in the recommended amortization schedule being adjusted up or down accordingly.

Priority: Immediate

TABLE 2
APPARATUS AND LIGHT VEHICLE REPLACEMENT SCHEDULE

Schedule	Purchased	Front Line	Refurb or Rsrv	De-comm
Engine 89	2006	9 years	2015	2020
Engine 88	2006	15 years	2021	2026
Engine 289	2001	5 years	2006	2021
Engine 288	2012	15 years	2027	2032
Engine 389	1990	15 years	2015	2020
Battalion 2715	2010	5 years	2016	2016
Battalion 2716	2010	5 years	2016	2016
Utility 89	2001	15 years	2016	2016
Utility 88	2010	15 years	2025	2025
Utility 289	1999			2019

Source: Weisgerber Consulting, July 2015.

2015 Estimated Costs:

New Type-I engine completely equipped: $650,000/each
New B/C Command Vehicle completely equipped: $70,000/each
New F-150 utility vehicle w/shell, completely equipped: $55,000/each

Based on the replacement costs in 2015, and if the CPFD were starting from a baseline of all new apparatus and light vehicles, for FY 2015/16 it is recommended that an annual amortization fund be established for apparatus replacement in the amount of $75,000-$100,000.

It is also recommended that staff factor into any funding decisions the possibility that the two B/C vehicles could be due for replacement in the next year or two due to their high mileage ($55,000-$70,000/each).

- **Major Equipment Replacement:** This section discusses the replacement of major equipment in the on-going business of fire, rescue and EMS service delivery by the CPFD. It includes personal protective equipment (PPE) turnout gear, self-contained breathing apparatus (SCBA), rescue extrication tools, advanced life support (ALS) cardiac monitoring/intervention equipment, and fire hose.

  1. **Personal Protective Equipment (PPE):** PPEs are eligible to be replaced every ten (10) years, or every two NFPA standards revision cycles, or whenever the equipment is damaged beyond repair or fails an inspection. The CPFD has approximately 65 sets of structural firefighting gear and an equal number of wildland firefighting PPE gear. The 2015 cost for each of these is as follows: 1 set of structural firefighting turnouts (pants and jacket) cost approximately $6,000, and 1 set of wildland firefighting gear (pants and jacket) cost approximately $1,200.

     The CPFD typically buys some number of new PPE gear for the career-paid personnel on an annual basis; then it "hands down" the older PPE gear to "resident" firefighters and volunteers. Therefore, in order to amortize the cost of PPE replacement in a planned fashion over a 10 year period, the fire department should budget $50,000 annually toward PPEs, in addition to maintenance and repairs. This would, in effect, replace the entire compliment of PPEs (structural and wildland) in manageable increments over each successive 10-year period.

     Recommendation: Amortize the cost of PPE replacement over a 10 year period, should consider budgeting $50,000 annually, in addition to maintenance and repairs. This would, in effect, replace the entire inventory of PPEs (structural and wildland), in manageable increments, over each successive 10-year period.

     Priority: Immediate for initiating annual amortization funding for completing an on-going PPE replacement cycle.

     Schedule: Annual amortization for PPE replacement every 10 years.

     Cost: $50,000 annually, to replace 7 sets of both structural and wildland PPEs.

     Recommend including annual CPI index inflator and/or annual unit cost survey to use to adjust annual funding levels so they are commensurate with replacement costs.

  2. **Self-Contained Breathing Apparatus (SCBA):** The CPFD has 25 SCBA units with a 2015 estimated replacement cost of $7,000-$8,000 each, equaling a potential $200,000 capital outlay. Fortunately, the CPFD has just replaced the entire complement of SCBAs through grant funding, and replacement is not likely to be necessary prior to 2030 unless parts become unavailable or cylinders fail regular hydrostatic testing. However, an eventual replacement project must be anticipated and planned for as part of on-going financial planning.

     All SCBA cylinders require periodic hydrostatic testing as required by 49 CFR 180.205. The frequency of the maintenance depends upon the cylinder material, as follows:

- Steel cylinders should be tested every five years and have an indefinite service life until they fail a hydro test.
- Aluminum cylinders (not including hoop-wrapped) should be tested every five years and have an indefinite service life until they fail a hydro test.
- Hoop-wrapped cylinders should be tested every three years and have a 15-year service life.
- Fully wrapped fiberglass cylinders should be tested every three years and have a 15-year service life.
- Fully wrapped Kevlar cylinders should be tested every three years and have a 15-year service life.
- Fully wrapped carbon fiber cylinders should be tested every five years and have a 15-year service life.

Recommendation: An annual amortization funding of approximately $15,000 should be created for the replacement of SCBAs in addition to their annual maintenance budget.

Priority: Immediate for initiating annual amortization funding.

Schedule: Annually in order to prepare for the ultimate replacement of the SCBA inventory whether through obsolescence or non-serviceability.

Cost: $15, 000 annually, and recommend including an annual CPI index inflator and/or unit cost survey in order to adjust funding levels commensurate with replacement costs.

3. **Rescue Tools:** Hydraulic rescue tools are mission critical equipment to delivering services. Especially given the proximity and frequency of response by the CPFD to Highway 50 incidents, these units are of particular significance and value for disentangling and extricating trapped victims in vehicle accidents. These units should be replaced every 5-7 years depending on advances in technology and the cost of maintenance and repairs to each unit. The CPFD has four (4) Rescue Tool units at a 2015 cost of $30,000 each. These are due for replacement in FY 2018-19. An annual capital amortization of approximately $18,000 should be created for the replacement of Rescue Tools in addition to their annual maintenance budget.

   Recommendation: The Rescue Tool units are due for replacement in FY 2018/19. An annual capital amortization of approximately $20,000 should be considered for the replacement of Rescue Tools every 6 years (may be desired/required sooner, depending on advances in technology and annual cost of maintenance and repairs for each unit), in addition to the annual maintenance budget.

   Priority: Immediate for initiating annual amortization funding.

   Schedule: Annual amortization for Rescue Tool replacement every 6 years. This does require an accelerated 4-year schedule for replacing units in FY 2018-19.

   Cost: $30,000 annually for the first four years on the accelerated schedule then $20,000 annually thereafter on 6-year replacement schedule, and use an annual CPI index inflator and/or unit cost survey to adjust funding levels commensurate with replacement costs.

4. **ALS Cardiac Monitors:** Cardiac monitors are mission critical equipment in the delivery of Advanced Life Support (ALS) service in the field, to the Cameron Park community and as part of the El Dorado County EMS JPA. The monitors should be replaced every 6-8 years depending on advances in technology and annual cost of maintenance and repairs. The CPFD has four Cardiac Monitor (4) units at a 2015 cost of approximately $30,000 each. These units are recommended for replacement in FY 2019-20. An annual capital amortization of approximately $18,000 should be set aside for the replacement of Cardiac Monitors in addition to their annual maintenance budget.

   Recommendation: The ALS Cardiac Monitoring units are due for replacement in FY 2019-20. An annual capital amortization of approximately $18,000 should be established for the replacement of Cardiac Monitors every 7 years. This may be desired or required sooner depending on advances in technology and the annual budget for maintenance and repairs for each unit.

   Priority: Immediate for initiating annual amortization funding for the replacement of ALS Cardiac Monitors.

   Schedule: Annual amortization schedule for ALS Cardiac Monitor replacement. This does requires an accelerated 5-year schedule for replacing units in FY 2019-20.

   Cost: $24,000 annually for the first five years on the accelerated schedule then $18,000 annually on a 7-year replacement schedule. Recommend including annual CPI index inflator and/or unit cost survey to adjust funding levels commensurate with replacement costs.

5. **Fire Hose:** The National Fire Protection Association's (NFPA) Standard-1962 calls for annual hose testing and allows for keeping hose as long as it passes the annual service test. However, a generally accepted practice is to remove hose from service after 10 years, as recommended by the NFPA in Standard-1962 (2008 Edition), Annex A.7.1., which states *"While all users should establish their own retirement schedule, fire departments should give careful consideration to a 10-year maximum service life under normal operating conditions."*

   Therefore, an annual budget should be maintained for replacing a prescribed amount of hose inventory, so it will not need replacement all at once—while also providing for damaged hose repair and replacement. This allocation can be amortized over 10 year increments. The following are a representation of the average hose costs in 2015: 50-foot length of 1-3/4" double-jacketed fire hose approximately $150; 50-foot length of 2-1/2"or 3" double-jacketed hose approximately $250; and 100-foot length of 5" Large-Diameter Hose (LDH) approximately $525.

   Recommendation: Outfitting an entire engine with a complete hose change costs approximately $9,000 in 2015 dollars. With 5 engines in the CPFD fleet, this represents an in-service inventory of approximately 9,000 feet of fire hose (not including rack storage inventory). Therefore, an annual hose replacement budget of $5,000-7,500 is considered reasonable.

   Priority: Immediate for initiating annual amortization funding for completing an on-going fire hose replacement cycle.

   Schedule: Annual amortization for fire hose replacement cycle.

Cost: Not less than $5,000 annual allocation but likely not exceeding $7,500 annually. Also recommend including an annual CPI index inflator and/or unit cost survey to adjust funding levels commensurate with replacement costs.

Facilities: Given the robust nature of El Dorado County's automatic-aid, closest available unit for response model, the most efficient and cost-effective measure the CPFD can operationally take, regarding facilities, is to renovate Fire Station 88.

Fire Station 88 was constructed in the 1980's with a part-time volunteer staff model in effect at the time. The station is under-sized and not conducive to full-time staffing space and amenities. Due to the age and construction of the current station 88, the addition of a second story is not likely to be possible, without significant foundation and building envelope upgrades that may exceed the cost of other alternatives. However, preliminary discussions with a design consultant have netted the realistic possibility of an "at-grade" addition of approximately 1,500 square feet, to the existing building.

This addition would modernize the on-duty staff living quarters, and provide a vastly improved working environment. Preliminary investigation into typical, average fire station design and construction costs, render this option a very real possibility for improving the operational facilities of the CPFD.

Recommendations:

- Engage in a modification study for expanding the living quarters at station 88 to accommodate full-time staffing.
- Maintain the current automatic-aid agreement that calls for participation of the closest available unit responding to calls for service.
- Regularly evaluate fire station locations, response times, and strength of the automatic-aid agreement's participation and reciprocity.
- Response time effectiveness should be measured in terms of 90% efficiency for the following benchmarks: (1) call processing time: 1-minute; (2) turnout time: 1-minute; (3) Travel time: 5-minutes.

Priority:

- **Immediate:** complete facility modifications to station 88.
- **Intermediate to long range:** Monitor and evaluate first-responders' efficiency related to call concentration, response time, and effectiveness of closest available automatic-aid unit.

Schedule:

- Station 88 facility modifications: 18 months
- Response time monitoring and analysis: on-going

Cost:

- Station 88 facility modifications:
    - Approximate footprint of addition: 1,500 square feet

- Typical average design and engineering estimate:
- $35-$40/square foot = $52,500 -$60,000
- Typical average construction cost estimates
- $160 – $170/square foot = $240,000-$255,000
- Total rough estimate: $292,500 -$315,000

- Staff time for analyzing response time efficiency and effectiveness.

6. <u>Supplemental Information:</u>

There are also several other Capital items that were in need some consideration, although they hold more of an intermediate priority.

Replacement of the portable radios (35 count/ $1,500/ea.) and thermal imaging cameras (TICs) (6 count/$8,500 ea.). These are all of varying ages and should be replaced in the out years of the currently recommended CIP, or the first years of the next 5-year cycle. 32015 estimated costs for each of these categories is:

- Portable radios (35X $1500) = $57,000 (including tax)
- Thermal Imaging Cameras (6X$8500) = $55,500 (including tax)

There is also an additional cardiac monitor on the oldest engine (E-389) that needs replacement, but was not accounted for in the recommended CIP. This unit's replacement should be evaluated in the context of keeping a fifth engine in the fleet. If it is deemed desirable to continue maintaining a fifth engine, then a fifth cardiac monitor should be considered in year 4 or 5 of the current CIP.

CIP TABLE - 1A

This table represents an optimal 5-year CIP model, using the high end of estimates in each category discussed in the written plan. This model solves "behind schedule" funding for replacing the B/C Light Vehicles in the first year, and spreads the "catch up" amortization of Rescue Tools and Cardiac Monitors over the entire 5 years.

In the out years (FY-2020/21, and beyond) the amortized impact on annual totals will be reduced as the system stabilizes. All costs are in 2015 dollar estimates and should be adjusted for Consumer Price Index (CPI) and/or vendor cost surveys, on an annual basis.

CIP TABLE - 1A					
Item	**2015/16**	**2016/17**	**2017/18**	**2018/19**	**2019/20**
Apparatus	$100,000	$100,000	$100,000	$100,000	$100,000
Light Vehicles	$140,000	0	0	0	0
PPEs	$50,000	$50,000	$50,000	$50,000	$50,000
SCBAs	$15,000	$15,000	$15,000	$15,000	$15,000
Rescue Tools	$30,000	$30,000	$30,000	$30,000	$20,000[1]
Cardiac Monitors	$24,000	$24,000	$24,000	$24,000	$24,000[2]
Fire Hose	$7,500	$7,500	$7,500	$7,500	$7,500
Station 88	$60,000[3]	$255,000[4]	$35,000[5]	0	0
TOTALS[6]	$426,500	$481,500	$261,500	$226,500	$226,500

[1] $20,000 (in 2015 dollars) from FY 2019/20 forward, should be adjusted annually for Consumer Price Index (CPI)
[2] $18,000 (in 2015 dollars) from FY 2020/21 forward, should be adjusted annually for Consumer Price Index (CPI)
[3] Allowance estimate for Design and Engineering
[4] Allowance estimate for Construction
[5] Allowance estimate for Furniture & Equipment
[6] Should be adjusted annually for Consumer Price Index (CPI)

Source: Apparatus: Smeal Manufacturing and Pierce Manufacturing; Cameron Park Fire Department; West Sacramento Fire Department, Public Bids, July 2015; Light vehicles: State of California Public Bid and West Sacramento Fire Department Public Bid, July 2105; Personal protective equipment (PPE): L.N. Curtis & Sons, Inc.; 2015 Yolo County Regional AFG Grant Application, July 2015; Self-Contained Breathing Apparatus (SCBA): Scott Manufacturing, 2014-15; Yolo County Regional AFG Grant Application, July 2015.

CIP TABLE - 1B

This table represents an austere 5-year CIP model using the low end of cost estimates in each category discussed in the written plan. This model spreads the "behind schedule" expenditures of replacing the B/C Light Vehicles over two years (with a less expensive model), and does not account for a "catch up" amortization of Rescue Tools and Cardiac Monitors over the entire 5 years. All costs are in 2015 dollar estimates and should be adjusted for Consumer Price Index (CPI) and/or vendor cost surveys, on an annual basis.

While the annual totals in this model appear less daunting than in CIP Table-1A, this model results in significant risks of: having to defer critical equipment replacements due to insufficient amortized funds; continually shifting the shortfall predicament forward into the out years; and, there is an extremely high probability of not ever being able to reach a stable equilibrium in the replacement schedule.

CIP TABLE - 1B					
Item	**2015/16**	**2016/17**	**2017/18**	**2018/19**	**2019/20**
Apparatus	$75,000	$75,000	$75,000	$75,000	$75,000
Light Vehicles	$55,000	$55,000	0	0	0
PPEs	$50,000	$50,000	$50,000	$50,000	$50,000
SCBAs	$15,000	$15,000	$15,000	$15,000	$15,000
Rescue Tools	$18,000	$18,000	$18,000	$18,000	$18,000
Cardiac Monitors	$24,000	$24,000	$24,000	$24,000	$24,000
Fire Hose	$5,000	$5,000	$5,000	$5,000	$5,000
Station 88	$52,500	$240,000	$25,000	0	0
TOTALS	**$294,500**	**$482,000**	**$212,000**	**$187,000**	**$187,000**

Source: Rescue tools and cardiac monitors: Cameron Park Fire Department, July 2015; Fire hose: L.N. Curtis & Sons, Inc., July 2015; Station 88 remodel/refurb: Design Cost Data (DCD.com); Regional Square Foot Cost Analysis (Western U.S.), June 2013 (adjusted for CPI to July 2015); Kastle & Boos Associates, Chatham, MA, MA Fire Station Design & Construction, October 2013 (adjusted for CPI to July 2015).

SECTION 5 LONG-TERM FINANCIAL STRATEGY

This financial strategy provides an analysis and recommendations for the on-going operations and staffing for the Cameron Park Fire Department represented in the most efficient and cost-effective manner and within the available resources of the District. This is designed to be a living document and not the final answer. Utilized along with thoughtful analysis and forecasting by staff, it allows management and policymakers to effectively plan and approve a sustainable maintenance of effort through a proactive budgeting strategy.

This financial strategy document provides a detailed description of several infrastructure and staffing issues by presenting alternatives with a recommendation, an implementation schedule, and an estimated cost to implement the recommendation.

This financial review also considered several courses of action for viable alternative options in funding mechanism strategies as well, ranging from:

- Financial planning possibly including bonds or certificates of participation;
- A benefit assessment election for partial funding of staffing shortfalls and major capital outlay expenses;
- Fees for service agreements for extraordinary circumstances; and
- Active pursuit of annual FEMA grant funding opportunities (SAFER and AFG).

However, since the nuances of each option varies as to implementation, it affects the cost and timeline. Therefore some general guidelines as to 2015 costs were included, along with recommendations for research and consideration of best practices, in terms of future financial strategy discussion. For planning purposes, the County Assessor's Office lists 6,897 parcels in the Cameron Park Community Services District. This data provides a good starting point for analyzing possible revenues available from benefit assessments, parcel fees, or other property based income sources.

Strategy: The level of ongoing staffing and infrastructure support necessary to sustain the Cameron Park Fire Department (CPFD) at even the current level of community fire and emergency services requires a financial maintenance of effort for capital facilities projects, apparatus and equipment replacement, and possibly staffing. Over time, costs are naturally going to increase for the delivery of fire and emergency services, while revenues in Cameron Park are forecast to remain relatively flat. These circumstances are exacerbated by the fact that Cameron Park is reaching "build-out" and developer impact fees will no longer be applicable. Moreover, there are several situations that require thoughtful attention now, and into the future, for mitigation.

Issue: Operational support is in need of a funding mechanism for capital outlay projects of large magnitude (facilities and large apparatus and equipment replacement), and/or staffing shortfalls that are on-going. The CSD's developer impact fee schedule has been a source of one-time revenue to compensate the fire department for initial impacts. However, with the CSD approaching build-out, this revenue source is rapidly coming to an end.

In recent history, the CPFD experienced a cyclical staffing model that has necessarily fluctuated with the annual revenue stream. This often results in sub-standard 2-person staffing on front

line engine companies, over the course of single and/or multiple fiscal year budgets, thus placing both first responders and the community at a higher than normal risk. The third person on each in-service engine is critical to effect firefighting with the first arriving company on a first alarm assignment of a structure fire. The engine companies of the CPFD are only staffed with three personnel approximately 70% of the time by utilizing resident firefighters as the third person. Resident firefighters work seasonally for CalFire, and they are gone on assignment in the summer months, but staffing improves in the winter when they return.

This 30% shortfall in engine staffing should be considered for funding. Adding permanent staff to achieve full time three person engine companies is needed. Possibly this can be accomplished via a benefit assessment measure. Not addressing this option for closing such a critical staffing gap could prove to be detrimental on many levels.

By way of example, the story (below) of a failed fire service assessment costing residents hundreds—if not thousands—of dollars per household, happened in a Bay Area rural interface fire district, just a few months ago:

> *On May 11, 2015, the East Contra Costa Fire Protection District residents voted down a benefit assessment that would have cost about $100 per year per home. The rejected $100 a year per parcel assessment will quickly be surpassed by much higher insurance rates. Fire service delivery was cut by 40% and homes there will be re-rated and charged accordingly for much greater risk (estimated at $300-$400 per year per home increase). George Stewart, manager of the East County Insurance Company, stated, "In some cases it could be to the point where the company itself, can't insure [homeowners]. And, [the homeowners insurance] would have to go to the FAIR Plan—which translates to thousands of dollars above a standard premium." A 40% reduction in stations and staffing (which is what occurred in East Contra Costa FPD) is equivalent to 2.4 personnel/per day in layoffs, with 3.6 personnel/per day in staffing, for CPFD. This would likely be represented in Cameron Park as 2 personnel on the ambulance and 1.6 on a single engine.*

Moreover, an intelligently planned and scoped assessment holds a strong potential to fund proportionally large capital outlay expenses in addition to improved staffing.

Possible Remedy: It is recommended that the CPFD would greatly benefit from a well-crafted strategic financial plan as a companion to this strategic Fire Department Master Plan and CIP. Moreover, it is recommended that the CSD give strong consideration to engaging the services of a qualified governmental financial consultant to advise and inform the District on the viability of available options for long-term financing of infrastructure, and an analysis of the effects of smoothing the costs of large capital expenditures over a period of time via an predictable debt service scheduling model. (An initial analysis of this type would likely cost approximately $25,000).

It is further recommended that the CSD give strong consideration to exploring the advantages and viability of a successful benefit assessment election (under provisions contained in Proposition 218) to provide reliable on-going revenue to adequately staff its emergency first responder apparatus with a third person for the remaining 30% of the time. A successfully passed effort of this nature will provide a consistent and reliable revenue stream to provide the community with a level of staffing that it should be receiving from a modern suburban interface fire department. (An initial analysis would also be approximately $25,000).

Issue: The frequency and volume of emergency calls for service generated by the Ponte Palmero Senior Community create a disproportionate demand on CPFD resources, yet the facility holds a non-profit status and pays no ad valorem secured property tax increment, and as such Ponte Palmero pays for no governmental services. This unfunded consumption of CPFD resources should necessarily be accounted for.

Possible Remedy: Explore the possibility of a fee for service agreement with Ponte Palmero Senior Community. An initial benchmark of a $100/year per unit (less than 27 cents/day) pass-through service fee might be considered a reasonable service fee; for the facility that is responsible for the greatest number of emergency calls per capita, without any contribution to the on-going ad velorum tax base in support of government services provided the CSD. If this approach is rendered impossible with the existing Ponte Palmero Senior Community (even as a phased-in approach), then it should certainly be considered for negotiation in future development agreements, and similarly situated non-profit facilities.

Grant Opportunity Remedies: The CPFD should consider aggressively pursuing the annual funding opportunities through FEMA's Assistance to Firefighters Grant (AFG), typically available in January of each year. If chosen, the CPFD could receive funding for apparatus and/or equipment on a one-time basis. Typically, there is a10% matching fund requirement.

If the CPFD lacks expertise in grant writing, there is a regional grant approach available (particularly with the AFG), whereby the CPFD could partner with another agency or group of agencies in seeking similar resources using an economy of scales, which often is given a higher funding priority than proposals from individual agencies. Moreover, there are a number of consultants available to either train CPFD personnel or to write the grant proposal itself. Both of these have had very high success rates. Also, many vendors (PPEs, SCBA, Modular Training Towers/Props, and Exhaust Extraction Systems) offer assistance with grant writing and grant writing templates.

Equally valuable and attendant to the AFG are grants available through FEMA's "Staffing for Adequate Fire and Emergency Response" (SAFER) program—typically open for application in November of each year. These grants are highly competitive but not unattainable, particularly given the level of urban interface risk that Cameron Park faces and the limited resources that are available to address that risk. SAFER grants are currently funding positions for a full two years with no matching funds required from the grant receiving agency. And, there is no obligation to retain employees after the grant performance period. This is a method by which to consider staffing-up, following a downturn cycle, and gaining the ability to replenishing FTEs in anticipation of revenue (e.g., the aforementioned 30% staffing gap).

Recommendations:

- Commission services of qualified governmental financial strategist to analyze viability of various funding strategies.
- Commission services of qualified consultant for feasibility effort on viability of a Prop 218, Benefit Assessment Election to fund staffing and/or infrastructure.
- Allocate staff time and training to pursue FEMA grants annually available in the SAFER and AFG programs, in coordination with the El Dorado County Operational Area (County OES).

Priority: Immediate

Schedule: 18-24 months

2015 Estimated Cost:

- $25,000 for an initial 50-hours financial strategic analysis;
- $25,000 for a Prop 218 engineering study.
- Staff time for grant writing

SECTION 6 REFERENCES

Cameron Park Community Services District, January 1, 2011, *Fire Department Master Plan and Capital Improvement Plan* (incomplete).

Cameron Park Fire Department, April 2015, *Monthly Vehicle/Apparatus Inventory Report*.

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County of El Dorado, Chief Administrative Office, March 4, 2015, *letter RE: Development Impact Mitigation Fee Reporting Requirements, Review Process and Reporting Schedule*.

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CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

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CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

PROCEDURE: CC&R ENFORCEMENT

ARTICLE I - OVERVIEW

A. Authority: Pursuant to Government Code Section 61601.10 (Attachment A), in November 1986, the residents of Cameron Park voted to extend the authority of the Cameron Park Community Services District ("District" or "CPCSD") to include enforcement of the Declarations of the Covenants, Conditions and Restrictions ("CC&Rs") which are recorded in each subdivisions comprising of Cameron Park.

B. Funding: The Cameron Park Community Services District can collect anywhere from $7.00 to $12.00 dollar fee per parcel to fund the CC&R enforcement program. In addition, the District will continue its efforts to seek fining authority through approved legislature of the Davis-Sterling Act. Monies received, if any, from the payment of fines levied against property owners for CC&R violations, will be used solely for the purpose of funding the Districts CC&R enforcement program. In addition, should the District be successful in recovering its attorney fees or costs of suit in a CC&R enforcement action, the recovered funds will also be re-deposited in the CC&R enforcement fund.

C. Goals & Objectives: The objective of the District is to enforce all CC&Rs in a uniform, consistent and non-discriminatory manner. CC&R enforcement is necessary in order to preserve and enhance property values throughout the community, to protect and maintain the quality of all residential areas in Cameron Park.

D. Open Communication: The District encourages members of the community to communicate to the CC&R Committee and staff any concerns or suggestions they may have concerning the enforcement of the CC&Rs or actions taken by the District, and the District encourages members of the community to report, by telephone or written complaint, possible CC&R violations to the CC&R Compliance Officer.

E. Enforcement Personnel: The District employs a CC&R Compliance Officer who shall perform duties in a reasonable, timely and non-discriminatory manner. The District's principal objective in appointing a CC&R Compliance Officer is to provide resident property owners with a means of impartially overseeing enforcement of the CC&Rs. To this end, every agenda for a regular CC&R Committee meeting shall provide an opportunity for members of the public to directly address the committee on items of interest or concern.

F. Meetings: The CC&R Committee shall meet, once a month to address items of interest or concern except as follows: If (a) there are no agenda items requiring a vote by the CC&R Committee and (b) the District has not received any requests from community members desiring to address the CC&R Committee, then the decision may be made to cancel the meeting. However, if two successive meetings are cancelled for any reason(s), the CC&R Committee shall convene the next regular scheduled monthly meeting. The CC&R Compliance Officer in conjunction with the CC&R Committee Chairperson may make the decision to cancel meetings. All CC&R Committee meetings shall be public.

G. <u>Agendas:</u> The committee shall post, on District bulletin boards and District website an agenda for each meeting at least seventy-two (72) hours prior to each meeting per Gov't. Code 54954.2.

CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

PROCEDURE: CC&R VIOLATIONS

ARTICLE II

A. Investigation of CC&R Violations: When the CC&R Compliance Officer receives a complaint regarding an apparent CC&R violation or if the Compliance Officer observes a possible violation, the following steps shall be taken:

1.) Determine which CC&R provisions apply to the tract and if a violation exists.
2.) Perform a visual inspection before taking further action.
Resident complaints are received via the District website. Complainant is not required to leave name, address or telephone number. If complainant chooses to leave name, address and telephone number it becomes public record.

B. Monthly Reports to CC&R Committee: The CC&R Compliance Officer shall be responsible for the preparation of a monthly CC&R Case Management Report. The report will contain all escalating cases i.e. initial notices, final notices, pre-legal, legal, refer to legal and variances. The report will not list unverified complaints, courtesy notices, referred to outside agencies or verbal warnings.

CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

PROCEDURE: CC&R ENFORCEMENT PROCESS

ARTICLE III

A. First Contact Notice to Owners: The CC&R Officer will engage property owners through a variety of mediums including person to person conversations, door hangers, verbal warnings and courtesy notices.

B. Initial Notice to Owners: When the CC&R Compliance Officer determines that a property owner and/or resident is engaging in conduct or activity or has created a condition which reasonably appears to be a violation of the CC&Rs applicable to the owner's property, the Officer shall first issue an initial notice, via first class mail, written to the recorded owner of the property. The Notice shall specifically set forth the following:

1. Specific nature of the CC&R violation including a reference to the paragraph or section number alleged to be violated.
2. A request that the conduct or activity constituting the alleged violation be resolved and rectified.
3. Appellate steps available to the resident in relation to the violation

C. Final Notice to Owners: In the event the property owner fails to comply with the First Notice of the CC&R violation, the CC&R Compliance Officer shall issue a Final Notice informing the property owner to contact the CC&R Officer and comply with the violation. The CC&R Officer may grant a longer time depending on the situation. Steps to appeal the violation will also be listed within the Final Notice.

D. Pre-Legal Notice to Owners: In the event the property owner/resident fails to comply to the Final Notice of CC&R violation, the CC&R Compliance Officer may issue a Pre-Legal Notice informing the property owner of the date, time and place of the meeting and the District's intent to forward said CC&R violation to Districts legal counsel. All Pre-Legal Notices are to be sent by First Class mail with tracking number. The meeting will be held in open session unless otherwise advised by legal counsel to meet in closed session in accordance with existing law set forth in the Brown Act. The Committee shall open the meeting and allow a reasonable time for all information as follows:

- Compliance Officer presents all facts and circumstances comprising of the alleged violation of the CC&Rs.
- The property owner shall then be given the opportunity to present any evidence, witnesses or comments.
- The Committee shall afford interested community members and each member of the committee an opportunity to address issues, questions, evidence or make a relevant comment.
- The CC&R Committee recommendation, by motion and vote for Legal Action, shall be forwarded to the Board of Director's by the CC&R Compliance Office.

E. Hearing Continuance: If the property owner/resident demonstrates, to the CC&R Compliance Officer good cause as to why he/she cannot attend the scheduled meeting, the requesting party shall be

granted one continuance as a matter of right. The hearing shall be rescheduled to the next regularly scheduled CC&R meeting and notice of the meeting shall be sent to the property owner.

F. Failure to Appear: If the property owner/resident fails to appear at the meeting or to request continuance, the Committee shall proceed with the meeting and may reach a decision based upon the presentation of the CC&R Compliance Officer and the testimony, if any of other interested parties.

G. Failure to Comply (Pre-Legal Notice): If the property owner fails to participate in a meeting to resolve the alleged CC&R violation, or the property owner has been found by the CC&R Committee to be in violation of the applicable CC&Rs, or if the property owner fails to correct the condition or to cease the activity constituting the alleged violation, the CC&R Committee's recommendation shall be referred to the CPCSD Board of Director's for final disposition. The Board may affirm or overturn the decision of the CC&R Committee. If the Committee's action is upheld, refer the matter to legal counsel with instructions to pursue all appropriate legal and/or equitable remedies to compel compliance.

H. Repeat Offenders: If the property owner repeats a prior violation, then the CC&R Compliance Officer shall issue a notice via first class mail, written to the recorded owner of the property. The notice shall specifically set forth the following:

1. Specific nature of the CC&R violation including a reference to the paragraph or section number alleged to be violated.
2. A request that the conduct or activity constituting the alleged violation is resolved and rectified.
3. Appellate steps available to the owner in relation to the violation.
4. A statement that if the property owner fails to timely comply, then the District's next enforcement step will be the step after the last step that the District had previously taken upon the prior violation that has been repeated.

The notice applies no matter when the prior violation occurred. A repeat of a prior violation is a violation that is the same or substantially similar to the prior violation. For example, a repeat of a prior violation is when an owner had parked a recreational vehicle without it being properly screened in violation of the CC&Rs and then later parks a different recreational vehicle without screening in violation of the CC&Rs.

CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

PROCEDURE: CC&R COMMITTEE

ARTICLE IV

General Description of the CC&R Citizen Committee Selection & Appointment:

Members of the community are hereby appointed and designated by the District Board President as members of the CC&R Committee per Policy 3060 Board Committees

Interested community members are to submit for selection process;

a. Previous experience on volunteer committees
b. Reason for wanting to be a committee member are specified.
c. Availability to participate in the meetings and other likely responsibilities of a Committee member.

Tasks to be performed by CC&R Committee Members:

- Conduct meetings referred to the Committee by the CC&R Compliance Officer.
- Recommend legal action to the CPCSD Board to compel compliance of CC&R infractions.
- Review and update policies and procedures for ultimate approval by the Board
- Conduct open communication with the public in collaboration with the CC&R Officer.

CAMERON PARK COMMUNITY SERVICES DISTRICT
CC&R PROCEDURES HANDBOOK

PROCEDURE: ROLES OF COMMITTEE AND STAFF:

ARTICLE V - OFFICERS

- Chairperson - Conduct all meetings
- Vice-chairperson - Shall back up Chairperson

Officer Nomination Procedures - The Committee officers shall be elected at the January meeting by a quorum vote of the committee, and shall take over responsibilities immediately after officer selection.

Quorums - For valid action, the Committee can only take action if a quorum of at least three (3) voting members are present at a duly noticed meeting. A valid action requires a unanimous vote with three (3) members present.

Role of District Staff - The CC&R Compliance Officer or an individual appointed by the General Manager shall act as secretary, take notes of meetings, create and issue all correspondence and other memoranda to and from the Committee

Attendance Requirements - If a member of the Committee fails to attend three consecutive regular meetings, without good cause, a new member will be chosen as a replacement to fill the vacancy.

CAMERON PARK COMMUNIY SERVICES DISTRICT
CC&R PROCEDURE HANDBOOK

PROCEDURE: **CC&R PROCESS**:

ARTICLE VI

Amendment to Existing CC&Rs: CC&Rs may be amended in accordance with the amendment provisions contained in the CC&Rs and other legal requirements, if any. It shall be the responsibility and obligation of property owners to provide the District with a copy of any amendments passed by the necessary percentage of property owners as described in each CC&R. The District however, may respond to inquiries and offer suggestions concerning proposed amendments when such input or comment is requested by the proponents of the amendment. . The District website provides a guide and procedures for amending CC&R's.

Temporary Variance for Hardship: The CC&R Committee may grant a temporary variance for hardship (Attachment B.) Temporary Variance for Hardship was approved by the CC&R Committee on January 7th 2019. This process for a temporary variance and its requirements for approval are specific and are not permitted in any CC&R that prohibits variances.

Attachment A

Section 61601.10 of the Government Code:

(a) Notwithstanding the provisions of Section 61600, whenever the board of directors of a district listed in subdivision (b) determines by resolution that it is feasible, economically sound, and in the public interest, and if a majority of the voters voting on the proposition vote in favor of the additional purpose pursuant to Section 61601, the district may enforce the covenants, conditions, and restrictions adopted for each tract within the district and assume the duties of the architectural control committee for each tract within the district for the purposes of maintaining uniform standards of development within each tract as adopted in the covenants, conditions, and restrictions. The district shall exercise the duties of an architectural control committee for any tract only to the extent that an architectural control committee is authorized by the covenants, conditions, and restrictions that apply to the tract. For the purposes of this subdivision, "tract" means any parcel of land for which the county or the city has authorized development. The district may divest itself of the power in the same manner as the power was acquired.

(b) This section shall apply only to the following districts:

(1) Bel Marin Keys Community Services District.
(2) Big River Community Services District.
(3) Brooktrails Community Services District.
(4) Cameron Estates Community Services District.
(5) Cameron Park Community Services District.
(6) El Dorado Hills Community Services District.
(7) Golden West Community Services District.
(8) Lake Shastina Community Services District.
(9) Rancho Murieta Community Services District.
(10) Salton Community Services District.
(11) Sea Oasis Community Services District.
(12) Stallion Springs Community Services District.
(13) Tenaja Community Services District.
(14) Springfield Meadows Community Services District.
(15) Wallace Community Services District.
(16) Mountain House Community Services District.
(17) Bear Valley Community Services District.

Attachment B

Temporary Variance for Hardship.

1. a. Property owners requesting a temporary variance due to a hardship must submit a request to the CC&R Committee. A $50.00 application fee will be due at that time. The CPCSD will place the property owner's request on the CC&R Committee's meeting agenda for review and action.

b. After the property owner obtains the CC&R Committee's approval for the temporary variance, conditioned on the property owner obtaining written signed consents from proximal neighbors ("conditional approval"), then the property owner must engage proximal neighbors as follows.

c. Within thirty days of the CC&R Committee giving conditional approval for the temporary variance, the property owner must obtain written signed consent to the variance from no less than 66.7% of the property owners that are both within (i) 250 feet of the subject property boundary and (ii) within the same subdivision. CC&R Officer reserves the right to reasonably adjust the distance on a case by case basis when additional property owners may be affected.

d. The property owner must obtain the written signed consent pursuant to 1.a. above on a form provided by the District, which outlines the proposed variance.

e. If the property owner is able to obtain the required consents, then they may submit the form to the CC&R Compliance Officer for final approval.

1. Upon the CC&R Compliance Officer's final approval:
    a. The temporary variance will be granted for a period of 60 days from the final approval. The variance will be posted on the CPCSD website and in a conspicuous location at the District Office during that time.
    b. If after 60 days no complaints pertaining to the requested temporary variance have been submitted to the CC&R Compliance Officer, the temporary variance will automatically convert to the full timeframe as approved by the CC&R Committee not to exceed 12 months from commencement. If the CC&R Compliance Officer receives complaints within the 60-day period, then the CPCSD will notify the property owner of the complaints, and the CC&R Committee will place the matter of the temporary variance on its meeting agenda for review and action, which may include termination of the temporary variance.
    c. A $50.00 administrative fee will apply and must be paid prior to the temporary variance going into effect.

2. If a property owner would like to renew the temporary variance:

a. The CC&R Compliance Officer must receive written notification of the request to renew at least 60 days prior to the expiration of the temporary variance.
b. Once the CC&R Compliance Officer receives the request to renew, it will place the matter of the renewal on the CC&R Committee's meeting agenda for review and action, which may include granting the request for the renewal. While the request is pending, the temporary variance will remain in effect. .
c. A request for variance is not required for renewal. However, the District will send the owner's renewal request to the neighboring property owners as determined per 1(a) of this procedure at least fifteen days before the CC&R Committee decides whether to grant the property owner's request, to allow for public comment.
d. An additional $50.00 Administrative Fee will also apply and must be paid for each subsequent renewal of the variance.

3. Once a variance is granted, the following conditions will also apply:
    a. If the subject property is sold, the temporary variance will be automatically terminated.
    b. If the property owner deviates from any of the conditions imposed by the CC&R Committee, then the variance will be terminated immediately upon confirmation of the deviation by the CPCSD CC&R Compliance Officer.

Variances will not be granted where a given set of CC&Rs explicitly prohibit such variances.

Attachment C

Cameron Park Fence Guidelines

Fences are one of the many property improvements that residents use today to protect privacy and pets as well as establishing property lines. While we may think there is a basic right to put up a fence with any design, it is not the case. Height, placement, and design with a design review approval from the Cameron Park Community Services District (CPCSD) is required and permission from a joining neighbor is recommended.

Many disputes about fences can arise when homeowners do not understand fence laws in El Dorado County. There are laws and regulations for fences within El Dorado County to help residents protect themselves from those issues which create domestic disputes.

The following guidelines will help you understand the Cameron Park requirements with fences. These guidelines are written using the El Dorado County Code 130.30.070. Please review these guidelines when planning a fence project. Remember, it is always a good idea to do your due diligence and get your approvals prior to starting the project.

Fence Height:

Back yard fences – Not to exceed 7’ maximum height with CPCSD Architectural Review Committee (ARC) approval. This includes lattice tops, header, and kickers. The height is measured from the natural grade to the top of the highest point of the fence construction. Any fences over 7’ tall will require CPCSD and El Dorado County permits.

Side Yard fences – Not to exceed 7’ maximum height with CPCSD ARC approval. This includes lattice tops, headers, and kickers. This is within the front setback established in your CC&Rs. If your side yard fence encroaches into your front setback, then the fence must stair step down to a maximum of 48” if it is 50% open construction or 40” if it is closed construction (Open meaning not fully closed to visibility).

Front yard fences – Not to exceed 40” if the fence is of closed construction and a maximum of 48” if the fence is 50% open construction. CPCSD ARC approval is required. No lot shall have a frontage fence over 48” (open construction) or 40” (closed construction) enclosing the frontage of a property. Lots with multiple road frontages will require additional setbacks for cross visibility.

No frontage fence will be permitted within 10’ of the front property line or easement. If you need to have your easement established, please contact EDC County Planning Department.

Design:

Architectural designed fences with wood, construction such as redwood slat and pressure treated posts will be acceptable pending the ARC review. Additionally, steel fabricated framed fences, steel posts, wrought iron fences with harmonious designed features are acceptable.

Chain link, barbed wire, and agricultural wire fencing will not be permitted. All fence designs are subject to review and approval by the Cameron Park Community Services District Architectural Review Committee to determine if the fence design meets CC&Rs, EDC Code and the design intent for that neighborhood.

Side yard gates shall be of closed construction to conceal all stored items behind the fence line. Cattle gates or chain link gates will not be accepted.

Location:

Back yard fences and side property line fences may be installed on the property line.

It is the responsibility of the property owner to ensure the boundary lines are correct. This may require a surveyor to mark the proper line locations.

In some cases, this may be done on the side and back easements, but you will need to check with the utility company to ensure that you are not installing over a utility line. If the fence is to be taken down by the utility company. It will be at the owner's expense if the above recommendations are not met.

Front fences that are within the above requirements for front yard fencing will still be required to be 10' back from the front property line.

Approval Requirements:

All fences that are to be built or replaced require Cameron Park CSD approval through the Architectural Review Committee. If the fence is being replaced like for like, you will not need Cameron Park ARC approval, but it is a good idea to let the CSD offices know to help manage questionary calls or complaints while the work is being done. The County of El Dorado does not require a permit for a fence under 7' tall but your CC&Rs do require a review and approval.

Any fence that is requested over 7' tall will require both Cameron Park ARC approval and El Dorado County approval.

Retaining Walls: All retaining walls require an El Dorado County permit. A fence built on top of a retaining wall will have a combined height of 7' as a maximum height.

***Note: Fire requirements may be applicable to any fence or gate installed within 5'-10' of any structure. Please inquire with your local fire agency about these requirements.**

Good Neighbor Fence recommendations:

A good neighbor fence is a shared fence. We recommend communicating with your neighbor of whom you share the fence with. If you build a fence on your property line that is shared with a neighbor and wish to consume the cost of the fence, you are not required to seek compensation from your neighbor. At the same time, absorbing the cost of the fence does not entitle you to special privileges over your neighbor's desires.

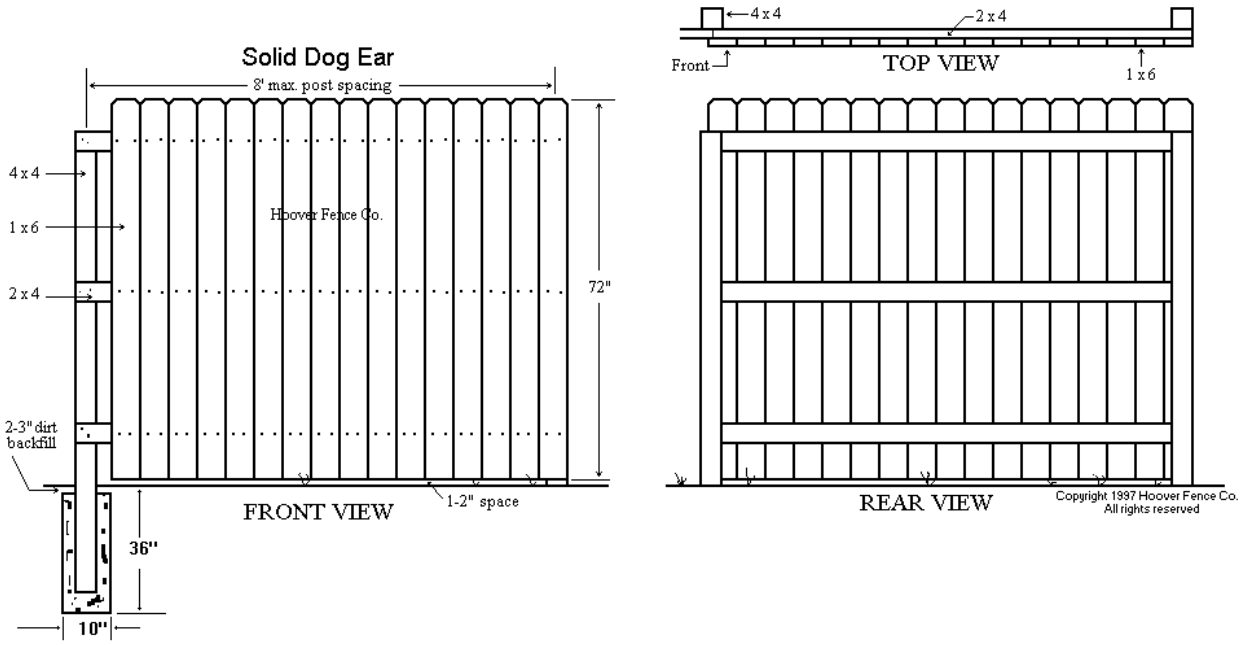
As a good neighbor, a shared fence with multiple property owners should be discussed to determine maintenance of the fence on their side of the fence. Shared costs are recommended to insure there is no dispute.

Disputes over fences are a court matter between you and your neighbor. The Cameron Park CSD and El Dorado County considers these domestic disputes and will not aid in the matter.

If you are planning on building or replacing a fence, you are recommended to send a letter to the other impacted homeowners. This letter is known as a good neighbor fence letter and should include:

- A description of the issue to build or replace a fence. This helps neighbors know why the work needs to be done.
- A solution to the problem. This may include design.
- The timeline in which the project will be started and completed.
- Cost of the project and what parties will be paying for the fence.
- Signature lines for all parties involved to confirm acceptance.

Closed Construction Fence Example:



Minimum 50% Open Constructed Fence Example:

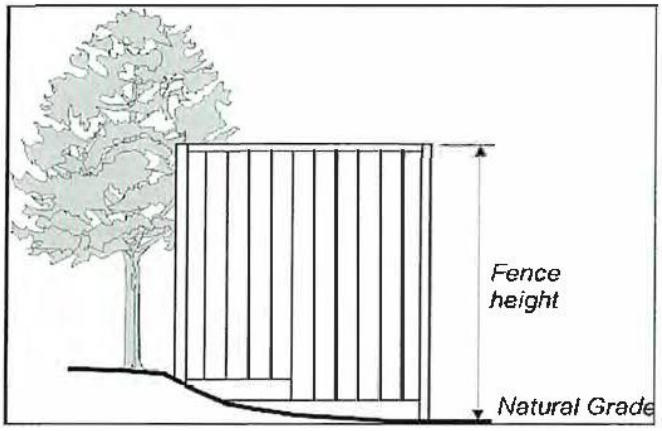
For all other questions and supporting documents. Please review the El Dorado County Building Code 130.30.070. Fences, Walls, and Retaining Walls.

El Dorado County Code

Sec. 130.30.070 Fences, Walls, and Retaining Walls.

A. Measurement of Fence Height. Fence height shall be measured as the vertical distance between the natural or finished grade at the base of the lowest side of the fence, and the top edge of the fence material, as shown in Figure 130.30.070.A (Example: Fence Measurement) below in this Section:

Figure 130.30.070.A Example: Fence Measurement



B. Front Yards. In all zones and for non-agricultural uses, the following fence and wall requirements shall apply within required front yard setback areas:

1. Fences or walls at least 50 percent open shall be allowed up to a height of seven feet in both primary and secondary front yard setbacks, as determined in Subsection 130.30.050.A.4.a (Double Frontage Corner Lots) above in this Chapter.

2. Fences or walls which are less than 50 percent open shall not exceed 40 inches in height in the primary front yard setback.

3. The setback for a retaining wall greater than 36 inches in height may be reduced by 50 percent where the slope gradient for the front half of the lot exceeds 25 percent, providing:

   a. The exposed height shall not exceed seven feet.

   b. Any fence erected on the top of a retaining wall shall meet the requirements identified in this Section for height, construction, and cross-visibility area (CVA) purposes.

4. Retaining walls that exceed the standards in 3.a above in this Section shall be subject to a Minor Use Permit in compliance with Section 130.52.020 (Minor Use Permit) in Article 5 (Planning Permit Processing) of this Title.

5. Retaining walls necessary to provide site access or that do not exceed 36 inches in exposed height shall not be subject to setback requirements. In addition, such walls may be allowed within public utility easements but not within drainage easements.

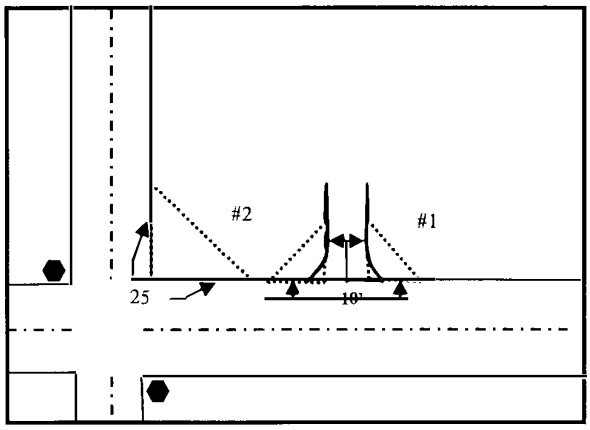
6. Fences or walls less than 50 percent open may be allowed up to a height of seven feet in the secondary front yard setback, but not less than 10 feet from the property line, right-of-way, or road easement where the property line is the center line of the road, subject to the cross-visibility area (CVA) restrictions in Subsections B.7 and B.8 (Front Yards) below in this Section.

7. At a corner formed by any encroachment onto a road, no fence or wall greater than 40 inches in height shall be placed within the CVA consisting of a triangle having two sides 10 feet long, running along the driveway/encroachment edge and the road edge-of-pavement, said length beginning at their

intersection, and the third side formed by a line connecting the two ends, as shown in Figure 130.30.070.B (Cross Visibility Area [CVA]) below in this Section (See #1 above in this Section).

8. On corner lots, no fence or wall greater than 40 inches in height shall be placed within the CVA consisting of a triangle having two sides 25 feet long, running along each right of way or road easement, said length beginning at their intersection, and the third side formed by a line connecting the two ends, as shown in Figure 130.30.070.B (Cross Visibility Area [CVA]) below in this Section (See #2 above in this Section):

Figure 130.30.070.B Cross Visibility Areas (CVA)



C. Side and Rear Yards. In all zones, fences, walls, cut retaining walls, or fences and walls that are erected within five feet of a retaining wall shall be allowed within required side and rear yard setbacks to a maximum cumulative height of seven feet. Fences, walls, or fences and walls that are erected within five feet of a retaining wall such that the cumulative height exceeds seven feet, but does not exceed ten feet in cumulative height, may be allowed subject to the following:

1. Where the height of the fence or fence and wall is more than seven feet above the natural or finished grade of the adjacent property, a signed and notarized statement from the adjacent property owners that the proposed fence or wall, as described or shown in an attached exhibit, will not impact their view nor will it restrict light or movement of air and, therefore, they have no objection to the construction of the fence or wall;

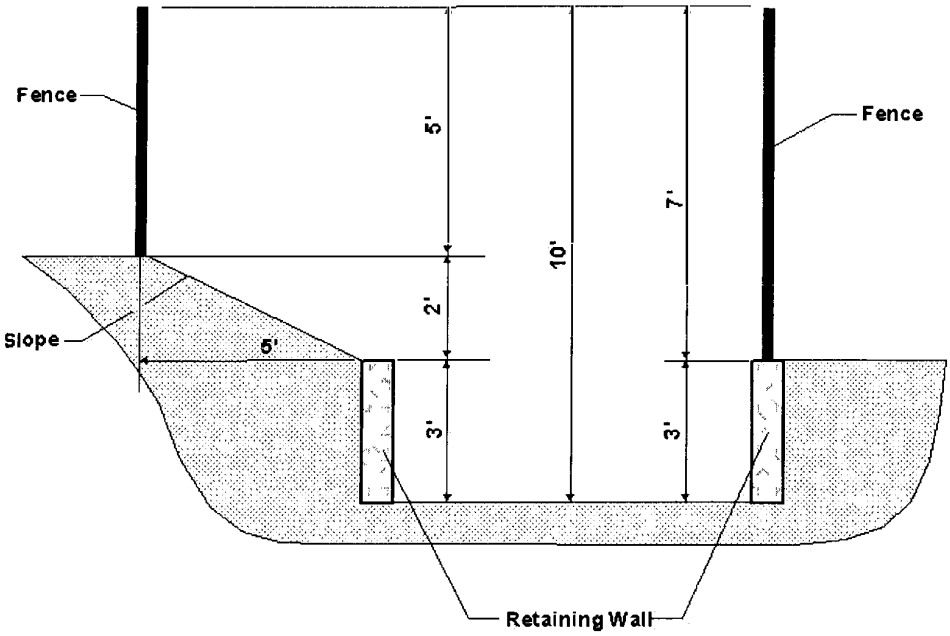
2. Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property. If such determination is made by the Director, the proposed fence or wall shall be approved through the Administrative Permit process in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver) in Article 5 (Planning Permit Processing) of this Title. The Director may require additional notarized statements from neighboring properties if, in his/her opinion, they may be impacted by the fence or wall; and

3. Issuance of a building permit where required by the applicable Building Code (Title 110—Buildings and Construction, of the County Code of Ordinances).

D. Agricultural Uses. On lots that are located in the R1A, R2A, R3A, RE, RL, AG, PA, LA, FR, and TPZ zones, agricultural fencing, as defined in Article 8 (Glossary: see "Agricultural Fencing") of this Title, shall be allowed in any setback area provided it does not exceed 14 feet in height.

E. Retaining Walls. For the purposes of calculating fence or wall height, the height of a retaining wall is included in the calculation if the fence or wall is located on top of or within five feet of the retaining wall. A sloped area, if it exists between the retaining wall and the fence or wall shall be included in the height calculations as noted in Figure 130.30.070.C (Example: Retaining Wall/Fence Measurements) below in this Section.

Figure 130.30.070.C Example: Retaining Wall/Fence Measurements



F. Fences shall not be allowed within a road easement or county-maintained right-of-way except as provided below:

1. Gates and decorative entryways to a non-county maintained road system subject to the requirements under Section 130.30.090 (Gates) below in this Chapter;

2. In RE, RL, AG, PA, LA, FR, and TPZ zones, agricultural fencing as defined in Article 8 (Glossary: see "Agricultural Fencing") of this Title, may be located within a county-maintained right-of-way or non-county maintained road easement, provided that the fence is located a minimum of five feet outside of all improved areas, including roadside drainage features and cut or fill slopes. When located within a county-maintained right-of-way or non-county maintained road easement, the property owner shall be required to remove or relocate said fence at the time any work or improvements are being made within the right-of-way or at the County's discretion when necessary to ensure the public health, safety, and welfare.

G. Concertina wire, serpentine wire, barbed wire, razor wire, and other similar fencing materials capable of inflicting significant physical injury shall be prohibited. A Minor Use Permit will be required to allow these materials if it can be demonstrated that the proposed fencing is reasonably necessary to protect persons or property and will not constitute a safety hazard to members of the public conducting themselves in a lawful manner. In no event shall these fencing materials protrude into or over the public right-of-way. These regulations shall not apply to fencing required by court order, or when being used for animal husbandry and/or grazing operations.

H. Fences and walls not located within any of the required setback or cross-visibility areas are limited in height only by the building height limitations of the zone in which they are located.

I. A building permit shall be required, for any fence over seven feet in height, in compliance with Chapter 110.16 (Uniform Building Code) of Title 110 (Buildings and Construction) of the County Code of Ordinances, or as otherwise required by Title 110.

J. Fences or walls shall not exceed the requirements of this Section unless and until a Minor Use Permit is granted in compliance with Section 130.52.020 (Minor Use Permits) in Article 5 (Planning Permit Processing) of this Title.

K. Columns, pilasters, and support structures, and the decorative elements thereon associated with a fence or gate located on or within required setbacks may exceed the height limit provided they meet the following criteria:

1. They do not exceed eight feet in height;
2. They are not located closer than 16 feet on center;
3. The fencing materials do not cumulatively exceed the see-through fence standard, where applicable; and
4. They do not interfere with the cross visibility area (CVA) associated with any street or driveway.

ARCHTECTURAL REVIEW COMMITTEE

HANDBOOK

1.1 ARCHITECTURAL APPROVAL REQUIRED:

1.1.1 Introduction: The purpose of the ARC Committee is to review residential proposals for improvements or alterations in accordance with the Cameron Park Neighborhood CC&Rs. This includes any and all exterior improvements to the dwelling or property. For improvements or alterations on House Paint, Fences, Room Additions, Sheds, Tree removals, Re-roofs, Solar, Siding, Pools and Patio Covers etc. Proposals for Residential Alterations (including required landscaping for some neighborhoods) are subject to the provisions of this Article and may not be made until approved in accordance with the provisions of this Article. Approval by the District Architectural Committee does not constitute approval by the County, if required. Owner must apply to the County and obtain approval from the County for all Alterations that require such County approval.

1.1.2 Exceptions: The provisions of this guide requiring architectural approvals do not apply to previously approved improvements such as, repainting or refinishing any Improvement in the same color, hue, intensity, tone, and shade or repairing or replacing any Improvement with the same materials. Where applicable per individual CC&R's, the provisions of this guide requiring architectural approvals include planting or removing landscaping except for landscaping within completely enclosed portions of Lots. The Architectural Committee may establish additional exceptions as deemed necessary for the betterment of the community in accordance to the architectural standards set forth in the CC&Rs.

1.1.3 Limitation of Liability: Neither the Committee or any members or successors shall be liable in damages to anyone submitting any plans or requests to them for approval or to any owner of land affected by the these covenants by reason of mistake in judgement, negligence's arising out of or in connection with the approval or disapproval or failure to approve any such plans or request. Every person who submits any plans or requests to the Committee for approval agrees, by submission thereof, any and every said owner of any said property agrees by acquiring title thereto, that he will not bring any such action or suite to recover any such damages.

Neither the Architectural Committee nor any of its members shall have any duty to question or investigate the adequacy of any engineer's recommendations or to take any steps to ensure that the Owner complies with any such engineering recommendations.

1.2 **ARCHITECTURAL COMMITTEE**: CPCSD District Policy 4060 establishes the ARC Committee as a standing committee of the Board of Directors. The Architectural Committee shall initially be composed of three (3) persons. The District Board President may appoint all of the members of the Architectural Committee and all replacements on an annual term per the CPCSD District Policy 4060.

1.2.1 **Members**: Members of the community are hereby appointed and designated by the District Board President as members of the Architectural Committee. Each member of the Architectural Committee will voluntarily serve until replaced or until a written resignation is submitted to the remaining members. The District Board President may appoint a replacement member.

1.2.2 **Address**: The address of the Architectural Committee is 2502 Country Club Drive. Cameron Park, CA. The Architectural Committee shall not be an "association," as that term is defined in California Civil Code Section 4080.

1.3 **POWERS OF THE ARCHITECTURAL COMMITTEE**: The Architectural Committee shall have the following powers:

1.3.1 **Review Plans**: To review and approve, disapprove or conditionally approve all plans, submittals, applications and requests made or tendered to it by Owners, or their agents, pursuant to the provisions of the CC&Rs. In connection therewith, the Architectural Committee may investigate and consider the architecture, design, layout, landscaping, fence detail, and other features of the proposed improvement;

1.3.2 **Adopt Rules**: To adopt rules and regulations for the transaction of business, scheduling of meetings, conduct of meetings and related matters;

1.3.3 **Specify Materials**: To require the submission of site plans, diagrams, photographs, materials or other presentation material as may be necessary or appropriate for complete review and consideration of the proposed project.

1.3.4 **Adopt Architectural Standards**: To adopt architectural rules, regulations and guidelines ("Architectural Standards") which are consistent with the purpose and intent of the CC&Rs and the design of the Project to be used in making the Architectural Committee's determination to approve, disapprove or conditionally approve any matter submitted to it for decision. The Architectural Standards may interpret and implement the provisions of the CC&Rs by setting forth the standards and procedures for architectural review and guidelines for architectural design, placement of buildings, color schemes, exterior finishes and materials and similar features which may be used in the Project.

1.3.5 **Fees**: Fee proposals by staff and the ARC Committee are to be submitted to the Board of Directors to adopt a schedule reasonable for processing submittals and to establish the time and manner in which such fees shall be paid.

1.4 **DUTIES OF ARCHITECTURAL COMMITTEE**: The Architectural Committee shall:

1.4.1 **Time Limitation**: Render a decision on each matter submitted to it, in writing, within thirty (30) days of receipt of all submitted data required by its rules and regulations. Failure to render a decision within said period of time shall be deemed to be an approval of the matter as submitted. The approved plans and specifications, if any, shall be digitally retained by the District and the Architectural Review Committee.

1.4.2 **Publish Rules**: Publish and make available to Owners and prospective owners all of its rules, regulations and criteria from time to time adopted, if any.

1.4.3 **Appointment and Designation**: The Architectural Committee may, from time to time, by a majority vote of the members thereof, delegate any of its rights or responsibilities hereunder to one or more duly licensed architects, legal, CC&R Committee or other qualified persons who shall have full authority to council the Architectural Committee or act on behalf of the Architectural Committee in all matters delegated.

1.5 **CONDITIONS PRECEDENT TO APPROVAL**: As conditions precedent to approval of any matter submitted to it, the Architectural Committee must ordinarily be able to find that:

1.5.1 **Architectural Review**: General architectural considerations, including the character, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and similar elements have been incorporated in order to ensure the compatibility of the proposed improvement with its design concept and the character of adjacent buildings;

1.5.2 **Site Review**: General site considerations including site layout, open space and topography, orientation and locations of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, and similar elements have been designed to provide a desirable environment; and

1.5.3 **Landscape Review**: For Complete Landscape projects; General landscape project consideration, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigating, Maintaining and protecting landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings and structures, and to provide an attractive environment for the enjoyment of the Owners in general and the enhancement of property values in the Project generally. Landscape projects are to consider fire resistant plant life and ground cover. Maintenance of landscape or replacement of dead plant life are not subject to ARC submittal and review.

If the Architectural Committee makes a negative finding on one or more of the items set forth in this Section, it shall ordinarily disapprove such matter, or condition its approval so as to allow such findings to be made.

1.6 **FORM OF APPROVALS, CONDITIONAL APPROVALS AND DENIALS**: All approvals, conditional approvals and denials must be in writing. Any denial of a proposal must state the reasons for the decision to be valid. Any proposal which has not been approved, conditionally approved or rejected in writing within thirty (30) days from the date of submission will be deemed approved. Decisions made by the ARC Committee may be appealed to the CC&R Committee. The date of submission shall be the date the submission is actually received by a member of the Architectural Committee.

Making Changes

A step-by step Guide

To Amending

Covenants, Conditions & Restrictions

(CC&R's)

Prepared by
Cameron Park Community Services District

This Step-by-Step Guide to Amending CC&R's is presented in response to the numerous requests from property owners inquiring about the procedure to make changes to existing deed restrictions, also known as Covenants, Conditions and Restrictions, or, CC&R's.

The "who-what-why-where-when-and-how" of amending CC&R's are addressed in this brochure to assist property owners who wish to amend their deed restrictions.

WHO

CC&R's may only be amended by the legal property owners of a single property. The signatures of all owners must be included on the petition unless the CC&R's state other wise. The percentage of owners needed to pass an amendment differs among the various CC&R documents but it is usually between 51% and 75%. The CC&R's for Cameron Park North Units 1, 2 and 3 contain no clause allowing amendments and it would therefore be legally necessary to obtain approval by 100% of the property owners. Refer to the specific CC&R document for exact percentages required to authorize an amendment.

WHAT

CC&R's are legal documents initiated by the developer of a subdivision or the developer of a unit within a subdivision. CC&R's are recorded "against" a parcel number at the County Recorders office. That means all conditions and restrictions stated in the CC&R's pertaining to that parcel stay with that parcel. When ownership changes, the CC&R's stay "with the land".

WHERE

CC&R's are recorded on approximately all parcels within the jurisdiction of the Cameron Park Community Services District.

WHEN

In November of 1985, voters of Cameron Park passed Ballot Measure B giving the Cameron Park Community Services District authority to enforce the CC&R's and charging the CSD to maintain a uniform standard of development within each tract. Attached to this measure was a special tax of up to $12 per year, per parcel, to be used for any expenses incurred by the CSD in carrying out said purposes.

WHY

It remains a right of the property owners and the developer of the subdivision to perform their own CC&R enforcement. This right includes bringing legal action against another property owner for a violation of a specific clause. However, many residents who are apprehensive about creating a disagreement between themselves and their neighbors turn to the CSD for enforcement of the CC&R's.

Occasionally, the issue of concern is not addressed in the CC&R's. When the CC&R's do not address situations a resident believes should be included in the CC&R's, or when the CC&R's restrict actions or situations they believe should be allowed, property owners may wish to amend the CC&R document.

HOW

Step 1: Obtain a copy of the CC&R document that applies to your property. (By law, you should have received a copy of the CC&R document when purchasing your home or lot.)

Find and read the section, which specifies the percentage of property owners required to amend the CC&R's. You may obtain information from the assessor's office as to legal ownership of the property.

Step 2: Draft proposed language for the amendment. (For example: if the current CC&R's do not address landscaping requirements, the section on landscaping might have language added to require installation and a certain level of maintenance.)

Step 3: Determine which properties will be included in and affected by the amendment. This step determines the number of signatures needed to meet the percentage requirement in Step 1. Some communities are comprised of many "subdivisions" and each subdivision has a different set of CC&R's.

Step 4: Prepare a petition including the amendment language at the top of the signature page. A miniature example of the petition's signature page is included on the back of this brochure.

Step 5: The CSD will assist with determining whether the proposed change is enforceable and properly phrased. If the change is enforceable, proceed to Step 6.

Step 6: Collect signatures of property owners who agree with the amendment as indicated on the petition. Petition circulators are required to attest before a notary public *to* the authenticity of the signatures they collect.

Step 7: Deliver completed petition (with at least a minimum percentage of signatures) approving the amendment to the El Dorado County Recorders office for recording. A

recording fee is required. Currently, the standard fee for recording is $7 for the first page and $3 for each additional page of the same document. Phone the County Recorders office to obtain the required cover page format and to verify fees (530) 621-5490). They are located at 360 Fair Lane, Placerville, Ca. 95667.

Step 8: Obtain a "conformed" copy of the amendment with signatures from the recorders office. Deliver the conformed copy of the amendment to the CSD.

Step 9: Deliver a copy of the recorded amendment to every property owner and/or resident affected by the amendment. It takes approximately one month to receive the recorded copy from the County office.

Other Information

The architectural control committee (ACC) is often referred to in the CC&R's. This committee reviews proposed property improvements from new homes and additions to existing residences, to pool installations, fencing, roofing, and exterior paint colors, in addition to many other improvements. Basically, anything that will change the external appearance of any structure must be reviewed and approved by the ACC.

The Cameron Park Community Services District has three staff members on the committee. The architectural control committee meets every Thursday at 7:30 a.m. To have an item placed on the agenda, submit a property improvement application to the CSD staff by 10:00 a.m. Friday and your application will be reviewed the following Thursday morning.

A Sample Petition To Amend CC&R's

This is an example of a petition form that may be used to obtain signatures to amend the existing CC&R's.

1. --------- X----------X----------X----------
(Date) (Printed Name) (Signature)

---------- ------- ---------- ----------
Unit Lot# Street Address City, State

2. ---------- X---------- X----------X----------
(Date) (Printed Name) (Signature)

---------- ------- ---------- ----------
Unit Lot# Street Address City, State

3. ---------- X----------X----------X----------
(Date) (Printed Name) (Signature)

---------- ------- ---------- ----------
Unit Lot# Street Address City, State

4. ---------- X----------X----------X----------

---------- --------- ---------- ----------
Unit Lot# Street Address City, State

END OF SAMPLE PETTITION

*Circulators Signature:*_____

I hereby attest that I personally circulated the above petition and say the property owners sign the petition.

_____ _____

Circulators Signature *Notary*

California Special Districts Association

Districts Stronger Together

Brown Act Compliance Manual

for Special Districts

(Revised January 2026)

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A GUIDE TO UNDERSTANDING CALIFORNIA'S OPEN MEETING LAWS

Introduction

The Ralph M. Brown Act ("Brown Act")[1] was enacted in 1953 in response to a series of articles in the San Francisco Chronicle detailing the way local agencies at the time conducted secret meetings or caucuses even though state law had long required that local agencies conduct business publicly. The purpose behind the Brown Act, as originally adopted and as it remains today, is to ensure that actions of local public agencies—including their deliberations, are taken in open and public meetings, with posted agendas, and where all persons are permitted to attend and participate.

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly." [3]

This manual provides special districts[2] with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act. Districts are permitted to and should consider adopting local policies that exceed the minimum requirements of the Brown Act in terms of providing greater public access and openness to district business.

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I. Overview of the Brown Act

Note: A local agency must provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

Scan/Click for Live Web Page

This manual provides special districts with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act.

The purpose behind the Brown Act is to ensure that actions of local public agencies – including their deliberations - are taken in open and public meetings, with posted agendas, and where all persons are permitted to attend and participate. Courts construe the Brown Act liberally, in favor of openness and narrowly construe its limited exemptions.

The Brown Act and incorporated provisions of the Americans with Disabilities Act not only guarantee the public's right to attend and participate in open and public meetings but ensure that the meetings will actually be accessible to all members of the public. Violations of the Brown Act can result in the action taken being invalidated and the award of attorney's fees and costs if there is a successful legal action against a public agency. Certain intentional violations can result in criminal prosecution. And regardless of the nature of the violation, the mere fact that the public perceives that an agency is improperly conducting business behind closed doors can indelibly damage the public's trust in local government.

This manual provides special districts with guidelines and tips for complying with the various meeting agenda, notice, public participation, and public reporting requirements of the Brown Act. The manual also includes guidance on how members of a legislative body may engage with the public on social media platforms and details on how to permit remote participation in a Brown Act compliant teleconference meeting.

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This manual is not intended to provide legal advice on any specific issue.

This manual is not intended to provide legal advice on any specific issue. Because the statutory and case law summarized in this manual is subject to change, district staff and officials should always seek the advice of agency legal counsel as to the application of the Brown Act in a particular situation and to ascertain whether there have been recent changes to the Brown Act or its interpretation by the courts.

Purpose and Basic Rule

The purpose of the Brown Act is elegantly stated in the opening declaration:

> *"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business."*

It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.[3]

The Brown Act's basic and unchanged rule provides:

> *"All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body."*[4]

As summarized by one court: "It is clearly the policy of this state that the proceedings of public agencies, and the conduct of the people's business, [must] take place at open meetings, and that the deliberative process by which decisions related to the public's business are made [must] be conducted in full view of the public." Thus, except for certain closed session items, all aspects of the decision-making process by legislative bodies—including the acquisition of information, discussion and debate—must be conducted in public.

II. District Legislative Bodies and Other Groups Covered and Not Covered

The Brown Act only applies to a district "legislative body" as defined in Section 54952. Therefore, understanding the scope of that term is the critical first step in determining whether the Brown Act applies to a particular district body or group.

What bodies are considered a "legislative body" subject to the Brown Act?

1. **The Governing Body** of a district (i.e., the board of directors) is considered a "legislative body" subject to the Brown Act.[6]

> ***Note:*** The Brown Act also applies to persons elected to serve on a legislative body covered by the Brown Act but who have not yet assumed the duties of office.[7]

2. **Standing committees** of a legislative body, regardless of their composition (i.e., including less than a quorum of the legislative body), that have either (a) continuing subject matter jurisdiction or (b) a meeting schedule fixed by formal action of a legislative body are subject to the Brown Act.[8]
3. **Appointed bodies**, whether permanent or temporary, decision-making or advisory, created by a formal act of the governing body are subject to the Brown Act.[9] The "formal act" required to create a Brown Act legislative body includes any official action and is not necessarily limited to formation by a formal vote or adoption of a resolution.[10]
4. **Joint Powers Authority** legislative bodies of a legally separate entity established by districts under the Joint Exercise of Powers Act must comply with the Brown Act.[11]
5. **Private organizations and other separate entities.** The board or other governing body of a private organization, such as a nonprofit corporation, is subject to the Brown Act, if: (a) a district legislative body created or was involved in bringing the organization into existence to exercise lawfully delegated authority, or (b) if both of the following requirements are met: (i) the organization receives funds from the

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district and (ii) a member has been appointed as a full voting member of such board by the district's legislative body.[12, 13]

What district bodies or groups are not considered a "legislative body" subject to the Brown Act?

1. **A temporary advisory committee** (often referred to as an **ad hoc committee**) composed solely of less than a quorum of the legislative body that is created for a single or limited purpose (e.g., a recruitment committee for a vacant position or a committee to investigate a particular incident or issue) that will dissolve once its task is completed is not subject to the Brown Act.
2. **Groups advisory to a single member of a legislative body** created by the informal action of the particular member to advise the member are not covered by the Brown Act.[14]
3. **A group appointed by district staff** (e.g., a committee to assist with a district social or community event) is not subject to the Brown Act.

Compliance Tip

Forming a true ad hoc advisory committee that is composed solely of less than a quorum of the legislative body and that is not subject to the Brown Act requires careful consideration of these restrictions.

III. Meetings Covered and Exempted

The Brown Act only applies to "meetings" of district legislative bodies. Thus, it is critical to understand what meetings are covered and what gatherings are not considered a meeting.

Definition of Meeting

The Brown Act defines a **"meeting" as any congregation of a majority of the members of a legislative body at the same time and location, including a teleconference location, to hear, discuss, deliberate, or take action on any item that is within the legislative body's subject matter jurisdiction.**[15] As defined, the term "meeting" is not limited to gatherings at which action is taken but applies equally to situations where a quorum of the legislative body merely hears, discusses, or deliberates on district business. These terms have their ordinary meaning, but there is a specific definition for "action taken," which includes:

1. a collective decision by a majority of the members of a legislative body;
2. a collective commitment, or promise by a majority of the members to make a positive or negative decision; or
3. an actual vote by a majority of the members of the legislative body sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.[16]

Prohibition Against Serial Meetings

Outside of a properly noticed and conducted Brown Act meeting, a majority of the members of a legislative body may not use a series of communication of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the body's subject matter jurisdiction.[17]

This type of prohibited "serial meeting" can occur in two ways:

1. Chain: If member A contacts member B, and B contacts member C, and C contacts member D, and so on, until a quorum of the legislative body has been involved.
2. Hub-and-spoke: An intermediary, such as the general manager, contacts at least a quorum of the members of the legislative body to develop a collective concurrence (or communicate each member's respective positions) on an action to be taken by the legislative body.

Compliance Tip

The use of e-mail can easily result in a serial meeting along with a paper trail establishing a potential violation of the Brown Act.[18] District legislative body members must be extremely careful with the use of e-mail, except to pass along general information. For example, members should refrain in e-mails from stating or taking a position on matters that may come before the district. Members should also refrain from giving instructions or directions to staff members unless they have clear authority to do so. One never knows where, or in how many inboxes an e-mail may end up. This tip is equally applicable to members posting comments on social media and other technological platforms.

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Teleconferencing Meetings

Standard Teleconferencing

Meetings may be conducted by teleconferencing (i.e., any electronic audio or video connection) under the following conditions:[19]

1. agendas are posted at teleconferencing locations specifying all teleconference locations;
2. public access is provided at each teleconference location;
3. public opportunity to speak is provided at each teleconference location; and
4. all votes are taken by roll call.

At least a quorum of the members of the legislative body must participate in the teleconference within the boundaries of the district.

Alternative Teleconferencing

A legislative body of a local agency may utilize teleconferencing without complying with the aforementioned requirements for 'standard teleconferencing' in any of the circumstances described in Government Code sections 54953.8.1 to 54953.8.7. However, the local agency must comply with each of the following mandatory procedures:

1. The legislative body must provide either a 1) two-way audiovisual platform or 2) a two-way telephonic service and live webcasting of the meeting.
2. Each agenda and notice for the meeting must include information for all persons to attend via a call-in option or an internet-based service option.
3. In the event of a disruption that prevents broadcasting the meeting or the receipt of public comments, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting is restored. (Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.)
4. The public must have an opportunity to address the legislative body and offer comments in real time. In addition, the public cannot be required to submit comments in advance of the meeting.
5. The minutes of the meeting must identify any member of the legislative body who participated from a remote location as well as the specific provision of law that permitted their remote participation. Every member participating from a remote location shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.
6. The legislative body must adopt and implement a procedure for resolving requests for reasonable accommodation consistent with the federal Americans with Disabilities Act.
7. A local agency must identify a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

Compliance Tip

Districts should consider adopting a policy on the use of teleconferencing that addresses the circumstances under which it may be appropriate to use this technology, how much advance notice must be given, and the procedures the agency must follow.

Alternative Teleconferencing - Categories

In addition to the circumstances described below in further detail, alternative teleconferencing is permitted for use by the following, with each category having its own requirements for compliance:

- A health authority.[128]
- An eligible neighborhood council.[129]
- An eligible community college student organization.[130]
- An eligible multijurisdictional body.[131]
    - "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter. "Multijurisdictional" means either of the following: (A) A legislative body that includes representatives from more than one county, city, city and county, or special district, or (B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

Compliance Tip

A legislative body seeking to use alternative teleconferencing pursuant to one of these bulleted options should refer to the statute authorizing the respective provision in order to understand the specific requirements for that type of alternative teleconferencing, which may vary depending on the category of alternative teleconferencing used. See the Appendix for a full copy of the Brown Act and more information on the aforementioned alternative teleconferencing categories.

Emergency Teleconferencing

In response to the need for greater flexibility in teleconferencing meetings in the wake of the COVID-19 pandemic, the Brown Act was amended to allow legislative bodies to meet remotely during proclaimed emergencies under modified teleconferencing procedures that do not require compliance with the "standard" procedures noted above, provided that the special emergency procedures are followed.[22]

Summary of circumstances and process authorizing emergency teleconferencing procedures:

1. An emergency situation arises that poses an imminent risk to public health and safety.
2. A local emergency or state of emergency is declared.
3. A district wishes to meet remotely via teleconferencing as a result of the emergency. The meeting agenda includes an item for consideration of a resolution to authorize the use of teleconferencing for meetings consistent with Section 54953.8.2.
4. A resolution is passed by majority vote determining that meeting in person would present imminent risks to the health or safety of attendees. The resolution is valid for up to 45 days.

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5. If the state of emergency remains, the district must renew its emergency teleconferencing resolution at least every 45 days, which includes findings that the legislative body has both (1) reconsidered the circumstances of the state of emergency, and (2) the state of emergency continues to directly impact the ability of the members to meet safely in person.

Compliance Tip

The emergency teleconferencing procedures can only be used in the event that a gubernatorial state of emergency (1) has been issued AND (2) remains active, or a local emergency is declared with extreme peril to persons or property in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

Teleconferencing for "Just Cause" Circumstances

Expanded teleconferencing procedures were added to the Brown Act in recent years to permit a member of a legislative body to attend a meeting by teleconferencing via a two-way audiovisual platform or "webcast" on a limited basis.[121] The member may only request to participate from a remote location under these guidelines if one of the following circumstances applies:

1. The member must participate remotely for "just cause," defined as:
   a. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
   b. A contagious illness that prevents a member from attending in person.
   c. A need related to a physical or mental disability, as defined.
   d. Travel while on official business of the legislative body or another state or local agency.
   e. An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.
   f. A physical or family medical emergency that prevents a member from attending in person.
   g. Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.
2. In order for a member of the legislative body to participate remotely under these provisions, they must comply with the alternative teleconferencing provisions discussed previously, including:
   a. At least a quorum of the members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the agency and clearly identified in the posted agenda.
   b. The public is permitted to attend the meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the meeting.
   c. Notice of the means by which the public can remotely attend the meeting via teleconference or videoconference and offer comment during the meeting is included within the posted agenda.

d. The member has done the following:

   i. For a "just cause" circumstance, notify the legislative body at the earliest opportunity, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given meeting.

   ii. The member shall participate through both audio and visual technology.

e. The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the nature of the member's relationship with such individuals.

A member of a legislative body may not participate in meetings of the legislative body solely by teleconference from a remote location under these provisions for more than the following number of meetings, as applicable:

1. Two meetings per year, if the legislative body regularly meets once per month or less.
2. Five meetings per year, if the legislative body regularly meets twice per month.
3. Seven meetings per year, if the legislative body regularly meets three or more times per month.

Any meetings that begin on the same calendar day shall be considered a single occurrence for the purpose of counting meetings.

Teleconferencing under the Americans with Disabilities Act (ADA)

The Brown Act requires an agency's legislative body to allow remote participation in a meeting as a reasonable accommodation for a member with a qualifying disability that precludes in-person attendance at meetings of the legislative body by the member.[124] The member's remote participation must be conducted in a manner that simulates in-person attendance at meetings held in person at a location open to the public. To do this, a member that participates remotely in a meeting as an accommodation under ADA must do the following:

1. Use two-way video and audio streaming in real time, except that any member may use audio only if a physical condition related to their disability results in a need to participate off camera.
2. Disclose the identity of any adults who are present with the member at the remote location, and the general nature of the member's relationship with any of the individuals.

Local agencies should consult with counsel when receiving a request for accommodation under ADA to participate in a meeting remotely.

Teleconferencing by an Eligible Subsidiary Body

An eligible subsidiary body may conduct a teleconference meeting by complying with the alternative teleconferencing requirements, and:

1. Designating one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location but need not post the agenda at a remote location.
2. A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition that results in a need to participate off camera.
3. The visual appearance of a member of the eligible subsidiary body on camera may cease only when

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the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

4. If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.
5. An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.
6. Before an eligible subsidiary body uses teleconferencing for the first time, the legislative body that established the eligible subsidiary body must adopt certain findings by a majority vote, and every six months thereafter.[127]

"Eligible subsidiary body" means a legislative body that meets all of the following:

1. Is described in subdivision (b) of Section 54952.
2. Serves exclusively in an advisory capacity.
3. Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.
4. Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related proposals.

What is not a meeting?

The Brown Act lists seven circumstances that are not considered a regulated "meeting."

1. **Individual Contacts.** Individual district legislative body members may engage in separate conversations or communications with staff, the public, and even another member of a legislative body, provided that the official or the person they contact "does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body."[26] In other words, the Brown Act does not restrain a member of a legislative body's individual actions, but such contacts cannot lead to the type of prohibited serial meeting described above.

Recent Brown Act amendments clarified that a member of a legislative body may engage in conversations of communications on an internet-based social media platform (e.g., Facebook or Twitter) to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. In addition, a member of the legislative body may not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.[27]

Quorum Exceptions

Attendance by a quorum of members of a legislative body is permitted in the following circumstances, provided that a majority of the members do not discuss district business amongst themselves (other than as part of the scheduled meeting, occasion or program):[23]

2. **Standing Committee Meetings.** Members may attend an open and noticed meeting of a standing committee of the legislative body (provided that the members of the body who are not members of the committee attend only as observers).
3. **Meetings of a different body of the local agency** that are open and publicized.
4. **Meetings of a legislative body of another local agency** that are open and publicized (e.g., county board of supervisors, city council, or the board of directors of another district).
5. **Community meetings** organized to address topics of local community concern by a person or organization other than the district, provided the meeting is open and publicized. However, agencies should be mindful that the Attorney General has opined that a "State of the City" or "State of [Special District]" event is a meeting for the purposes of the Brown Act.[123]
6. **Conferences or similar gatherings** that are open to the public and are for purposes of discussing issues of general interest to the public or to public agencies such as the district.

> ***Note:*** The Brown Act does not define what "publicized" means for the purposes of the community meeting exemption, but notice in a newspaper, a mass mailing, physical posting in multiple locations around a community, or posting internet websites should be sufficient to satisfy the Brown Act's openness requirements.

7. **Social or ceremonial events** such as parties, weddings, funerals, retirement celebrations or charitable fundraisers.

Compliance Tip

"Liking" or "upvoting" (or other similar actions) can be construed as a legislative body discussion. The Brown Act defines "discuss among themselves" as: "communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body." [28]

Practice Tip: Public officials do not have to stop engaging with the public because of the Brown Act. But they should take some simple precautions to avoid unintentional violations of the law. This includes warning members of the public when engaging with them outside of a Brown Act open meeting that you cannot discuss the views of other officials and stopping any such discussion by a member of the public as soon as possible.

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IV. Categories of Meetings, and Applicable Notice, Location, Agenda and Procedural Requirements

Categories of meetings subject to the Brown Act

1. **Regular meetings** are meetings held at the dates, times and location set by ordinance, resolution, bylaws or other formal action of a legislative body.[30]
2. **Special meetings** are meetings called by the presiding officer or a majority of the legislative body and may be held at any time subject to a 24-hour notice requirement. Such written notice must be delivered to each member of the legislative body (unless waived in writing by that member) and to each local newspaper of general circulation, and to each radio and television station that has requested such notice in writing. Only the business set forth in the notice may be considered at the meeting.[25]
3. **Adjourned meetings** are regular or special meetings that have been adjourned to a time and place specified in the order of adjournment.[32]
4. **Emergency meetings** are meetings that may occur where the legislative body determines there is an emergency situation that severely impairs public health or safety or there is an existing or threatened situation that poses immediate and significant peril. The special meeting provisions apply to emergency meetings, except the 24-hour notice is not required. News media must be notified by telephone at least one hour in advance of an emergency meeting (except for "dire" emergencies), and all telephone numbers provided must be tried. If telephones are not working, the notice requirements are deemed waived, but the news media must be notified as soon as possible of the meeting and any action taken. Closed sessions are permitted during an emergency meeting under Section 54957 if agreed to by 2/3 vote of the members present (or all of the members if less than 2/3 present). The minutes of the meeting, a list of the persons notified or attempted to be notified, a copy of any roll call vote, and any action taken at the meeting must be posted in a public place for a minimum of ten days as soon after the emergency meeting as possible.[33]

Permitted Locations for Meetings

1. **Regular and special meetings** must be held within the boundaries of the agency's jurisdiction except when:
   a. meeting by remote teleconferencing during a proclaimed state of emergency;[34]
   b. complying with federal or state law or court order;
   c. inspecting real property or personal property that cannot be conveniently brought to the agency;
   d. participating in multi-agency meetings (provided the meeting takes place in a member agency's jurisdiction and is properly noticed);
   e. meeting in the closest meeting facility if the district has no meeting facility within its boundaries;
   f. meeting with elected or appointed federal or state officials when a local meeting would be impractical (solely to discuss local issues over which such officials have jurisdiction);
   g. meeting in or nearby a facility owned by the agency (provided the meeting is limited to items directly related to the facility); and
   h. visiting the office of its legal counsel for a closed session on pending litigation when to do so would reduce legal costs.[35]

> ***Note:*** Retreats and workshops for agencies other than statewide JPAs must be held within the territory of the agency.

2. **Joint powers agencies** may meet within the territory of any member, or if members are located throughout the state, then they can meet anywhere in the state, provided such facility is open to all members of the public.[36]
3. **Emergency meetings** are subject to the same locational rules as regular and special meetings except that the presiding officer may move them to another location if it is unsafe to meet in the regular designated meeting location, or, if the meeting is being conducted during a proclaimed state of emergency by remote teleconferencing pursuant to the provisions of Section 54953.8.2.[37]

Compliance Tip

Drafting an agenda description that is brief but discloses enough information for the public to understand a proposed action is not an easy task. Including information such as the location of a project, the purpose of a project (as opposed to just an agency or applicant given name), the parties involved, and the costs associated with the action will help deflect claims of lack of proper notice.

Agenda Requirements

General Rules

- A written agenda must be prepared for each regular or adjourned regular meeting of the legislative body.
- The agenda must be posted at least 72 hours in advance of the regular meeting to which it relates.
- Each item of business to be transacted or discussed, including items to be discussed in closed session, must be the subject of a brief general description, which generally need not exceed 20 words.[36]
- If the agency has an internet website, agendas must be posted at least 72 hours before a regular meeting and at least 24 hours before a special meeting on the agency's website. The special meeting Internet posting requirement only applies to an agenda of either (a) the governing body, or (b) the participating members are compensated, and one or more members attending are also members of the governing body.[39]

Note: Agendas at physical locations must be posted in areas that are freely accessible to the public at all times. Posting on a bulletin board inside the district's office that is locked after business hours is not in compliance. With limited exceptions, independent special districts must establish and maintain an Internet website that must have contact information for the district listed in addition to the agenda and any meeting materials. The internet website posting requirement may be excused if there are technical difficulties, provided that the district continues to comply with all other notice requirements. Internet website posting requires the agenda to be posted as a direct link on homepage of the agency's website and in an open format that permits the public to retrieve, download, index, and search for the agenda through the internet, in a manner that is "platform independent and machine readable".[42]

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Non-Agenda Items

Action or discussion on any item not appearing on the posted agenda is generally prohibited except that members of the legislative body may:[43]

- briefly respond to statements made or questions posed by the public;
- ask a question for clarification;
- make a brief announcement;
- make a brief report on activities;
- provide a reference to staff or other sources for factual information;
- request staff to report back to the legislative body at a subsequent meeting; or
- direct staff to place a matter of business on a future agenda.[44]

Statutory exceptions to action on non-agenda items

A legislative body may take action on items of business not appearing on the agenda under the following conditions:

- **Emergency:** When a majority decides that an emergency situation exists (i.e., work stoppage, crippling disaster, etc.).
- **Subsequent need urgency item:** When 2/3 present (or all members if less than 2/3 are present) determine there is a need to take immediate action and that the need for action came to the attention of the district subsequent to the agenda being posted.
- **Hold over item:** When the item appeared on the agenda of, and was continued from, a regular meeting held not more than five days earlier.[45]

Special agenda disclosure for concurrent meetings

A legislative body that convenes a meeting and whose membership constitutes a quorum of another legislative body may convene a meeting of the other legislative body, either simultaneously or in serial order, only if a clerk or member of the body verbally announces, prior to convening any simultaneous or serial meeting, the amount of "compensation" or "stipend" that each member will receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body. No agenda announcement is required if:

1. The amount of compensation is prescribed by statute; and
2. No additional compensation for the simultaneous or subsequent meeting has been authorized by the district.

The terms "compensation" and "stipend" do not include reimbursement for actual and necessary expenses incurred by a member in the performance of official duties, including travel, meals, and lodging.[46]

Compliance Tip

The agenda must designate the address where documents may be inspected by the public.[52]

Documents and other writings related to a meeting must be made available to the public at the time of distribution to a majority of the legislative body meeting if prepared by the district or a member of a legislative body, or after the meeting if prepared by some other person.[62] If a district is distributing agenda-related materials to the majority of a legislative body less than 72 hours before a meeting, it must ensure immediate public access to those materials in one of two ways:

1) by making the material immediately available for public inspection at a public office or location designated for that purpose and listing the address of the designated place on all agendas, or

2) by making an initial report (i.e., a document containing a summary and staff recommendation) of the material available for public inspection at a designated location at least 72 hours before the meeting, posting the material on the local agency's internet website in a position and manner that makes it clear that the material relates to an agenda item for an upcoming meeting, listing the web address where the material can be found on all agendas, and making physical copies available for public inspection beginning the next regular business hours for the agency, though this last requirement can only be fulfilled if the next regular business hours of the local agency commence at least 24 hours before that meeting; otherwise the legislative body cannot fulfill all of the requirements of these provisions and may be forced to delay the agenda item the materials relate to.[119]

If requested in writing in advance, a member of the public may be mailed copies of the agenda or agenda packet at the time it is distributed to a majority of the legislative body. Such a request is valid for the calendar year filed. A public agency may establish a mailing fee not to exceed the cost of providing this service.[63,64]

Any audio or video tape record of a public meeting made by or at the direction of the district is subject to inspection under the Public Records Act and such inspection must be provided without charge on equipment made available by the district. If copies of the audio or video tape are desired, the agency may impose its ordinary charge for copies. Audio and video tapes may, however, be erased or destroyed 30 days after the taping or recording.[65]

Meetings of an "Eligible Legislative Body"

Beginning July 1, 2026, all meetings of an "eligible legislative body" are subject to enhanced mandates under the Brown Act to provide increased public access as well as possible translation of agendas and meetings into additional languages.[132]

These additional requirements only apply to an "eligible legislative body" and not to a "legislative body" as traditionally defined in the Brown Act.

For a special district, eligible legislative body means:

1. The board of directors of a special district that has an internet website and meets any one of the following conditions –
   a. The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees; or
   b. The special district has over 1,000 full-time equivalent employees; or
   c. The special district has annual revenues, based on the most recent Financial Transaction Report data

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published by the California State Controller, that exceed four hundred million dollars ($400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

2. An eligible legislative body also includes a city council of a city with a population of 30,000 or more; a county board of supervisors of a county, or city and county, with a population of 30,000 or more; and a city council of a city located in a county with a population of 600,000 or more.

Two-Way Audiovisual or Telephonic Access

Every meeting of an eligible legislative body must include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location.

"Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

> ***Note:*** If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

Compliance Tip

By July 1, 2026, an eligible legislative body must adopt a policy in open session related to disruption of service during meetings that includes procedures for recessing and reconvening a meeting in the event of disruption and describes the efforts that the eligible legislative body shall make to attempt to restore the service. If a disruption of service that prevents members of the public from attending or observing the meeting occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until service is restored, whichever is earlier. If service is not restored upon reconvening the session, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the service have been made in accordance with the policy by the agency, and that the public interest in continuing the meeting outweighs the public interest in remote public access.

When an eligible legislative body elects to provide two-way audiovisual access (rather than telephonic access), the eligible legislative body shall publicly post and provide a call-in option and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. The public must be provided with an opportunity to provide comments as they would with any other open and public meeting, with the same time allotment as a person attending in person.

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Meeting Translation

Although an eligible legislative body is not required to provide interpretation of any meeting, it may elect to provide interpretation, and must reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting as defined in Section 54957.95. Examples of assistance may include allowing extra time or allowing participants to use personal equipment to assist them.

An eligible legislative body must also take affirmative actions to encourage underrepresented and non-English speaking communities to participate in meetings, including: having in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform; maintaining an accessible internet webpage translated in all "applicable languages" (discussed below) dedicated to public meetings; making reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings.

Compliance Tip

Every eligible legislative body should have a webpage dedicated to public meetings that includes: a general explanation of the public meeting process, an explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment, a calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting, the most recent agenda, and a link from the homepage of the agency to the required webpage.

Agenda Translation

The agenda for each meeting of an eligible legislative body must be translated into all "applicable languages," with each translated agenda posted in accordance with agenda posting requirements. This applies only to the agenda, and not the entire agenda packet. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

"Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well." "Applicable population" is determined as follows:

1. For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

IV. Meeting Categories & Requirements (continued)

a. The population of the county with the greatest population within the boundaries of the special district.

b. The population of the service area of the special district, if the special district has the data to determine what languages are spoken by the population within its service area.

2. For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

If more than three languages meet the criteria set forth for "applicable languages," the agency shall translate for the three languages that are spoken by the largest percentage of the population. Translation may be done using a digital translation service, and the eligible legislative body must also accept additional translations of the agenda from the public to post in physical locations where agendas are posted.

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V. Rights of the Public at Meetings

Public Attendance

The Brown Act's mandate that all persons must be "permitted to attend any meeting of a legislative body"[47] is implemented in a variety of ways:

- Members of the public cannot be required to register their names, provide other information, complete a questionnaire, or otherwise fulfill any condition precedent to attending. If an attendance list, register, questionnaire or similar document is circulated to persons present during the meeting, it must state that the signing, registering or completion of the document is voluntary.[48]
- No meeting or any other function can be held in a facility that prohibits attendance based on race, religious creed, color, national origin, ancestry, or sex, or which is inaccessible to the disabled.[49]
- No meeting may be held where the public must pay or make a purchase to attend (this includes remote locations where teleconferencing is used).[50]
- And if teleconferencing is used, members of the public must be given notice of the teleconference location and be able to address the legislative body from such location.[51]

Public Accommodation (Americans With Disabilities Act)

All open meetings under the Brown Act must also comply with Section 202 of the Americans with Disabilities Act ("ADA") and its implementing rules and regulations. The ADA prohibits a governmental entity from discriminating against individuals with disabilities in the programs, services, and activities it offers. Programs and activities are required to be readily accessible to and usable by disabled individuals.[54] Therefore, public entities must make accommodations for disabled individuals to participate in the meetings unless doing so would be an undue burden or cause a fundamental alteration in the program or activity. [55] This is accomplished in the following two ways:

1. **Physical facilities:** In addition to the meeting room being accessible, the telephones and bathrooms must also be made accessible if phones and bathrooms are provided for non-disabled individuals.[56] Meeting rooms must also have wheelchair seating and assistive listening systems.[57]
2. **Agenda and written materials:** Agendas must include information regarding how, to whom and when a request for disability-related modification or accommodation may be made in order for a person with a disability to participate in the meeting. When requested by a person with a disability, the agenda and documents in the agenda packet must be made available in "appropriate alternative formats," and writings distributed at a public meeting must also be made available in "appropriate alternative formats," even when the materials are handed out by members of the public.[58]

PC: Ability Ministry on Disability Is Beautiful (disabilityisbeautiful.com)

Public Access to Meeting Records

The public has the right to review agendas and documents and other writings distributed to a majority of the legislative body (except for privileged documents). A fee or deposit may be charged for a copy of these public records.[59] *See Compliance Tip on Page 18 for more information.*

Compliance Tip

With the advent of digital files, most agencies maintain copies of meeting recordings on their website, either permanently or for an extended period of time, to ensure continued public access and as an aid for reminding officials and staff precisely what transpired in such meetings.

Public Participation

A regular meeting agenda must allow an opportunity for members of the public to speak on any item of interest, so long as the item is within the subject matter jurisdiction of the legislative body.[66]

The public must be allowed to speak on a specific item of business before or during the legislative body's consideration of it.[67] However, an agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting where members of the public were given the opportunity to address the committee on the item, before or during the committee's consideration of the item. This shall not apply in some circumstances, such as when the item has been substantially changed since the committee heard the item, or if the committee members did not participate from a singular location when considering the item. Every notice for a *special* meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.[125]

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Public Conduct

Disturbances. The legislative body may remove any person from a meeting who willfully interrupts the proceedings. Removal is only justified, however, when an audience member actually disrupts the meeting.[71] If order still cannot be restored, the meeting room may be cleared.[72] Members of the news media who have not participated in the disturbance must be allowed to continue to attend the meeting. The legislative body may also re-admit individuals not responsible for the disturbance.[73] The authority of a legislative body to remove a person who disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting shall apply to members of the public participating in a meeting via two-way telephonic service or two-way audiovisual platform.[126]

Removal of disruptive individuals. The presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting if, prior to removing the individual, the presiding member or their designee warns the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior.

"Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

1. A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.
2. Engaging in behavior that constitutes use of force or a true threat of force.

No warning is required if the individual is engaging in behavior that constitutes use of force or a true threat of force. "True threat of force" is defined to mean a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.[120]

Non-disruptive criticism. The legislative body cannot prohibit public criticism of policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body itself.[74] Expressions of opposition to actions of the district (provided they are not overly disruptive) constitute protected speech.[75]

Compliance Tip

If a closed session is held before the start of the regular open session agenda, the public must be provided an opportunity to address the legislative body on any closed session item before the legislative body adjourns to closed session.

The legislative body may adopt reasonable regulations, including time limits, on public comments (e.g., 3-5 minutes/speaker).[68] However, when a legislative body limits time for public comment, the legislative body must provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body.[69]

The public is allowed to use audio or video tape recorders or still or motion picture cameras at an open meeting, absent a reasonable finding by the legislative body that such recording, if continued, would persistently disrupt the proceedings due to noise, illumination, or obstruction of view.[70]

VI. Closed Sessions

The Brown Act recognizes that not all local agency business should be conducted in the open and provides limited exceptions termed "closed sessions" for sensitive matters such as litigation, security threats and certain personnel matters. If a matter is not listed in the Brown Act as an appropriate subject for a closed session, the matter must be discussed in public even if the subject is sensitive, embarrassing or controversial. In addition to listing the permissible subjects for closed sessions, the Brown Act outlines how such matters should be agendized,[76] and when and how the matters must be disclosed in an open meeting or otherwise made public.

Matters appropriate for closed session and applicable agenda description[77]

1. **Public employment.** A closed session may be held to appoint, employ, evaluate the performance of, discipline, or dismiss a public employee.[78] A closed session may also be used to hear specific complaints or charges brought against a public employee unless the employee requests a public session upon 24 hours' advance written notice.[79] The applicable safe harbor agenda descriptions for these matters are:

   a. PUBLIC EMPLOYMENT
   Government Code section 54957
   Title: (Specify description of position to be filled)

   b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
   Government Code section 54957
   Title: (Specify position title of employee being reviewed)

   c. PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL/RELEASE
   Government Code section 54957
   (No description is required.)

> ***Note:*** The public employment exception only applies to "public employees." This includes independent contractors that function as an officer or employee such as a contract general counsel or human resources officer. Discussions or action taken on persons other than employees (e.g., elected officials, appointed members of a committee, and independent contractors that do not function as an officer or employee) must be taken in open session unless there is another applicable exception such as potential litigation.[70]

Compliance Tip

Interviews for appointments to district legislative or advisory bodies must be conducted in open session. While candidates for such positions cannot be compelled to stay outside the room where the interview is held while other candidates are being interviewed, most will comply with a request to do so.

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Note: The personnel exception does not authorize action on proposed compensation in closed session, except for a reduction in pay as a result of proposed disciplinary action. Reviewing an employee's job performance and making threshold decisions about whether any salary increase should be granted is permissible for closed session, but any action concerning the amount of any salary increase must be held in an open session.[81] As noted below, a legislative body may address compensation of an unrepresented employee, such as a general manager, under the labor negotiation exception.

2. **Labor negotiations.** A closed session is appropriate to discuss, with the agency's bargaining representative, salaries, salary schedules, fringe benefits, funding priorities and other matters within the statutory scope of employee representation for both represented (e.g., union or other recognized employee organization) and unrepresented employees (e.g., management). Final action must be taken in open session.[82] The applicable safe harbor agenda description is:

   CONFERENCE WITH LABOR NEGOTIATORS
   Government Code section 54957.6
   Agency designated representatives: (Specify names of designated representatives attending the closed session)
   Employee organization: (Specify name of organization representing employee or employees in question)

   or

   Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

Note: The Brown Act requires an oral report in open session at the meeting where final action is to be taken that summarizes the recommendation for final action on the salary, salary schedule, or compensation paid in the form of fringe benefits of a "local agency executive" as that term is defined in Government Code section 3511.1, or a department head or other similar administrative officer of the local agency.[83] The intent appears to be to preclude placing such items on a consent calendar or similar action item that may involve no discussion of the matter.

3. **Litigation.** A closed session is appropriate to discuss (1) threatened litigation against the district; (2) potential exposure to litigation; (3) potential initiation of litigation; and (4) existing litigation.

   Potential litigation against or to be initiated by the district. A closed session may be held in situations where there is anticipated litigation against the district or when the district is contemplating bringing a legal action. Where the agency seeks to discuss with its legal counsel threatened or anticipated litigation, there must be "existing facts and circumstances" to support the closed session. Existing facts and circumstances include:

   a. facts and circumstances that the agency believes are not known to a potential plaintiff;

   b. the receipt by the agency of a claim pursuant to the Government Claims Act or some other written communication threatening litigation;

   c. a statement made by a person in a public meeting threatening litigation on a specific matter within the responsibility of the legislative body; or

   d. a statement made outside a public meeting so long as the official or employee of the agency receiving knowledge of the threat makes a record

of the statement prior to the meeting, and the statement is available for public inspection.[84]

A legislative body may also meet in closed session to decide if the above facts and circumstances are present and thus whether the closed session is authorized.[85] The applicable safe harbor agenda descriptions are:

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) or (3) [as applicable]: (Specify number of potential cases)[86]

or

Initiation of litigation pursuant to Government Code section 54956.9(d)(4): (Specify number of potential cases)

Existing litigation. Where a legal action has already been initiated by or against the district, a closed session may be held to provide updates to the board and discuss strategy. The applicable safe harbor agenda description is:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Government Code section 54956.9(d)(1)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

> ***Notes:*** The ability to meet in closed session for existing litigation only applies to litigation to which the district is a party. It is generally understood, consistent with the safe harbor description, that the agency's attorney must be a participant in all litigation-related closed sessions.[76]

4. **Real estate negotiations.** A closed session is permitted for the legislative body to discuss with its real property negotiator the purchase, sale, exchange or lease of real property by or for the district. As part

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of the discussion, the legislative body may discuss the price and terms of the transaction. According to the Attorney General, this includes only the following:

a. The amount of consideration that the district is willing to pay or accept in exchange for the real property rights to be acquired or transferred in the particular transaction;

b. The form, manner, and timing of how that consideration will be paid; and

c. Items that are essential to arriving at the authorized price and payment terms, such that their public disclosure would be tantamount to revealing the information that the exception permits to be kept confidential.[88]

The real estate exemption is very limited. Discussions regarding related policy matters such as design work for the project, traffic, and EIR considerations, etc., are beyond the scope of the exemption.[89] The applicable safe harbor agenda description is:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code section 54956.8
Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

5. **License applications.** A closed session is appropriate if the legislative body finds it necessary to discuss the license application of an applicant with a criminal record, and whether that applicant is sufficiently rehabilitated to obtain the license.[90] The applicable safe harbor description is:

   LICENSE/PERMIT DETERMINATION
   Government Code section 54956.7
   Applicant(s): (Specify number of applicants)

6. **Security of public facilities and services or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.** A closed session is appropriate for the legislative body to discuss matters posing a threat to the security of public buildings and facilities as well as essential public services, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity, and threats

to the public's right of access to public services or facilities.[91] The applicable safe harbor description is:

THREAT TO PUBLIC SERVICES OR FACILITIES
Government Code section 54957
Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

Procedure for Adjourning to Closed Session

Prior to holding any closed session, the legislative body must disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may simply refer to the items as they are listed on the closed session agenda. This announcement may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcement.[92]

Who may be present at the closed session?

Closed sessions should only include those members of the legislative body and support staff necessary to conduct business regarding the specific item (e.g., legal counsel, consultants, real estate or labor negotiators, etc.).[93]

Reporting After Closed Sessions

The legislative body must reconvene in open session to report any "action taken" in closed session. In general, only final action on a matter need be reported (e.g., an agreement to buy property, settlement of a lawsuit where the other party has signed the agreement, acceptance of a resignation, etc.). Thus, for example, the dismissal or nonrenewal of an employment contract is not reported until the first public meeting following exhaustion of administrative remedies, if any. Once final approval occurs, the agency must disclose the action taken "upon inquiry by any person."[94] Copies of contracts, settlement agreements, or other documents finalized in closed session must be made available within 24 hours of the action, or, in the case of substantial amendments or retyping, when complete.[95, 96]

Compliance Tip

For convenience, many districts schedule closed sessions prior to commencement of the regular agenda and often hold such closed sessions in separate locations. Under § 54957, the public has the right to be present at such location and has the right to address the legislative body regarding any agendized closed session items under § 54954.3 prior to the legislative body adjourning into closed session.

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Improper Disclosure of Closed Session Information

The disclosure of confidential information acquired in a closed session is prohibited unless the legislative body authorizes the disclosure of the information. "Confidential information" means communication made in closed session that is specifically related to the basis for the closed session meeting. Violations of this disclosure prohibition may be addressed by any legal remedy, including: injunctive relief to prevent future disclosures; disciplinary action (against employees); or referral to a grand jury (for violations by members of the legislative body).[97]

Compliance Tip

Although § 54957.1(a)(1) indicates that real estate agreements may be approved in closed session, as a practical and political matter, it is prudent to take final action on such agreements in open session so that the public may more fully participate in the deliberations.

Note: A joint powers agency may authorize in its agreement or bylaws the disclosure of confidential information by members of the agency's legislative body to their district legislative body in a closed session as well as to legal counsel of a member district.[98]

VII. Adjournments and Continuances

Adjournments

The legislative body may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may adjourn such meetings and if all members are absent, the clerk or secretary of the legislative body may declare the meeting adjourned. Written notice of the adjournment must be provided in the same manner as notice for special meetings. A copy of the order or notice of adjournment must be conspicuously posted on or near the door of the place where the meeting was held within 24 hours of adjournment. When a regular or adjourned regular meeting is adjourned, the resulting adjourned meeting is a regular meeting for all purposes. If the order of adjournment fails to state a specific hour for the next meeting, the meeting must be held at the hour designated for regular meetings.[99]

Continuances

A duly noticed hearing may also be continued in the same manner as adjourned meetings. However, if the hearing is continued to a meeting that will occur in less than 24 hours, a copy of a notice of continuance must be posted immediately following the meeting at which the continuance was adopted.[100]

VIII. Remedies and Penalties for Violations

Note: If the challenged meeting involves only deliberation and no action is taken, there can be no misdemeanor penalty. Moreover, as with most criminal statutes, it is often difficult to prove criminal intent. As a result, criminal enforcement of the Brown Act is rare.

Criminal Penalties

A member of a legislative body may be charged with a misdemeanor where (a) the member attends a meeting where an action is taken in violation of the Brown Act, and (b) the member intends to deprive the public of information to which the public is entitled under the Brown Act.[101]

Civil Action to Prevent Future Violations

The district attorney or any interested person may file a civil action to:

- Stop or prevent a threatened violation of the Brown Act.[102]
- Determine the applicability of the Brown Act to ongoing actions or threatened future action of the legislative body.[103]
- Determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid under state or federal law.[104]
- Compel the legislative body to tape record its closed sessions.[105]
- Determine that an action of a legislative body violated the Brown Act and the action is null and void.[106]

Opportunity for the legislative body to cure and correct alleged violations [107]

Before filing a legal action alleging that a legislative body violated the Brown Act, the complaining party must send a written "cure or correct" demand to the legislative body. The demand must clearly describe the challenged action, the nature of the alleged violation, and the "cure" sought, and must be sent within 90 days of the alleged violation (or 30 days if the action was taken in open session but in violation of § 54952.2, which defines "meetings"). The legislative body has up to 30 days to cure and correct its action. If it does not act, any lawsuit must commence within 15 days after (a) receipt of written notice from the legislative body of such non-action, or (b) the expiration of the 30-day cure period if the legislative body does not respond to the cure request.

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Opportunity for the legislative body to commit to cease & desist alleged past actions or practices [108]

Prior to commencing an action to determine if past actions of a legislative body are a violation of the Brown Act under § 54960, the complaining party must send a "cease and desist letter." The cease-and-desist letter must be sent within nine months of the alleged violation. The legislative body may respond to the cease-and-desist letter within 30 days by making an unconditional commitment to cease and desist from the past action in open session at a regular or special meeting as a separate item of business, and not on its consent agenda, and providing such commitment to the complaining party. The commitment must state that:

- The legislative body has received the cease-and-desist letter; and
- The legislative body unconditionally commits to cease and desist from the challenged action; and

If the legislative body chooses to send an unconditional commitment agreeing to cease-and-desist from the challenged conduct within 30 days of receipt of the cease and desist letter, then no legal action can be commenced. Any party sending a cease-and-desist letter can commence a legal action challenging past conduct of a legislative body on whichever is earlier: (a) 60 days of receiving a response other than an unconditional commitment to cease-and-desist; or (b) within 60 days of the expiration of the legislative body's 30-day time period to respond to the cease-and-desist letter.

Compliance Tip

The cure & correct and cease & desist options allow a legislative body to avoid litigation over alleged Brown Act violations unless it is abundantly clear that no violation occurred, and a district wants to defend what it believes to be a correct policy or procedure. And even if a legislative body waits to cure or correct an alleged violation until after a lawsuit is commenced, an action seeking invalidation must be dismissed. Because a subsequent cure or correction cannot be introduced as evidence of a violation of the Brown Act, there is rarely a legitimate reason for a legislative body not to take any post-lawsuit steps to cure or correct an alleged violation if there is any question as to Brown Act compliance. [109]

If a court finds that a legislative body violated the Brown Act, the plaintiff may be awarded costs and attorney fees.

Invalidation of Certain Types of Actions

Only actions taken in violation of the Brown Act under the following circumstances may be invalidated:[110]

- the basic open meeting provision;[111]
- notice and agenda requirements for regular meetings and closed sessions;[112]
- tax hearings;[113]
- special meetings;[114] and
- emergency situations.[115]

Certain actions taken in violation of the Brown Action will not be invalidated if they involve:[116]

- substantial compliance;
- sale or issuance of notes, bonds or other indebtedness, or related contracts or agreements;
- a contractual obligation upon which a party has in good faith relied to its detriment;
- the collection of any tax; or
- the complaining party had actual notice at least 72 hours prior to the meeting at which the action is taken.

Award of Costs and Attorney Fees

If a court finds that a legislative body violated the Brown Act, the plaintiff may be awarded costs and attorney fees.[117] The costs and fees are the liability of the district and not its officers or employees. A district may only recover its costs and attorney fees if it wins, and the court determines that the lawsuit was "clearly frivolous and totally lacking in merit."[118]

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Acknowledgment and Endnotes

Special thanks to our contributing editors Donald M. Davis of Burke Williams & Sorensen, LLP, Kane Thuyen, and CSDA Chief Counsel Mustafa Hessabi.

Endnotes

1. The Brown Act is codified in the Government Code starting at Section 54950. Unless otherwise indicated, all statutory references are to the California Government Code.
2. Please note that school districts and community college districts have a number of unique Brown Act provisions applicable only to such special districts that are outside the scope of this manual.
3. § 54950.
4. § 54953(a).
5. Epstein v. Hollywood Entertainment Dist. II Bus. Improvement Dist. (2001) 87 Cal.App.4th 862, 867.
6. § 54952(a).
7. § 54952.1.
8. § 54952(b).
9. § 54952(b).
10. See *Joiner v. City of Sebastopol (1981) 125 Cal.App.3d 799, 805; Frazer v. Dixon Unified School District (1993)* 18 Cal.App.4th 781, 792-793.
11. See *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (2005)* 134 Cal.App.4th 354.
12. § 54952(c).
13. See also 107 Ops.Cal.Atty.Gen. 1; 85 Ops.Cal.Atty.Gen. 55; and *International Longshoreman's & Warehouseman's Union v. L.A. Export Terminal, Inc. (1999)* 69 Cal.App.4th 287.
14. See 56 Ops. Cal Atty Gen 14 (1973).
15. § 54952.2(a).
16. § 54952.6.
17. § 54952.2(b)(1).
18. See Op.Cal.Atty.Gen. No. 00-906 (2001), available at https://oag.ca.gov/system/files/opinions/pdfs/00-906.pdf.
19. § 54953(b).
20. § 54953(b)(3).
21. § 54953(b)(4).
22. § 54953.8.2
23. § 8625.
24. Visit www.csda.net to find a copy of the CSDA Emergency Teleconferencing ("AB 361") Implementation Guide and Sample Resolutions to assist with transitioning to remote emergency teleconferencing meetings.
25. § 54953(e).
26. §§ 54952.2(b)(2), 54952.2(c)(1).
27. § 54952.2(b)(3). These changes are in effect only until January 1, 2026, unless extended or made permanent by the Legislature and Governor.
28. § 54952.2(b)(3)(B)(i).

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Endnotes (continued)

29. § 54952.2(c)(2)-(6).
30. § 54954(a).
31. § 54956.
32. § 54955.
33. § 54956.5.
34. § 54953(e).
35. § 54954(b).
36. § 54954(d).
37. § 54954(e).
38. § 54954.2; See also San Joaquin Raptor Rescue v. County of Merced (2013) 216 Cal.App.4th 1167 [Brown Act violated where agenda description for project approval did not include proposed approval of CEQA action (mitigated negative declaration)].
39. §§ 54954.2 and 54956.
40. § 53087.8(a)(3).
41. See Op.Cal.Atty.Gen. No. 14-1203 (2016), available at https://oag.ca.gov/system/files/opinions/pdfs/14-1203.pdf.
42. §§ 54954.2.
43. § 54954.2(a).
44. See Cruz v. City of Culver City (2016) 2 Cal.App.5th 239, 250.
45. § 54954.2(b).
46. § 54952.3.
47. § 54953.
48. § 54953.3.
49. § 54961(a).
50. § 54961(a).
51. § 54953(b)(3).
52. § 54953.2.
53. 42 U.S.C. § 12101 et seq.
54. 42 U.S.C. § 12132; 28 C.F.R. § 35.149.
55. 28 C.F.R. §§ 35.149, 35.150.
56. Department of Justice Technical Assistance Manual (Title II), Section II-5.1000. The Manual is available at: https://www.ada.gov/taman2.html.
57. 28 C.F.R. §§ 35.150, 35.151.
58. §§ 54954.2(a), 54954.1, 54957.5(b).
59. § 54957.5.
60. § 54957.5(b)(2).
61. § 54957.5(c).
62. Sierra Watch v. Placer County (2021) 69 Cal.App.5th 1.
63. § 54954.1.
64. § 54957.5 (c).
65. § 54953.5(b); see also § 6253(b).
66. § 54954.3.
67. § 54954.3(a).
68. § 54954.3; See Chaffee v. San Francisco Public Library Commission (2005) 134 Cal.App.4th 109.
69. § 54954.3(b)(2). Exception may apply if simultaneous translation equipment is provided.
70. §§ 54957.5 and 54953.5.
71. Acosta v. City of Costa Mesa (9th Cir. 2013) 718 F.3d 800 ["insolent" remarks did not constitute actual disruption]; Norse v. City of Santa Cruz ((9th Cir. 2010) 629 F.3d 966 [silent Nazi salute directed at mayor is not a disruption].
72. § 54957.9.
73. § 54957.9.
74. § 54954.3(c).
75. White v. City of Norwalk (9th Cir. 1990) 900 F.2d 1421.
76. The Brown Act provides a format for describing closed sessions, which if substantially followed, create a "safe harbor" from any alleged notice violations of the Brown Act. See § 54954.5. This manual provides adapted versions of such safe harbor descriptions.
77. For a complete list of all permissible closed session matters see § 54954.5.
78. § 54957(b)(1).
79. § 54957(b)(2); see also Fischer v. Los Angeles Unified School District (1999) 70 Cal.App.4th 87 [decision by school board not to reemploy probationary employees based on the evaluation of performance, but not specific complaints or charges, does not require 24 hours' advance written notice]; and San Diego Civil Service Com. v. Bollinger (1999) 71 Cal.App.4th 568 [if charges have already been heard and sustained at a public evidentiary hearing, employee notice of closed session is not required].
80. § 54957(b)(4).
81. San Diego Union v. City Council (1983) 146 Cal.App.3d 947 [two-step process contemplated: (1) closed session for evaluation of performance or appointment; (2) open session for setting employee's salary].
82. § 54957.6.
83. § 54953(d).
84. See Fowler v. City of Lafayette (2020) 45 Cal.App.5th 68.
85. § 54956.9.
86. In addition, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to Section 54956.9(e)(2) to (5).
87. See for example, "The Brown Act," California Attorney General (2003), p.40.
88. See Op.Cal.Atty.Gen. No. 10-206 (2011), available at https://oag.ca.gov/system/files/opinions/pdfs/10-206.pdf.
89. See Shapiro v. San Diego City Council (2002) 96 Cal.App. 4th 904.
90. § 54956.7.
91. § 54957(a).
92. § 54957.7.
93. See Op.Cal.Atty.Gen. No. 03-604 (2003), available at https://oag.ca.gov/system/files/opinions/pdfs/03-604.pdf.
94. See §§ 54957.1 and 54957.7.
95. § 54957.1.
96. See §§ 54957.1 and 54957.7.
97. § 54963.
98. § 54956.96.
99. § 54955.
100. § 54955.1.
101. § 54959.
102. § 54960(a).
103. § 54960 (a).
104. § 54960 (a).
105. § 54960 (b).

Endnotes (continued)

106. § 54960.1(a).
107. § 54960.1.
108. § 54960.2.
109. § 54960.1(e) and (f).
110. § 54960.1(a).
111. § 54953.
112. §§ 54954.2 and 54954.5.
113. § 54954.6.
114. § 54956.
115. § 54956.5; see also § 54960.1.
116. § 54960.1(d).
117. See Los Angeles Times Communications v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313 ["fees are 'presumptively appropriate' and a successful plaintiff 'should ordinarily recover attorney's fees unless special circumstances would render such an award unjust'"].
118. § 54960.5.
119. § 54957.5.
120. § 54957.95.
121. Section 54953.8.3.
122. 107 Ops.Cal.Atty.Gen. 107.
123. 107 Cal.Ops.Atty.Gen. 47.
124. § 54953(c).
125. § 54954.3(a)(2).
126. § 54957.96.
127. § 54953.8.6.
128. § 54953.8.1.
129. § 54953.8.4.
130. § 54953.8.5.
131. § 54953.8.7.
132. § 54953.4.

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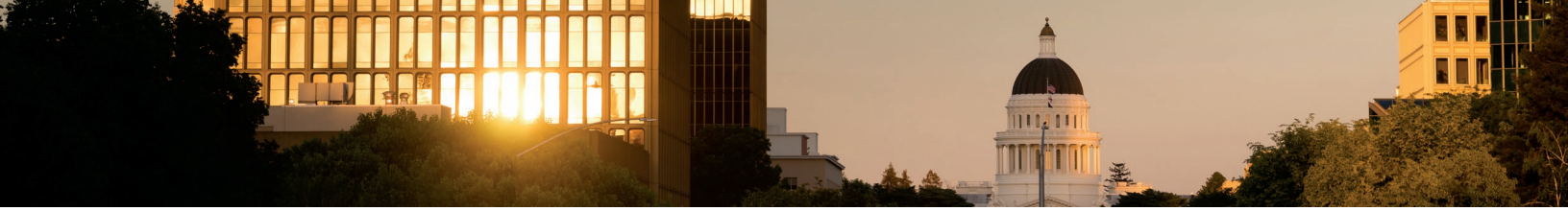
Notes:



Appendix – Copy of Ralph M. Brown Act*

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]

(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]

(Division 2 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] *(Part 1 added by Stats. 1949, Ch. 81.)*

CHAPTER 9. Meetings [54950 - 54963]

(Chapter 9 added by Stats. 1953, Ch. 1588.)

54950. In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

(Added by Stats. 1953, Ch. 1588.)

54950.5. This chapter shall be known as the Ralph M. Brown Act.

(Added by Stats. 1961, Ch. 115.)

54951. As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(Amended by Stats. 1959, Ch. 1417.)

54952. As used in this chapter, "legislative body" means:

(a) The governing body of a local agency or any other local body created by state or federal statute.

(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

(c) (1) A board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that either:

(A) Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation, limited liability company, or other entity.

(B) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety

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Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

(Amended by Stats. 2002, Ch. 1073, Sec. 2. Effective January 1, 2003.)

54952.1. Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

(Amended by Stats. 1994, Ch. 32, Sec. 2. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)

54952.3. (a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a

result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

(Added by Stats. 2011, Ch. 91, Sec. 1. (AB 23) Effective January 1, 2012.)

54952.6. As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

(Added by Stats. 1961, Ch. 1671.)

54952.7. A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) "Disability" means a physical disability or a mental disability as those

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terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)

54953.1. The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

(Added by Stats. 1979, Ch. 950.)

54953.2. All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(Added by Stats. 2002, Ch. 300, Sec. 5. Effective January 1, 2003.)

54953.3. A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

(Amended by Stats. 1981, Ch. 968, Sec. 28.)

54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in ac-

cordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) "Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well."

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of

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supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars ($400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)

54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)

54953.6. No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

(Amended by Stats. 1994, Ch. 32, Sec. 6. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)

54953.8. (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed

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pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)

54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)

54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(2) A contagious illness that prevents a member from attending in person.

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

(4) Travel while on official business of the legislative body or another state or local agency.

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders

for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.4. (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confiden-

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tial, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.7. (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54954. (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is

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limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)

54954.1. Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a link to a website that contains the documents by email or by other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(E) For purposes of this paragraph, both of the following definitions apply:

(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)

54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

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(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)

54954.4. (a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

(Added by Stats. 1991, Ch. 238, Sec. 1.)

54954.5. For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)

54954.6. (a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

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(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not

delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)

54955. The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

(Amended by Stats. 1959, Ch. 647.)

54955.1. Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

(Added by Stats. 1965, Ch. 469.)

54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)

54956.5. (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this

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paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)

54956.6. No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

(Added by Stats. 1980, Ch. 1284.)

54956.7. Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

(Added by Stats. 1982, Ch. 298, Sec. 1.)

54956.75. (a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.

(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)

54956.8. Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)

54956.81. Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

(Added by Stats. 2004, Ch. 533, Sec. 20. Effective January 1, 2005.)

54956.86. Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status,

or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)

54956.87. (a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, "health plan trade secret" means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

(1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.

(2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)

54956.9. (a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(1) Litigation, to which the local agency is a party, has been initiated formally.

(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).

(4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

(1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

(2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

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(4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

(Amended by Stats. 2021, Ch. 615, Sec. 206. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

54956.95. (a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

(Added by Stats. 1989, Ch. 882, Sec. 3.)

54956.96. (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

(i) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor

entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)

54956.96. (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)

54956.97. Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

(a) A loan or investment decision.

(b) A decision of the internal audit committee, the compliance committee, or the governance committee.

(c) A meeting with a state or federal regulator.

(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)

54956.98. (a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)

54957. (a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or

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a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)

54957.1. (a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed

session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

(f) This section is necessary to implement, and reasonably within the scope of, paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)

54957.2. (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

54957.5. (a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

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(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)

54957.7. (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)

54957.8. (a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)

54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a

procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)

54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)

54957.96. (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

(b) For purposes of this section, the following definitions apply:

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)

54957.10. Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)

54958. The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

(Added by Stats. 1953, Ch. 1588.)

54959. Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54960. (a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

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(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)

54960.1. (a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)

54960.2. (a) The district attorney or any interested person may file an action to determine the applicability of this chapter to past actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within nine months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the

cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To _____:

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

_____

[Chairperson or acting chairperson of the legislative body]

(2) An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

(3) An action shall not be commenced to determine the applicability of this chapter to any past action of the legislative body for which the legislative body has provided an unconditional commitment pursuant to this subdivision. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as "Rescission of Brown Act Commitment," provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)

54960.5. A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

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A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)

54961. (a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)

54962. Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)

54963. (a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)

**Pursuant to Government Code § 54952.7. Published at leginfo.legislature.ca.gov on January 1, 2026.*

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CSDA Brown Act Resource Page

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State Ethics Training Requirements For Local Officials: Frequently Asked Questions (FAQs)

9/04/12 Edition

Overview of Requirement

1. What requirements does AB 1234 create regarding ethics training for local officials?

The basic thrust of AB 1234 is to require covered officials (see next question) to take two hours of training in ethics principles and laws every two years.[1]

Who's Covered

2. Who must receive mandatory ethics training?

Basically the requirement applies to those elected or appointed officials who are compensated for their service or reimbursed for their expenses.[2] The specific trigger for this requirement is whether the agency either compensates or reimburses expenses for members of any of its Brown Act covered bodies; if it does, then all elected and appointed "local agency officials" (as defined) must receive this training.[3] "Local agency official" means any member of a legislative body or any elected local agency official who receives compensation or expense reimbursement.[4]

"Local agency" means "a city, county, city and county, charter city, charter county, charter city and county, or special district."[5] Thus the training requirement does *not* include agencies on which local officials serve (for example, redevelopment agency governing boards or joint powers agencies), although many such officials will likely be covered by virtue of their status with cities, counties and special districts. Note that it also does not include school districts.

Note that local agencies also have the option of requiring certain employees to receive this training.[6]

3. What if an agency has a number of board members and commissioners who could theoretically get reimbursed for such expenses but as a practical matter haven't been for a long time?

Determining whether such officials should receive such training involves a judgment call in consultation with one's agency attorney. Some agencies are rethinking whether they want to reimburse the members of *all* their commissioners and board members or be more selective.

Another consideration is whether the nature of such officials' duties are such that the official would benefit from such training and the agency would benefit from having this official be trained (in terms of reducing the likelihood of missteps).

Another approach is for an agency to identify all commissioners and board members that have been reimbursed and/or compensated in the past year and notify them of their need to receive training. For others who haven't been reimbursed and/or compensated, the expense reimbursement forms required by AB 1234[7] could include an advisory which alerts board members and commissioners of the need to get training if they are seeking reimbursement for expenses.

4. What about those who serve on multiple local agency bodies?

The official only has to satisfy the requirement once (within one year of taking office and every two years after that).[8]

5. Can AB 1234's ethics training requirements constitutionally apply to charter cities?

Many city attorneys are not convinced that AB 1234 contains the necessary findings to make it applicable to charter cities, although the bill purports to apply to charter cities by including charter cities within the definition of local agency.[9] However, a number of charter cities already have such training programs and/or think they would be helpful and hence, are voluntarily complying with the spirit of AB 1234. Such an approach may reflect well on a city and city officials should the local media inquire about city officials' compliance with AB 1234.

Timing and Deadline Issues

6. By when must an official receive such training and how often again after that?

- **Officials in Service as of January 1, 2006.** Except for officials whose term of office ends before January 1, 2007, those in office on January 1, 2006 must receive the training before January 1, 2007.[10] After that, they must receive the training at least once every two years. [11] Officials whose term of office ends before January 9, 2007 were excused.[12]

- **Those Beginning Service After January 1, 2006.** Those who enter office after January 1, 2006 must receive the training within a year of starting their service. They must then receive the training every two years after that. [13]

Reasonable attorneys disagree how the "every two years" requirement should be interpreted. One interpretation would be that, if an official received the required training on May 15, 2011, the official would need to receive training again on or before May 14, 2013. Another would be that this same official satisfied the requirement in 2011 and needs to again satisfy the requirement in 2013.

Compliance and Enforcement

7. How do officials demonstrate compliance with the mandatory ethics requirements?

When local agency officials receive the training, they will be given proof of participation.[14] Copies of these certificates must be provided to the agency's custodian of records and maintained as public records subject to disclosure to the media, the public and others for at least five years.[15]

8. What is the enforcement mechanism to assure that local officials receive such training?

The new law is directory; there is no specific penalty for failing to complete the required training.[16] Presumably there will be a periodic public records requests by the media, candidates and others to verify which officials have and have not met the requirements. [17]

Local agencies are using a variety of techniques to encourage compliance. Options include:

1. **Circulate a List of Complying and Non-complying Officials within the Agency.** Putting who has (and who has not) complied in writing along with a reminder that the agency is expecting media and other inquiries may be one way to encourage compliance. This list can be circulated to officials with a thank you to those who have satisfied the requirement and a list of options for compliance for those who have not.

2. **Create a Financial Penalty.** Another option for encouraging compliance is to adopt a policy that officials who have not complied with their AB 1234 training requirements will not be eligible to have their expenses reimbursed.

3. **Make Compliance a Condition of Agency Service for Appointees.** In situations where the non-compliant official is an appointee, a local policy could provide the appointment be either rescinded or that the non-complying individual is ineligible for re-appointment.

4. **Post Certificates on Agency's Website.** The agency can post scans of those within the agency who have complied with the requirement, which also lets the media and the public know how the official satisfied the training.

Content Issues, Options for Satisfying the Requirement and Trainer Qualifications

9. Where can local officials get this training?

Local agencies must provide covered officials with a list of options for satisfying this requirement at least once a year.[18] The training can occur in-person, online or on a self-study basis (read materials and take a test).[19] Agencies are not required to provide the training themselves, although a number may choose to do so.

A variety of organizations offer such training (including law firms and nonprofit organizations). In addition, there are self-study materials available from the Institute for Local Government's website (www.ca-ilg.org/AB1234compliance) as well as a free online course at http://localethics.fppc.ca.gov or http://www.localethics.fppc.ca.gov that the Institute developed in collaboration with the FPPC.

The Institute also has materials for in-house counsel and others who are interested in offering such training.

10. How do people or organizations become certified as AB 1234 ethics trainers?

Strictly speaking, they don't. The Attorney General and FPPC have adopted guidelines for course curriculum accuracy and sufficiency, but there is no trainer-certification requirement.[20]

The Attorney General's guidelines require that the ethics law portion of AB 1234 training be given only by attorneys licensed to practice law in California and knowledgeable about California's ethics laws.

11. What issues must AB 1234 ethics training programs address?

The training must cover general ethics principles relating to public service and ethics laws.[21] "Ethics laws" are defined as including:[22]

- Laws relating to personal financial gain by public officials (including bribery and conflict of interest laws);
- Laws relating to office-holder perks, including gifts and travel restrictions, personal and political use of public resources and prohibitions against gifts of public funds;

- Governmental transparency laws, including financial disclosure requirements and open government laws (the Brown Act and Public Records Act);

- Law relating to fair processes, including fair contracting requirements, common law bias requirements and due process.

The Institute has materials to address these issues. The ILG resources can be found at www.ca-ilg.org/AB1234compliance.

Given the breadth of the subjects that need to be covered, the goal of the training cannot be to teach local officials the law in each of these areas. Instead the goal needs to be to acquaint local officials with the fact that there are laws that govern their behavior in each of these areas, to motivate officials to comply with such laws (among other things by explaining the consequences of missteps) and to alert them on when they need to seek the advice of qualified legal counsel when issues arise with respect to such laws.

Note that the Attorney General's Guidelines allow those who have taken the initial overview course to go deeper into certain aspects of ethics law in subsequent compliance efforts. [23]

12. Can I get State Bar minimum continuing legal education (MCLE) credit for attending AB 1234 training?

Yes. AB 1234 training is eligible for MCLE participatory credit,[24] provided the training complies with MCLE requirements. It is not, however, eligible for MCLE *legal ethics* credit.[25]

Brown Act Compliance

13. Must an AB 1234 training session that will be attended by a quorum of a legislative body comply with the Brown Act?

The consensus appears to be that the Brown Act applies and therefore, the meeting must be open to the public and properly noticed.

The Brown Act requires regular "meetings" of "legislative bodies" of local public agencies be open and public.[26] A "meeting" is "any congregation of a majority of the members of a legislative body at the same time and place to *hear*, *discuss*, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."[27] Theoretically, it is possible for a majority of the members of a legislative body to attend an AB 1234 training session without triggering the Brown Act provided that they neither hear

nor discuss any topic that arguably comes within the legislative body's subject matter jurisdiction.

The goal of AB 1234 training, however, is to acquaint local officials with the laws that govern their behavior and motivate them to comply with such laws. In light of this goal, it is highly likely that training attendees will ask questions related to matters within the legislative body's subject matter jurisdiction. Accordingly, the Institute believes that the best course of action is to comply with the Brown Act.

Note that AB 1234 training that occurs at conference sessions are subject to the conference session exception to the Brown Act. [28]

[1] Cal. Gov't Code § 53235(a), (b).
[2] The language is potentially confusing on this point. The new law says that if a local agency provides any type of compensation or reimbursement for members of its legislative bodies, then all "local agency officials" must receive training. *See* Cal. Gov't Code § 53235(a). But the definition of "local agency official" means "any member of a local agency legislative body or any elected official who receives any type of compensation . . .or reimbursement for actual and necessary expenses incurred in the performance of official duties." *See* Cal. Gov't Code § 53234(c)(1).
[3] Cal. Gov't Code § 53235(a) ("If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article"); § 53234(a) (defining legislative body by reference to the Brown Act, Government Code section 54952).
[4] Cal. Gov't Code § 53234(c)(1).
[5] Cal. Gov't Code § 53234(b).
[6] Cal. Gov't Code § 53234(c)(2).
[7] Cal. Gov't Code § 53232.3(a).
[8] *See* Cal. Gov't Code § 53235.1(c).
[9] Cal. Gov't Code § 53234(b).
[10] *See* Cal. Gov't Code § 53235.1(a).
[11] *See* Cal. Gov't Code § 53235.1(a).
[12] Cal. Gov't Code § 53235.1(a).
[13] *See* Cal. Gov't Code § 53235.1(b). The law requires that subsequent training occur "at least once every two years." Some agencies interpret this to mean that training may occur in successive two year periods, not necessarily before the two year anniversary of the last training. This is an area where substantial compliance based on the spirit of the law should be sufficient.
[14] Cal. Gov't Code § 53235.1(e).
[15] Cal. Gov't Code § 53235.2.
[16] Cal. Gov't Code § 53235.2.
[17] Note: in addition to maintaining records on compliance with the minimum standards imposed by AB 1234, local agencies may also want to maintain records of any additional training local agency officials received. This will enable those inquiring to ascertain the agency's and individual's full scope of commitment to understanding the ethical and legal obligations associated with public service.
[18] Cal. Gov't Code § 53235(f).
[19] Cal. Gov't Code § 53235(d).
[20] *See* Cal. Gov't Code § 53235(c). The FPPC adopted it's guidelines as a regulation[20] and the Attorney General issued General Guidelines on Course Accuracy and Sufficiency, which are available on the Department of Justice website: http://caag.state.ca.us/ethics/eth_loc_guide_final.pdf. A summary of the state's guidelines for training is also available at www.ca-ilg.org/AB1234compliance.

[21] Cal. Gov't Code § 53235(b).
[22] Cal. Gov't Code § 53234(d).
[23] *See* Attorney General Guidelines, bottom of page 3, available at http://oag.ca.gov/sites/all/files/pdfs/ethics/eth_loc_guide_final.pdf?
[24] State Bar's response to an inquiry by the Institute, November 6, 2006.
[25] *Id*.
[26] Cal. Gov't Code § 54953.
[27] Cal. Gov't Code § 54952.2 (emphasis added).
[28] Cal. Gov't Code § 54952.2(c)(2) (Conference must be open to the public and attendees must be mindful of restrictions on discussing items with colleagues).

Presented by:
California Special Districts Association

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CSDA represents all types and sizes of independent special districts

Areas of Focus:

- ✓ Education
- ✓ Information
- ✓ Risk management – *Special District Risk Management Authority (SDRMA)*
- ✓ Financial services – *CSDA Finance Corporation*
- ✓ Legislative advocacy
- ✓ Public policy & effective governance
- ✓ Increasing visibility & awareness
- ✓ Support & resources for all special districts
- ✓ Good governance programs – *Special District Leadership Foundation (SDLF)*

About Me

Background in State Government and Special Districts

- ✓ Worked for 5 years in the Legislature
  - ✓Legislative Director in State Assembly and Senate
  - ✓Policy Consultant in State Senate
- ✓ Employed as a Financial Analyst for Placer County Water Agency from 2012-2015
  - ✓Earned Certified Public Finance Officer designation from Government Finance Officers Association in 2014
- ✓ One of the first CSDA Field Coordinators hired in 2015
  - ✓Liaison to special districts in Sierra and Northern Networks
- ✓ Currently serve as a Board Member for the Georgetown Divide PUD

Special Districts 101

Presentation Outline

- What's so special?
- History/background
- Types, functions and structures
- Special district Laws
- Transparency and audit statutes
- Issues and Trends
- SDLF Programs
- Other Transparency Resources

Special Districts 101

Local Government Landscape

- Special districts
- Cities
- Counties

Resources

- California Special Districts Association (CSDA) www.csda.net
- League of California Cities (League) www.cacities.org
- California State Association of Counties (CSAC) www.counties.org

Special Districts
101

What's So Special: What are special districts?

State law defines as:

"any agency of the state for the local performance of governmental or proprietary functions within limited boundaries" – Government Code Section 16271 (d)

Characteristics:

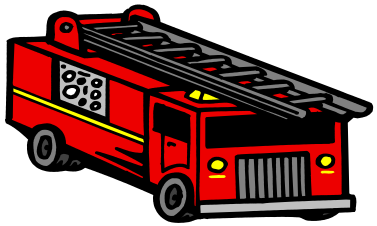
- A form of government
- Governed by a board (elected or appointed)
- Provides services, facilities and/or infrastructure
- Defined service boundaries

Special Districts 101

Services that communities need

SPECIAL DISTRICTS PROVIDE EMERGENCY & HEALTH SERVICES

- Fire
- Ambulance
- Police
- Air Quality Management
- Healthcare/Hospital



Special Districts 101

Services that communities need

- Water, irrigation, flood control
- Sanitation facilities
- Airports
- Libraries
- Wastewater
- Resource & water conservation

Special Districts 101

Special Districts are not …

- **NOT** – part of state government – they're autonomous
- **NOT** – city or county governments
- **NOT** – school or college districts
- **NOT** – "Mello-Roos" / benefit assessment districts
- **NOT** – Joint Powers Authority
- **NOT** – A County Service Area

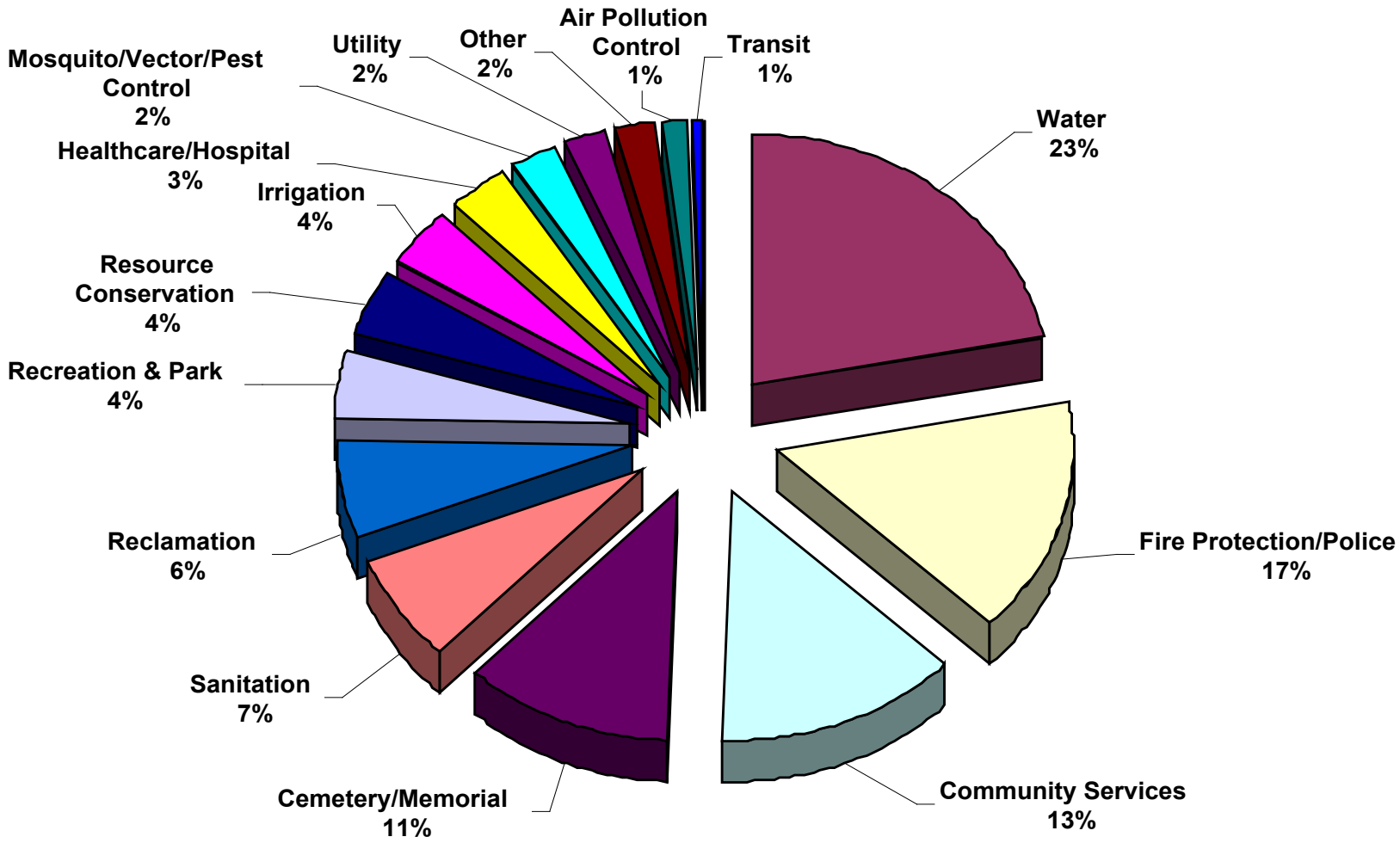
Special Districts 101

History and Background

- Formed to provide focused services where unavailable
- Started in the late-1880s
- Some of the first – irrigation districts
  - Turlock Irrigation District: 1st District established in 1887
- Spike in 1950s and 1960s
  - Example: Cameron Park CSD created in 1961
  - Example: El Dorado Hills CSD created in 1962
- Growth with population
- Growth in demand for services

Special Districts 101

Special Districts by Type



Serving California's Communities

Special Districts Provide:

- Fire protection for more than 11 million people
- Water and wastewater systems for more than 30 million people and 90% of California's farmland
- Operate more than half of California's critical access hospitals

Special Districts 101

Why Special Districts?

- ✓ **FOCUSED SERVICE**

  Each special district performs a specific set of services well and without distractions.

- ✓ **VOTER DRIVEN**

  Special districts cannot form, nor raise taxes, without the consent of voters. Locally elected representatives.

- ✓ **FLEXIBLE & REGIONAL**

  Can serve large regions or small neighborhoods. Not constrained by political, city or county boundaries.

Special Districts 101

The "Right" Number

By the numbers:

- Voters have created just over 2,000 independent special districts
- The State Controller's report lists 4,000+ "special districts". However many are actually non-profit corporations or components of other governments (JPAs, CSAs, etc.).

- Ultimately – it's about *QUALITY of SERVICE DELIVERY*

Special Districts in CA

- 7.5% of nationwide total
- 33 States have a higher density of special districts on per capita basis

Number of independent special districts in CA has dropped by 5% in the past 20 years

- Most consolidations were initiated by the districts themselves
- LAFCO process works to ensure local control

By Comparison:
NATIONWIDE = GREW 10% DURING SAME TIME PERIOD

Special Districts 101

Types of Districts: Large AND Small

Some of the largest (and smallest) public agencies in the state are special districts

Sacramento Municipal Utilities District

- Serving 598,205 customers and a total population of about 1.4 million

Connie Lane Community Services District (EDC)

- Road Maintenance
- Annual Budget = Approximately $38,000
- Serves 38 parcels; 76 registered voters

CA is not a one-size-fits all state – districts match community needs/wants

Special Districts 101

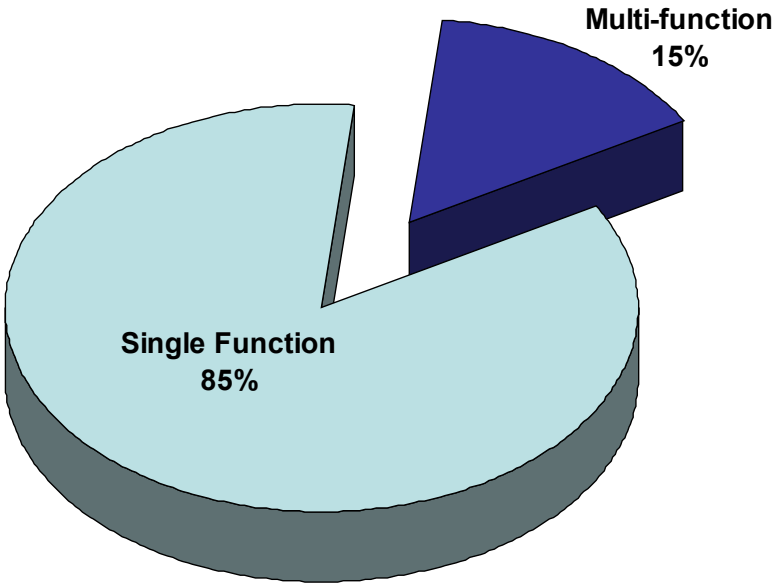
District Functions: Single Service vs. Multi-Service

Single Service

- Port/Harbor Districts
- Cemetery Districts
- Fire Protection Districts

Multi-Service

- Community Services Districts
- Irrigation and Water Districts
- Utility Districts
- Some provide 10+ or more services



Special Districts 101

District Structure: Independent vs. Dependent

Independent Districts:

"…any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms."

--Government Code Section 56044

Dependent Districts:

"…any special district that has a legislative body that consists, in whole or part, of ex officio members who are the officers of a county or another local agency or who are appointees of those officers, and who are not appointed to fixed terms."

--Government Code Section 56032.5

Special Districts 101

Other Entities:

- Joint Powers Authorities
- Non-Profit Corporations
- County Service Areas

District Structure: Enterprise vs. Non-Enterprise

Enterprise Districts:

Fee for service: essentially operate like a business charging customers for service(s)

- Water districts charge water rates
- Sanitation districts charge sewer rates
- Healthcare districts charge for care

Non-Enterprise Districts:

Services don't lend themselves to fees – they benefit the entire community. These districts rely almost solely on property taxes

- Fire protection districts
- Mosquito abatement districts
- Recreation and park districts

Some non-enterprise districts have an enterprise component, i.e. local parks may charge to get into pools

Special Districts 101

District statutory authority and enabling legislation

Principal Act – "generic statute which applies to all special districts of that type."

- Fire Protection District Law 1987 governs ~350 Fire Districts
- Community services districts
- Public cemetery districts
- About 30 principal law statutes
- CSDA's Comprehensive Guide available

Special Act – "tailored to the unique needs of a specific area (often regional)."

- Santa Clara Valley Water District
- Olivehurst Public Utility District
- Approximately 120 special act districts

Special Districts 101

Ethics & board member compensation law AB 1234 (2005)

- Aims to provide more transparency to local governments and accountability to the public
- Designed to provide reforms in areas of director compensation and ethics training for local governments
- Requires all special district directors and trustees to receive ethics training for local governments (also employees designated by the Board)
- Presents guidelines pertaining to the compensation and reimbursement of special district board members
- Requires agency to adopt written policies for compensating and reimbursing board members in a public meeting

Special Districts 101

Other laws that govern special districts

- Conflict of interest
- Code of ethics
- Political reform requirements
- Public employment
- Public contracts and bidding
- Workers' compensation
- Liability
- Notice & public hearing requirements for assessments, rate increases and other items
- LAFCO procedures

Special Districts 101

District Transparency & Accountability Laws

First and foremost accountable to the voters who elect their board of directors AND customers who use their services.

While not functions of the state, there is oversight:

- required annual financial reports to the state controller, including employee & board member compensation, which are published
- annual or biannual outside audits, which are public documents
- districts must follow state laws as they pertain to local governments

Same rules and regulations of their local government partners – cities and counties.

Key transparency laws include:

- Ralph M. Brown Act – Gov't code 54950
- Public Records Act – Gov't code 6250
- Ethics law – Gov't code 53234

Special Districts 101

Ralph M. Brown Act

California Government Code: 54950-54962

- Mandates that all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency
- Provides that time must be set aside for public to comment on any matters under the legislative body's jurisdiction

---

California Public Records Act

California Government Code: 6250-6276.48

- Designed to give the public access to information in possession of public agencies
- Applies to all state and local agencies
- Access to records is to be "immediate and free"

***Salary Reporting to State Controller – now required

Special Districts 101

Special District Audits

Requirement in Gov't Code 26909

- Annually unless approved by special district board and county board of supervisors to 2 years (or up to 5 years for small districts)
- Can be either the county auditor or certified public accountant
- Must file with the State Controller and county auditor/controller

3 basic types of audits

- Functional audit – checks and balances to ensure procedures & accounts
- Performance audit – measure and evaluate operations & delivery of services
- State and/or federal requirements for accepting grant funds

Special Districts 101

Special District Audits (continued)

- Select auditors by a request for proposal process
- Board of Directors decision
- Must consider changing auditors at least every five years
- Required written management letter from auditors to Board of Directors
- Audits are public documents

Issues and Trends: Transparency Mandates

Additional (Unfunded) Transparency Mandates from State

- Proposition 42 (2014): Eliminated requirement for state to reimburse local agencies for compliance with public records/open meeting laws
- New state laws to "enhance" transparency without having to pay costs

SB 272 (2015):

- Districts must create a catalogue of "enterprise systems" it uses https://cameron-park-community-services-district.systemcatalog.net/
- Must post on district website (if district has one)

AB 2257 (2016)

- Districts must post most recent agenda directly on website homepage by January 1, 2019
- Must be in electronically searchable format

Special Districts 101

Issues and Trends: Reserves

- "Government entities are abusing the public trust by hoarding vast sums of money."

- Special districts designate money toward savings in order to respond to emergencies, keep rates affordable, maintain existing infrastructure and plan for future job-creating public works projects:
  - *Emergency Preparation*
  - *Affordable Rates*
  - *Infrastructure Maintenance*
  - *Planning for the Future*

**KEY FACTOR IN AGENCY CREDIT RATING (i.e. Fitch, Moodys, etc.)

- CSDA Reserve Guidelines document
  - http://www.csda.net/wp-content/uploads/2013/06/2013-CSDA-Reserve-Guidelines-FINAL.pdf

Issues and Trends: Knowledge/Understanding of Districts

- Most recently demonstrated during the review of special districts by the Little Hoover Commission in 2016-2017

- Example of statements by Commission members and other witnesses:

- Districts fly "under the radar."
- There are "too many" districts
- Districts should exist for only 10 years and then the community should vote on their continued existence.
- Who are they? What do they do?
- Are they following laws and best practices?

Special Districts 101

Public Outreach Resource:

Districts Make the Difference

Special Districts 101

www.districtsmakethedifference.org

CSDA…A Training Resource

- www.csda.net
- Over 5,000+ attendees trained in 2016 (elected and staff)

- Governance Training and Professional Development
  - 70+ Webinars
    - Best Practices in Agenda Preparation & Taking/Recording Minutes
    - Fraud Detection/Prevention for Special Districts
    - Proposition 218, Proposition 26, and Rate Setting

  - 25+ Workshops
    - Governance Foundations
    - Board's Role in Finance and Fiscal Accountability

  - 7 Conferences
    - Board Secretary/Clerk Conference
    - General Manager Leadership Summit
    - Special District Leadership Academy (governance)

SDLF is a an independent, non-profit organization formed to promote excellence in governance and management among California's special districts through certification and other recognition programs.

SDLF
SPECIAL DISTRICT LEADERSHIP FOUNDATION

Special Districts 101

SDLF PROGRAMS

A focus on promoting good governance & best practices

SHOWCASE YOUR COMMITMENT TO TRANSPARENCY

District Transparency Certificate of Excellence

SHOWCASE YOUR COMMITMENT TO EXCELLENCE

Districts of Distinction Accreditation

FOR AGENCY GENERAL MANAGERS AND OTHER MANAGEMENT STAFF

Special District Administrator Certification

FOR AGENCY DIRECTORS AND TRUSTEES

Recognition in Special District Governance

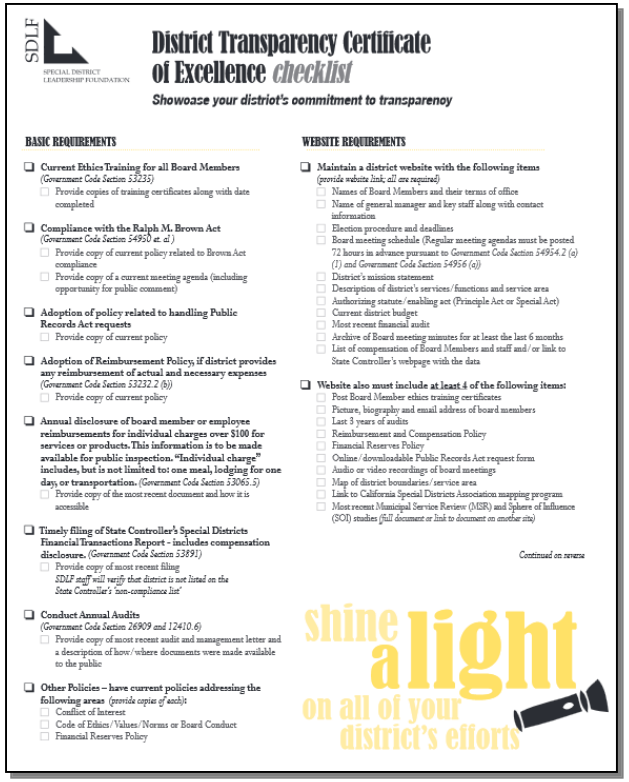
Special Districts 101

District Transparency Certificate of Excellence:

Showcase District's Commitment to Transparency

Checklist – 3 Sections:

- Basic Requirements
- Website Requirements
- Outreach/Best Practices



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District Transparency Certificate of Excellence *checklist*

Showcase your district's commitment to transparency

BASIC REQUIREMENTS

- ☐ **Current Ethics Training for all Board Members** *(Government Code Section 53235)*
  - ☐ Provide copies of training certificates along with date completed
- ☐ **Compliance with the Ralph M. Brown Act** *(Government Code Section 54950 et. al.)*
  - ☐ Provide copy of current policy related to Brown Act compliance
  - ☐ Provide copy of a current meeting agenda (including opportunity for public comment)
- ☐ **Adoption of policy related to handling Public Records Act requests**
  - ☐ Provide copy of current policy
- ☐ **Adoption of Reimbursement Policy, if district provides any reimbursement of actual and necessary expenses** *(Government Code Section 53232.2 (b))*
  - ☐ Provide copy of current policy
- ☐ **Annual disclosure of board member or employee reimbursements for individual charges over $100 for services or products. This information is to be made available for public inspection. "Individual charge" includes, but is not limited to: one meal, lodging for one day, or transportation.** *(Government Code Section 53065.5)*
  - ☐ Provide copy of the most recent document and how it is accessible
- ☐ **Timely filing of State Controller's Special Districts Financial Transactions Report - includes compensation disclosure.** *(Government Code Section 53891)*
  - ☐ Provide copy of most recent filing
  - *SDLF staff will verify that district is not listed on the State Controller's "non-compliance list"*
- ☐ **Conduct Annual Audits** *(Government Code Section 26909 and 12410.6)*
  - ☐ Provide copy of most recent audit and management letter and a description of how/where documents were made available to the public
- ☐ **Other Policies – have current policies addressing the following areas** *(provide copies of each)*:
  - ☐ Conflict of Interest
  - ☐ Code of Ethics/Values/Norms or Board Conduct
  - ☐ Financial Reserves Policy

WEBSITE REQUIREMENTS

- ☐ **Maintain a district website with the following items** *(provide website link; all are required)*
  - ☐ Names of Board Members and their terms of office
  - ☐ Name of general manager and key staff along with contact information
  - ☐ Election procedure and deadlines
  - ☐ Board meeting schedule (Regular meeting agendas must be posted 72 hours in advance pursuant to *Government Code Section 54954.2 (a) (1) and Government Code Section 54956 (a)*)
  - ☐ District's mission statement
  - ☐ Description of district's services/functions and service area
  - ☐ Authorizing statute/enabling act (Principle Act or Special Act)
  - ☐ Current district budget
  - ☐ Most recent financial audit
  - ☐ Archive of Board meeting minutes for at least the last 6 months
  - ☐ List of compensation of Board Members and staff and/or link to State Controller's webpage with the data
- ☐ **Website also must include at least 4 of the following items:**
  - ☐ Post Board Member ethics training certificates
  - ☐ Picture, biography and email address of board members
  - ☐ Last 3 years of audits
  - ☐ Reimbursement and Compensation Policy
  - ☐ Financial Reserves Policy
  - ☐ Online/downloadable Public Records Act request form
  - ☐ Audio or video recordings of board meetings
  - ☐ Map of district boundaries/service area
  - ☐ Link to California Special Districts Association mapping program
  - ☐ Most recent Municipal Service Review (MSR) and Sphere of Influence (SOI) studies *(full document or link to document on another site)*

Continued on reverse

shine a light on all of your district's efforts

Special Districts 101

District Transparency Certificate of Excellence

STEP #1

Basic Legal Requirements - Examples:

- Ethics Training for Every Board Member
- Access to Reimbursement Documentation
- Timely Filing of Compensation/Financials
- Completed Annual Audits
- Updated Policies related to:
  - Conflict of Interest
  - Code of Ethics/Values/Board Norms
  - Financial Reserves

Special Districts 101

BASIC REQUIREMENTS

- ❑ **Current Ethics Training for all Board Members**
  (Government Code Section 53235)
  - ☐ Provide copies of training certificates along with date completed
- ❑ **Compliance with the Ralph M. Brown Act**
  (Government Code Section 54950 et. al)
  - ☐ Provide copy of current policy related to Brown Act compliance
  - ☐ Provide copy of a current meeting agenda (including opportunity for public comment)
- ❑ **Adoption of policy related to handling Public Records Act requests**
  - ☐ Provide copy of current policy
- ❑ **Adoption of Reimbursement Policy, if district provides any reimbursement of actual and necessary expenses**
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  - ☐ Provide copy of current policy
- ❑ **Annual disclosure of board member or employee reimbursements for individual charges over $100 for services or products. This information is to be made available for public inspection. "Individual charge" includes, but is not limited to: one meal, lodging for one day, or transportation.** *(Government Code Section 53065.5)*
  - ☐ Provide copy of the most recent document and how it is accessible
- ❑ **Timely filing of State Controller's Special Districts Financial Transactions Report - includes compensation disclosure.** *(Government Code Section 53891)*
  - ☐ Provide copy of most recent filing
    SDLF staff will verify that district is not listed on the State Controller's 'non-compliance list'
- ❑ **Conduct Annual Audits**
  (Government Code Section 26909 and 12410.6)
  - ☐ Provide copy of most recent audit and management letter and a description of how/where documents were made available to the public
- ❑ **Other Policies – have current policies addressing the following areas** *(provide copies of each):*

District Transparency Certificate of Excellence

STEP #2

Website Requirements - Examples:

- Current Budget +last 3 years of audits
- Election procedure & deadlines
- Last 6 months of Board meeting minutes
- Compensation of Board Members and staff
- Online/downloadable PRA request form
- Map of district boundaries/service area

Some required; others select 4 from list

Special Districts 101

WEBSITE REQUIREMENTS

☐ **Maintain a district website with the following items**
(provide website link; all are required)

- ☐ Names of Board Members and their terms of office
- ☐ Name of general manager and key staff along with contact information
- ☐ Election procedure and deadlines
- ☐ Board meeting schedule (Regular meeting agendas must be posted 72 hours in advance pursuant to *Government Code Section 54954.2 (a) (1) and Government Code Section 54956 (a)*)
- ☐ District's mission statement
- ☐ Description of district's services/functions and service area
- ☐ Authorizing statute/enabling act (Principle Act or Special Act)
- ☐ Current district budget
- ☐ Most recent financial audit
- ☐ Archive of Board meeting minutes for at least the last 6 months
- ☐ List of compensation of Board Members and staff and/or link to State Controller's webpage with the data

☐ **Website also must include <u>at least 4</u> of the following items:**

- ☐ Post Board Member ethics training certificates
- ☐ Picture, biography and email address of board members
- ☐ Last 3 years of audits
- ☐ Reimbursement and Compensation Policy
- ☐ Financial Reserves Policy
- ☐ Online/downloadable Public Records Act request form
- ☐ Audio or video recordings of board meetings
- ☐ Map of district boundaries/service area
- ☐ Link to California Special Districts Association mapping program
- ☐ Most recent Municipal Service Review (MSR) and Sphere of Influence (SOI) studies *(full document or link to document on another site)*

District Transparency Certificate of Excellence

STEP #3

OUTREACH/BEST PRACTICES REQUIREMENTS

Must complete at least 2 of the following items:

- ❑ **Regular district newsletter or communication** *(printed and/or electronic)* **that keeps the public, constituents and elected officials up-to-date on district activities** *(at least twice annually)*
  - ☐ Provide copy of most recent communication and short description on the frequency of the communication, how it's distributed and to whom

- ❑ **Community notification through press release to local media outlet announcing upcoming filing deadline for election and process for seeking a position on the district board, prior to that election** *(or prior to the most recent deadline for consideration of new appointments for those districts with board members appointed to fixed-terms)*
  - ☐ Provide copy of the press release *(and the printed article if available)*

- ❑ **Complete salary comparison/benchmarking for district staff positions using a reputable salary survey** *(at least every 5 years)*
  - ☐ Provide brief description of the survey and process used as well as the general results

- ❑ **Special Community Engagement Project**
  Designed and completed a special project promoting community engagement with the district (potential projects may be broad in nature or focus on specific issues such as rate-setting, recycled water, identifying community needs, etc.)
  - ☐ Submit an overview of the community engagement project, reviewing the process undertaken and results achieved

- ❑ **Hold annual informational public budget hearings that engage the public** *(outreach, workshops, etc.)* **prior to adopting the budget**
  - ☐ Provide copy of most recent public budget hearing notice and agenda

- ❑ **Community Transparency Review**
  The district would be required to obtain a completed overview checklist from at least 2 of the following individuals* *(the district may choose to conduct the overview with these individuals simultaneously or separately)*:
  - ☐ Chair of the County Civil Grand Jury
  - ☐ Editor of a reputable local print newspaper (only one may count toward requirement)
  - ☐ LAFCo Executive Officer
  - ☐ County Auditor-Controller
  - ☐ Local Legislator (only one may count toward requirement)
  - ☐ Executive Director or President of local Chamber of Commerce
  - ☐ General Manager of a peer agency (special district, city or county)

* *Provide proof of completion signed by individuals completing Community Transparency Review*

Special Districts 101

High Performing District Checklist

https://www.sdlf.org/best-practices

Special Districts 101

SDLF SPECIAL DISTRICT LEADERSHIP FOUNDATION

HIGH PERFORMING DISTRICT *checklist*

FINANCE AND HUMAN RESOURCES

This checklist was designed and approved by the Special District Leadership Foundation to provide special districts with best practices related to the areas of Finance and Human Resources.

Visit us online at www.sdlf.org for comprehensive resources and samples related to each of the best practices listed.

BEST PRACTICES - FINANCE

Training
- Board and staff obtain regular training on finance/fiscal accountability.
- Board and designated employees (those that participate in making decisions that may materially affect their financial interests) complete ethics training as required by law, including initial and biennial training requirements.*

Reporting
- All financial reports are filed on time and in compliance with applicable laws and recognized standards for best management/reporting practices (including Governmental Accounting Standards Board):
  - Comprehensive annual financial report
  - Annual Audit*
  - State Controller's Financial Transaction Report*
  - State Controller's Compensation Report*
- The district requires board members and designated employees to prepare and file statements of economic interests (FPPC Form 700) to identify and disclose potential conflicts of interest.

Governance
- Board establishes and periodically reviews strategic, financial, and other goals.
- Board approves an annual balanced budget in an open and public meeting and periodically reviews revenue and expenses for compliance with the budget.*
- Board approves capital improvement plans in an open and public meeting and periodically reviews revenue and expenses for compliance with the plans.
- Board sets rates and fees in compliance with applicable state laws and District ensures its revenues maintain financial stability and support its commitments.

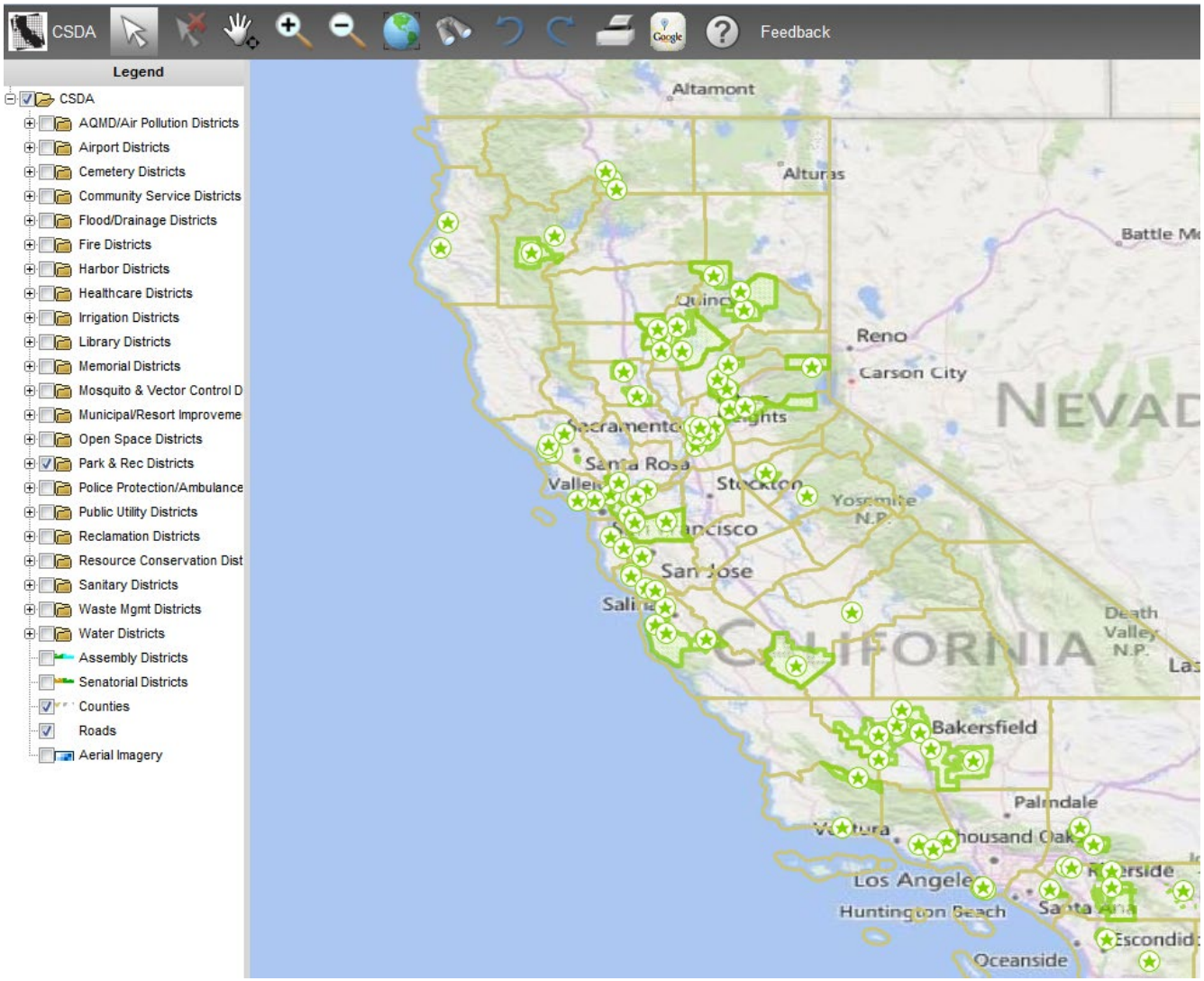
Policies
- The district has written, board-approved codes of conduct and ethics policies, including compliance with conflicts of interest laws and proper financial management.
- Board establishes and periodically reviews fund balances and reserve policies that meet district's needs.*
- Board establishes and periodically reviews sound fiscal and internal control policies and procedures (including checks and balances) sufficient to (1) safeguard its assets and resources, (2) deter and detect errors, fraud, waste, abuse and theft, (3) ensure accuracy and completeness of its accounting data, and (4) produce reliable and timely financial and management information.
- District has an investment policy describing approved investment types, and management periodically reports investment information (types of investments held, market values, maturity dates, etc.) to the board, according to a board approved policy.
- The district has adopted and implements policies and procedures concerning the payment of claims, bills, and invoices, the issuance, approval and signing of district checks/warrants, and the use of district credit cards.
- District actively adopts mechanisms to prevent, detect, and/or report fraud, waste, and abuse.

Continued on reverse

Other District Transparency Resources:

CSDA's Online Map

www.csda.net
'About Special Districts'



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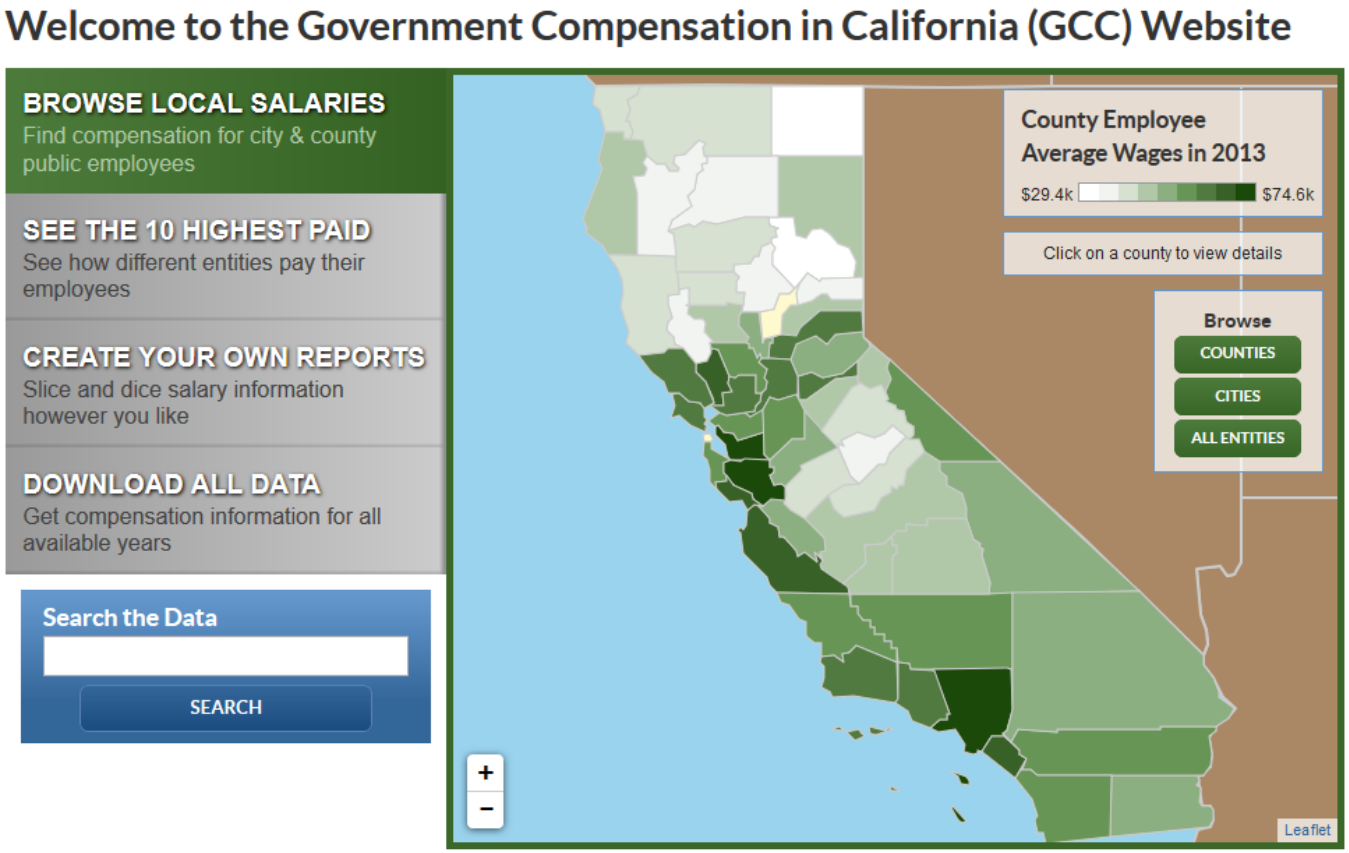
Other District/Local Gov't Transparency Resources:

State Controller – Local Government Salary Data

Publicpay.ca.gov



Special Districts 101

Other District/Local Gov't Transparency Resources:

State Controller – Local Government Financial Data

sco.ca.gov

Special Districts 101

Districts Truly Are Special

Districts like Cameron Park CSD serve a vital role in providing local services effectively and efficiently

www.cameronpark.org

CSDA Contact Information
916-442-7887 (main office)
www.csda.net

danew@csda.net

Special Districts
101

Questions?

Special Districts 101

WHAT'S SO SPECIAL ABOUT SPECIAL DISTRICTS?

A Citizen's Guide to Special Districts in California

Fourth Edition

October 2010

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Introduction

Most of us don't know much about local governments. We know less about special districts. Special district advocates hail special districts as the best examples of small-town democracy. Their critics say that special districts make local government too complex. *What's So Special About Special Districts?* untangles the basic facts about this least known segment of local government.

Most Californians don't understand special districts. Most of us don't know:

- How many exist (about 3,300).
- What they do (services from A to Z --- from airports to zoos).
- Who runs them (maybe your next-door neighbor).
- Or even what they spend on local services (about $38 billion a year).

Celebrated as the best example of democracy, cursed as the worst form of fragmented government, and generally misunderstood even by the experts, special districts are California's unique contribution to local government. The question remains: *What's so special about special districts?* This citizen's guide provides the answer: ***focused service***.

Focused because special districts only serve in specifically defined areas, unlike counties and cities that provide services throughout their boundaries. Special districts are also ***focused*** because most of them provide only a single service, allowing them to concentrate on one activity. ***Service*** because districts deliver only the public programs and public facilities that their constituents want. Counties and cities provide multiple programs, some of them mandated by the federal and state governments. Special districts provide the public services that the public wants.

Our citizen's guide answers many of your questions about California's most abundant form of local government. In plain language, this citizen's guide explains what special districts are, where districts came from, their legal powers, and different ways to understand them. This guide also tells you where to get more information about the special districts that serve you.

Frequently cited by other authors, this report has become a standard introduction to special district government since the Committee first published it in 1991. But much has changed in 20 years. The Legislature has shifted billions of dollars of property tax revenues away from local agencies, including districts. The voters amended the California Constitution to make it harder to raise local revenues (Proposition 218 in 1996), harder for the Legislature to tamper with local governments' revenues (Proposition 1A in 2004), but easier to get access to public records and meetings (Proposition 59 in 2004). The California economy has been through two major recessions. Our Fourth Edition documents special districts' current financial status, explores what is and what is not a special district, explains what services districts provide, and describes how citizens can effect changes in the districts which serve them.

Democracy works best when people know about the governments that serve them. This guide will make you smarter about the special districts that serve you.

What's a Special District?

State law defines a special district as "any agency of the state for the local performance of governmental or proprietary functions within limited boundaries." In plain language, a special district is a separate local government that delivers a limited number of public services to a geographically limited area.

Special districts have four distinguishing characteristics. Special districts:

- Are a form of government.
- Have governing boards.
- Provide services and facilities.
- Have defined boundaries.

Inadequate revenue bases and competing demands for existing taxes make it hard for counties and cities to provide all of the services that their constituents want. When residents or landowners want new services or higher levels of existing services, they can form a district to pay for them. Fire districts, irrigation districts, cemetery districts, and mosquito abatement districts exist today because taxpayers were willing to pay for public services they wanted. Special districts localize the costs and benefits of public services. Special districts let local residents get the services they want at prices they're willing to pay.

So, what's so special about special districts? Focused services. Special districts are a type of local government that delivers specific public services within defined boundaries.

Special districts deliver highly diverse services including water, electricity, mosquito abatement, and fire protection. Most special districts serve just a single purpose, such as sewage treatment. Others respond to a wide range of needs, as in the case of community service districts, which can deliver up to 32 services.

Districts' service areas can range from a single neighborhood to vast areas. For example, the Metropolitan Water District of Southern California serves nearly 19 million people in over 5,200 square miles in six counties, while the Kingsbury Greens Community Services District (Nevada County) runs the sewage system for 45 condominiums on 7.65 acres. Most special districts' operate within just one county, but some districts' boundaries cross over city limits and county lines. The Contra Costa County Fire Protection District serves unincorporated territory plus nine cities. The Roubidoux Community Services District delivers services to communities in two different counties: Riverside and San Bernardino. Unlike counties and cities, special districts' boundaries aren't always limited to contiguous territory. For example, the Pajaro/Sunny Mesa Community Services District (Monterey County) serves several separate pockets of territory.

Special districts have most of the same basic powers as counties and cities. They can sign contracts, employ workers, and acquire real property through purchase or eminent domain. Following constitutional limits, they can also issue bonds, impose special taxes, levy benefit assessments, and charge service fees. Like other governments, special districts can sue and be sued.

Special districts have **corporate powers** and **tax powers,** but rarely the **police power**. *Corporate power* is the ability to "do things," like building public works projects such as parks and sewers. It's the power to run recreation programs and collect garbage. *Tax power* is the authority to raise money to pay for these projects and services. *Police power* is different; it's the authority to regulate private behavior to accomplish a public goal. Governments that make rules and enforce them use the police power: zoning property, requiring business licenses, or setting speed limits. Special districts rarely have police powers. Instead, they usually build public facilities and provide services. When special districts do have police powers, they are usually related to some corporate power. One example is banning alcoholic beverages from a park district's picnic area.

What a Special District is Not

Now that we understand what special districts are, let's look at what special districts are not.

- **Special districts are not state government.**

Special districts are local agencies which deliver specific services to specific communities. Operating under state laws, special districts are autonomous government entities that are accountable to the voters or landowners they serve. State officials, however, oversee special districts. For example, special districts must send their annual financial reports to the State Controller's Office. Districts must also follow the state laws for special taxes, bonded debt, public hearings, public records, and elections.

- **Special districts are not county governments or cities.**

Counties and cities are *general purpose* governments. Counties and cities perform a broad array of services to protect the health, safety, and welfare of all their citizens. Special districts are *limited purpose* governments. Special districts can provide only the services allowed by state law and supported by their residents. Sometimes county supervisors or city councils are special districts' governing boards, but those districts are legally separate local entities.

- **Special districts are not school districts.**

School districts exist to provide one service --- public education. Special districts can deliver a variety of public services, excluding education. School districts get most of their money from the state government. Special districts rely mostly on local revenues.

- **Special districts are not "Mello-Roos" districts or benefit assessment districts.**

Counties, cities, school districts, and many special districts can create Mello-Roos Act community facilities districts and benefit assessment districts to finance public works and public services. Mello-Roos districts and benefit assessment districts are just financing mechanisms and do not deliver services. Special districts use these financing mechanisms to provide public services.

- **Special districts are not redevelopment agencies.**

Cities and counties set up community redevelopment agencies to eliminate blight by paying for public and private improvements and economic development efforts. Special districts do not exist to eliminate blight. Special districts provide public services and infrastructure that help communities, but they're not in the business of direct economic development.

- **Who's in? Who's out?**

Most of our facts about special districts come from the annual *Special Districts Annual Reports* produced by the State Controller's Office. The total number of special districts included in this citizen's guide (3,294) varies from the State Controller's report (4,776) because the Controller defines special districts differently. The State Controller's report has a very broad reach, including 1,482 entities that we don't think are real special districts.

Our guide omits entities that don't share all four of the key characteristics: is a government, has a governing board, provides services, and has boundaries. For example, nonprofit corporations don't appear in our count because they're corporations, not governments. To be clear, we don't count: air pollution control districts, flood control maintenance districts, health districts, highway lighting districts, maintenance districts, vehicle parking districts, road maintenance districts, permanent road divisions, joint powers agencies, and nonprofit corporations. Neither we nor the State Controller count benefit assessment districts, business improvement districts, geologic hazard abatement districts, Mello-Roos Act community facilities districts, multi-family improvement districts, or parking and business improvement districts.

A Short History of California's Special Districts

Like hula hoops, martinis, and freeways, special districts became an art form in California. Special districts first arose to meet the water needs of San Joaquin Valley farmers. Frustrated by an inconsistent water supply and unstable prices, farmers in Stanislaus County organized the Turlock Irrigation District under the Wright Act of 1887. The Wright Act allowed landowners to form new public entities to deliver irrigation water, and to finance their activities with water rates and bond sales. As California's first special district, the Turlock Irrigation District made it possible for local farmers to intensify and diversify their crops.

While the earliest irrigation districts served rural areas, the trend was towards delivering water to urban and suburban communities. In the early 1900s, water districts were primarily located in northern and central California. After 1950, they spread to Southern California to satisfy the growing suburban water demands.

In the 20th Century, special districts increased dramatically in both number and scope. The periods of prosperity and population growth that followed both World Wars increased the demand for public services of all kinds and, consequently, special districts. Special districts became a popular way to meet these needs. Unlike the complex bureaucracies that can come with cityhood, special districts were flexible and provided desired services quickly and efficiently.

The statutory authorization for *mosquito abatement districts* in 1915 shows the recurring connection between the real estate industry and the desire for local services. Salt marsh mosquitoes around the San Francisco Bay and higher than average malaria cases in rural counties prompted legislators to allow local officials to form mosquito abatement districts. The 372 *fire protection districts* can trace their origins to a 1923 state law. In 1931, the Legislature authorized recreation districts, the forerunners of today's 108 *recreation and park districts*. *Hospital districts* arose in 1945 because of a statewide shortage of hospital beds. Although originally created to address individual services, special districts later encompassed multiple needs. The Legislature provided for multi-purpose *county service areas* in 1953 and *community services districts* in 1961.

Special Districts' Statutory Authority

Special districts operate either under a **principal act** or a **special act**. A *principal act* is a generic statute which applies to all special districts of that type. For example, the Community Services District Law governs all 325 community services districts. There are about 50 principal act statutes which local voters can use to create and govern special districts.

Occasionally, local circumstances don't fit the general conditions anticipated by the principal acts. In those cases, the Legislature can create a *special act* district that's tailored to the unique needs of a specific area. Districts which are regional in nature, have unusual governing board requirements, provide unique services, or need special financing, result in special act districts. Examples of districts formed under special acts include the Embarcadero Municipal Improvement District (Santa Barbara County), the Humboldt Bay Harbor, Recreation, and Conservation District, and the Shasta-Tehama County Watermaster District. There are about 125 special act districts.

All principal acts are state laws in the California state codes, whereas most special acts are not codified. However, for convenience, many of the water districts' special acts appear in the Appendix to the California Water Code. For a list of these acts, see Appendix A in the State Controller's *Special Districts Annual Report*.

Types of Special Districts

Special districts' activities are as diverse as the communities they serve. The most common type of special district in California are the 895 County Service Areas, while the Golden Gate Bridge, Highway and Transportation District is an example of a category with just one member.

With about 3,300 special districts, it may seem overwhelming to try to understand the purpose and function of the districts. To simplify that task, let's break down the districts into pairs of categories. One way of understanding districts is to look at their various contrasting features:

- Single function versus multi-function.
- Enterprise versus non-enterprise.
- Independent versus dependent.

Single Function versus Multi-Function Districts.
Most special districts perform only a single function. Single function districts deliver just one service such as water, sewage, or fire protection. The Happy Camp Cemetery District (Siskiyou County) is an example of a single function special district. Cemeteries are the only service that the 252 public cemetery districts can provide.

Multi-function districts provide two or more services. County Service Areas (CSAs) may provide any service which a county can provide. For example, CSAs provide animal control, libraries, police protection, snow removal, and weed abatement.

Some multi-function districts only offer a few of the services they are authorized to provide. For example, the Community Services District Law allows CSDs to provide up to 32 different services, but the Buzztail CSD (Butte County) offers only water service.

The powers which state law authorizes but a district does not currently provide are called its *latent powers*. Before a special district can activate one of its latent powers, it needs approval by the Local Agency Formation Commission (LAFCO). Significant protests may require the district to get its voters' approval. If the new service requires new revenues from special taxes or benefit assessments, the district must also get those approvals from voters or property owners.

Enterprise versus Non-enterprise Districts.
Just over a quarter of the special districts are enterprise districts. Enterprise districts deliver services that are run like business enterprises --- they charge for their customers' services. For example, a hospital district charges room fees paid by patients, not the district's other residents. Water districts charge water rates to their customers. Nearly all of the water, wastewater, and hospital districts are enterprise districts.

Non-enterprise districts provide services which don't lend themselves to fees. Fire protection services and mosquito abatement programs benefit the entire community, not just individual residents. No direct cost/benefit relationship exists in the services provided by non-enterprise districts. Consequently, non-enterprise districts generally don't charge user fees for their services. No one wants to put a meter on a park district's swings or charge residents to put out a house fire. Non-enterprise districts rely overwhelmingly on property tax revenues and parcel taxes to pay their operational expenses. Services commonly provided by non-enterprise districts include cemeteries, fire protection, libraries, and police protection. Although non-enterprise districts rely primarily on non-fee revenue, certain services, such as a recreation and park district's swimming pool or soccer programs, can generate some fee revenue.

Independent versus Dependent Districts.
About two-thirds of the state's special districts are independent districts. Independent districts have their own separate governing boards elected by the districts' own voters. For example, local voters elect the board of directors which runs the Rancho Simi Recreation and Park District (Ventura County). Independent districts also include districts where the appointed boards of directors serve for fixed terms. Cemetery districts are independent districts because county boards

of supervisors appoint the residents who serve on the districts' boards of trustees to fixed four-year terms. Independent special districts include library districts, memorial districts, mosquito abatement districts, and resource conservation districts.

Dependent districts are governed by other, existing legislative bodies (either a city council or a county board of supervisors). All County Service Areas, for example, are dependent districts because their county boards of supervisors govern them. The San Bernardino County Board of Supervisors is the *ex officio* governing board for the Yucca Valley Recreation and Park District, making it a dependent district. Because the Oceanside City Council also serves as the board of directors for the Oceanside Small Craft Harbor District (San Diego County), the District is a dependent special district.

A community's registered voters usually choose an independent district's board of directors. But in some water districts, political power rests with the landowners. Where the districts' services primarily benefit land and not people, the courts have upheld the use of *landowner-voter districts*.

Who votes?

The California Constitution says that "The right to vote or hold office may not be conditioned by a property qualification." But state laws provide for some "landowner-voter districts" where the district directors or the voters (or both) must own land within the district. How is that possible?

The United States Supreme Court tackled this question in a case called *Salyer Land Company v. Tulare Lake Basin Water Storage District,* 410 U.S. 719 (1973).

Some landowners and resident registered voters within the District claimed that it was unconstitutional to restrict voting rights to landowners. Further, they argued that it was inequitable that smaller landowners received fewer votes than larger landowners. The plaintiffs urged the creation of a new policy so that all residents in the District would be permitted only one vote regardless of land ownership.

The District argued that its irrigation services only benefited the land. Thus, any effects on non-landowner residents were indirect and did not entitle them to vote. Also, the number of votes allotted to landowners was proportional to the assessed value of the land, and therefore relative to each landowner's benefits and burdens. The Supreme Court agreed with the defendant and upheld landowner-voting because the District "provides no service to the general public."

Special districts' governing boards can vary with the size and type of the district. Most districts have five-member governing boards. Other governing boards vary from three to 11 or more members. Because of its special legislation, the Metropolitan Water District of Southern California has 37 board members. Many larger districts have professional general managers, similar to city managers or county administrators, who run the daily operations. The governing boards adopt the broad policies that the general managers carry out.

These three distinctions about special districts aren't mutually exclusive. It's possible to have an independent, multi-function, enterprise special district, such as the Whispering Palms Community Services District (San Diego County). The District is *independent* because its voters elect their own board of directors; it's *multi-function* because the District provides sewers, street lighting, and road maintenance; and it's *enterprise* because local officials charge their customers for the sewer services. Conversely, County Service Area No. 19 (Marin County) is a dependent, single function, non-enterprise district. The CSA is *dependent* because the Marin County Board of Supervisors governs it; it's *single function* because it delivers only one service; and it's *nonenterprise* because that sole service is fire protection.

Funding Special Districts

To better understand how special districts pay for themselves, let's divide their spending into two broad categories:

- Spending on operations and maintenance (programs).
- Spending on capital projects (public works projects).

Operations and Maintenance.
To pay for their regular operations, special districts generate revenue from three basic sources: taxes, benefit assessments, and service charges.

General taxes. When the voters amended the California Constitution by passing Proposition 13 (1978), they stopped local officials from levying separate property tax rates. Instead, county officials collect a uniform 1% property tax rate and allocate the resulting revenues to other local governments, following complicated formulas in state law. Most special districts get a share of these general property taxes. In 2007-08, county officials allocated about $3.6 billion in general property tax revenues to special districts. Proposition 218 (1996) constitutionally prohibited special districts from levying their own general taxes.

Special taxes. Nearly all special districts can levy special taxes, if they get 2/3-voter approval. Often called "parcel taxes," these special taxes are usually a flat amount for each lot or each acre of ground. The Windsor Fire Protection District (Sonoma County) relies on two special taxes --- both approved by the District's voters --- for most of its annual revenues. Some property owners are familiar with the parcel taxes that special districts levy under the Mello-Roos Act. Details about which special districts can levy special taxes appears in *Revenues And Responsibilities: An Inventory of Local Tax Powers* on the Committee's webpage: http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/REVENUESANDRESPONSIBILITIES.pdf

Benefit assessments. Many special districts can charge benefit assessments to pay for operating and maintaining public facilities and service programs that directly benefit property. Proposition 218 (1996) required assessment amounts to reflect the "proportionate special benefit" that the property receives. Benefit assessments are constitutionally distinct from taxes in several important ways. One key difference between assessments and taxes is that the affected property owners must give their approval for benefit assessments in a weighted-ballot election

while special taxes require the voters' approval. More information about benefit assessments is in *Assessing The Benefits of Benefit Assessments: A Citizen's Guide to Benefit Assessments in California (Second Edition)*, on the Senate Local Government Committee's website: http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/BenefitAssessmentsPublication.pdf

Service Charges. Special districts that run enterprise activities or deliver specific services can pay for their activities with service charges. Water rates generate the revenue that the Rainbow Municipal Water District (San Diego County) needs to run the community's water systems. The Modesto Irrigation District (Stanislaus County) sends bills to its electricity customers. Hospital charges help support the Seneca Hospital District (Plumas County). In 2007-08, special districts' enterprise revenues totaled nearly $25.2 billion.

Special Districts' Enterprise Revenues (2007-08)	
Water	$8,099,005,000
Transit	4,634,395,000
Waste Disposal	3,478,224,000
Electric Utility	4,171,583,000
Hospital	4,094,546,000
Airport	457,296,000
Harbor and Port	250,658,000
Total	$25,185,707,000

Even some non-enterprise districts collect service charges to pay for special programs. For example, the Hayward Area Recreation and Park District (Alameda County) charges green fees to play on the District's Skywest Golf Course.

Capital Projects.
Special districts create debt to borrow the money that they need for capital projects, such as expanding a wastewater treatment plant, acquiring parkland, or buying a new fire engine. Special districts' total long-term debts of all kinds were approximately $72.4 billion in 2007-08.

Special districts pay off their *general obligation bonds* with higher property tax rates that require 2/3-voter approval. The Rand Communities Water District (Kern County) issued general obligation bonds to accumulate the capital needed for its water system. User fees pay for special districts' *revenue bonds* which may require majority-voter approval. The Groveland Community Services District (Tuolumne County) issued four revenue bonds to improve its sewer system. *Benefit assessment bonds* need the weighted-ballot approval of the property owners who own the properties that benefit from the special districts' public works projects. That's the approach used by the Las Gallinas Valley Sanitary District (Marin County) for its sewer improvements. *Mello-Roos Act bonds* also require 2/3-voter approval, but their revenue streams come from parcel taxes. Other, more exotic borrowing devices include certificates of participation, promissory notes, and loans from the state and federal governments.

Loss of Funding for Special Districts.
Special districts have coped with three decades of tough financial times. In 1977-78, the year before the voters passed Proposition 13, special districts received $945 million in property tax revenues. In 1978-79, their property tax revenues dropped to $532 million, a loss of almost 50%.

In response to Proposition 13, legislators encouraged the special districts with the power to raise revenues with user fees and service charges to start the transition to fees and charges and to reduce their reliance on property tax revenues.

To help local governments weather the fiscal shock caused by Proposition 13, the state sent more state money to school districts and shifted some of the schools' property tax revenues to counties, cities, and special districts. For special districts, these supplemental property tax revenues went into a Special District Augmentation Fund (SDAF) in each county. The county supervisors then allocated the SDAF money to the special districts in their counties. This practice lasted from 1978 to 1992.

Faced with huge budget deficits in 1992-93 and again in 1993-94, the state shifted almost $4 billion annually in property taxes from local governments (counties, cities, special districts, and redevelopment agencies) to an Educational Revenue Augmentation Fund (ERAF) in each county. The property tax revenue in the ERAF supports schools. The continuing ERAF shifts help the state fulfill its constitutional duty to pay for schools. Enterprise special districts had better chances of coping with the ERAF shifts because their fees generate revenues. The ERAF shifts hit the non-enterprise districts especially hard because they have few ways to make up for the lost revenues. Special legislation has granted fiscal relief to some special districts.

Proposition 1A (2004) made it much harder for the state to shift property taxes and other local revenues away from counties, cities, and special districts. These constitutional protections restore some fiscal stability to special districts.

How Much is Too Much?
A 2000 report from the Little Hoover Commission revealed that special districts reported more than $19.4 billion in reserves to the State Controller in 1996-97. Enterprise special districts held most of these reserves. This large figure raised a red flag for policy-makers and the public. Why were the districts setting aside so much money? And how did they plan to spend it?

Special district leaders argued that there were legitimate reasons for these reserves. District officials had allocated nearly all of the reserve dollars into specific funds for earmarked purposes. Special districts also used their reserve accounts to accumulate the capital needed to pay for large public works projects, rather than paying future interest on borrowed money. Further, reserves provided a safety cushion in lean fiscal years, stabilizing consumers' rates.

Special districts, taxpayers, and legislators learned that special districts should improve how they report their fiscal activities, including the purposes for their reserves. Out of this controversy came a state law that required the State Controller to publish an annual electronic report listing

the 250 special districts with the largest total revenues. For 2007-08, the three special districts with the largest total revenues were:

- Sacramento Municipal Utility District ($1,372,262,958).
- Metropolitan Water District of Southern California ($1,267,721,814).
- Los Angeles County Metropolitan Transportation Authority ($1,209,788,940).

For the complete list, see http://lgrs.sco.ca.gov/sb282/index.asp.

LAFCO Cost-Sharing.
Until 2001, county governments paid 100% of costs to operate the Local Agency Formation Commissions (LAFCOs), but legislative reforms spread those costs more broadly. When independent special districts get seats on the LAFCO, they must share the commission's costs with cities and the county government. Half of the 58 LAFCOs have special district representation, so special districts in those 29 counties pay a third of their LAFCOs' costs. A district's contribution is proportionate to its revenue, with some exceptions.

Advantages & Disadvantages

Many people disagree over the usefulness and desirability of special districts. Before you make up your own mind, consider these arguments.

Advantages:

Special districts tailor services to meet local needs. Counties and cities must protect their residents' health, safety, and welfare and, thus, must provide many services, regardless of citizen demand. Special districts, however, only provide the services that their communities desire.

Special districts link costs to benefits. General purpose local governments --- counties and cities --- levy general taxes to pay for public services. The services that taxpayers receive are not directly related to the amount of taxes they pay. In a special district, only those who benefit from the district's services pay for them. Those who do not benefit do not pay.

Special districts respond to their constituents. Because most special districts are geographically smaller and have fewer residents than counties and cities, they're more responsive to their constituents. Small groups of citizens can be quite effective in influencing special districts' decisions.

Disadvantages:

Too many special districts means inefficiency. Many special districts provide the same services that counties and cities provide. Overlapping jurisdictions can create competition and conflict among special districts, and also between districts and general purpose governments. In addition, when communities incorporate, some Local Agency Formation Commissions (LAFCOs) fail to dissolve the special districts that exist within the new city limits, resulting in extra administrative costs and duplicated services.

Special districts hinder regional planning. Having numerous special districts can hamper planning efforts. For example, it can be difficult to organize the various water, sewer, and fire services in one region to deliver services to property owners and residents. Because about 2/3 of the districts have independent governing boards, no single agency coordinates their efforts.

Special districts decrease accountability. The multiplicity of limited purpose special districts can make it harder for residents and property owners to find out who's responsible for services. Separate special districts may provide water, sewer, parks, library, and fire protection services to the same unincorporated community. Residents have a hard time finding out who's in charge. Furthermore, the narrow and technical nature of a district's activities often results in low civic visibility until a crisis arises. Special district elections typically have very low voter turnouts. Although some view low voter turnout as a sign of voter satisfaction, representative democracy relies on broad participation.

Frequently Asked Questions

Now that you have a basic understanding of special districts, you may have some specific questions you want answered. We explain the sources for our answers in Appendix C. Here are a dozen of the most frequently asked questions.

1. How can I find out if I live in a special district?
The easiest way is to call your Local Agency Formation Commission (LAFCO). Each county has a LAFCO which is responsible for forming and dissolving special districts. You'll find a directory of LAFCOs at www.calafco.org. You can also look on your county property tax bill to see if some of your tax dollars go to a special district.

2. How can I form a special district?
District formation follows five steps:

- *Application.* Registered voters in the proposed district apply to the Local Agency Formation Commission (LAFCO). The application must detail the proposed district's boundaries and services, environmental effects, and financing methods.
- *Review and approval.* The LAFCO's staff studies the application, schedules the public hearing, and presents a public report with recommendations. The LAFCO can approve or deny the proposal. If the LAFCO approves, it's time to measure protests.
- *Protest hearing.* The LAFCO holds a second public hearing, this time to measure formal protests from voters and property owners. A majority protest stops the proposal, otherwise there's an election.
- *Election.* Only the voters inside the proposed district's boundaries vote at this election, which usually requires majority-voter approval. If the proposed new district relies on new special taxes, the measure needs 2/3-voter approval.
- *Formal filing.* If the voters approve the proposed district, the LAFCO's staff must file the formal documents needed to start the new district.

3. Who picks my district's governing board?
About 2/3 of our special districts are *independent*, that is, they have independently elected or appointed boards of directors. The other districts are *dependent* districts because they depend on another local government to govern them; usually a city council or a county board of supervisors. In most independent districts, registered voters elect the governing boards. In a few types of special districts, the landowners vote. Most governing boards have five members who serve staggered, four-year terms.

4. How can I find out who runs a special district?
The easiest way is to call your district directly and ask who serves on its governing board. Many districts have their own web sites. Also, your county clerk must keep a formal *Roster of Public Agencies* which lists all special districts along with the names and addresses of the members of their governing boards. Ask your county clerk for a copy of your county's *Roster*. This information may also be available on your county's web site.

5. Can a special district tax me without my approval?
No. Proposition 13 (1978) limited property taxes to 1% of property value. Many special districts get a share of these revenues. If a special district wants more tax revenues, it needs 2/3-voter approval before it can charge special taxes (also called "parcel taxes"). A general obligation bond that raises property tax rates also requires 2/3-voter approval.

6. But what about special assessments? Aren't they just like special taxes?
Not really. Special districts can charge benefit assessments to pay for public works like sewers, parks, and water systems, and to pay for some services. Property owners pay benefit assessments only for the projects or services that *directly* benefit their property. The amount of the assessment must be directly related to the benefit received. Proposition 218 (1996) required local governments, including special districts, to get weighted ballot approval from property owners before they can levy benefit assessments.

7. What can I do if I don't like what my special district is doing?
Talk to your district's general manager or the members of your district's governing board at their next meeting. All local governments must make time at their board meetings to listen to public comments. If you still aren't pleased with your district's activities, the remedy is direct democracy in the form of *initiative, referendum,* and *recall*.

- *Initiatives* let the voters propose ordinances directly instead of waiting for their district board to act. Successful initiatives need public notice, petitions, and majority-voter approval.

- *Referenda* also give voters a direct vote in district matters. The referendum power lets voters put recent board actions on the ballot and reject them *before* they go into effect. Referendum procedures are similar to the initiative process.

- *Recall* elections allow voters to remove elected board members before their terms of office end. Recalls follow processes similar to initiatives and referenda. However, recall isn't pos-

sible with cemetery districts and other special districts where the board members are appointed to serve fixed terms.

Or, you or your neighbors could run for the district's board at the next election.

8. Why do special districts seem so invisible?
Special districts often escape wide public attention because their functions are narrow and technical. Sometimes, residents don't pay attention to their special districts until something goes wrong. Like all local governments, however, special districts must conform to democratic safeguards such as the Brown Act, the Public Records Act, and the Political Reform Act.

9. How can I trust my special district's leaders?
It's true what they say --- *the noblest motive is the public good*. Public officials earn their constituents' trust by continually pursuing the public good. Special district officials must hold open meetings, keep open records, and disclose their economic interests. See the answer to Question 8, above. Most governing board members and key staff must take an ethics training course every two years. Ask your district if its board members and staff are up-to-date.

10. How do I know if my special district is doing OK?
It's also true that *good government demands the intelligent interest of every citizen*. Residents and property owners should pay attention to how public agencies, including special districts, pay for projects and programs. Besides attending your district's board meetings and following its web page, you can review a district's budgets, regular audits, and financial reports. Ask your county grand jury if it has investigated your district. In 2009-10, for example, the Lake County Civil Grand Jury reviewed the Lake County Vector Control District and then issued its findings and recommendations. Although it's not a perfect guarantee, ask if your special district participates in the Special District Leadership Foundation (SDLF) awards program.

11. What happens when things go bad?
If you're unhappy with a special district's programs or projects, take your complaints directly to the district's general manager and governing board. Local officials respond when their constituents write letters and speak up at board meetings. You can complain about economic conflicts of interest to the Fair Political Practices Commission. However, if you're aware of criminal activity, then you need to take your allegations to the district attorney or county grand jury for formal investigation.

12. Where can I get more information about special districts?
<u>Local resources</u>:

- LAFCO's municipal service reviews and spheres of influence.
- County clerk's *Roster of Public Agencies.*
- County grand jury reports on specific districts.

<u>Statewide resources</u>:

- State Controller's *Special Districts' Annual Report*.
- Special district associations. See Appendix B.

Current Topics & Emerging Trends

You now know that special districts are really diverse. Although it's tough to generalize about the trends affecting special districts, here are some general themes:

How many is too many? Special districts are California's most numerous type of local government. There's a lingering suspicion among the public and local officials that the number of special districts is growing. Some worry that increasing the number of independent special districts results in more bureaucracy and less efficiency.

However, using our definition of special districts, you can see that their numbers have actually gone down slightly over the last 30 years.

Number of Special Districts

1977-78	3,398
1987-88	3,490
1997-98	3,336
2007-08	3,294

Inside that 3% decline are three interesting trends. *First*, the number of county service areas has grown. CSAs are dependent special districts, always run by the county boards of supervisors. The number of dependent districts increased while the overall number of special districts went down. *Second*, the number of community services districts has also grown. Almost always independent special districts, CSDs are often multi-purpose districts, delivering more than one local service. The number of single-function districts declined. *Third*, while the number of special districts went down, California's population grew by 2/3, from 22.4 million residents in 1977 to 37.7 million in 2007.

Changes in the Number of Special Districts
Among the Ten Most Common Types

	1977-78	2007-08	Change
County service areas	727	895	+168
Fire protection districts	454	372	-82
Cemetery districts	263	252	-9
Community services districts	213	325	+112
County water districts	205	166	-39
California water districts	163	136	-27
Reclamation districts	157	156	-1
Resource conservation districts	139	96	-43
County sanitation districts	124	73	-51
Recreation & park districts	118	108	-10

This table shows that multi-purpose districts, like county service areas and community services districts, are more popular than they were three decades ago. The decline in the number of sin-

gle-purpose districts over the last 30 years shows that some of these districts have consolidated with each other or have combined into multi-purpose districts. For example, several smaller fire districts in Sacramento County consolidated over the years to form the Sacramento Metropolitan Fire District (Sacramento County) in 2000. Also in Sacramento County, the Consumnes Community Services District formed in 1985 as the successor to the Elk Grove Fire Protection District and the Elk Grove Recreation and Park District, and expanded in 2006 when it annexed the adjacent Galt Fire Protection District

Land use planning and development. Public policy, not public works, should determine the location, timing, and intensity of development. Counties and cities control land use within their own boundaries by adopting general plans and approving development projects. However, some critics say that special districts can block or distort local land use planning goals. Because special districts are major providers of water and sewer services, where (and when) they build water lines and sewer plants affects development. State law lets special districts override county and city general plans and zoning ordinances. Even though dependent special districts are governed by the same board or council that adopts the general plan, the majority of special districts have independent governing boards which may have different development ideas. Most independent districts work well with their city and county governments, but land use conflicts are possible.

Municipal service reviews. The 2000 report *Growth Within Bounds* by the Commission on Local Governance for the 21st Century prompted legislators to pass several statutory reforms, including new planning requirement for the Local Agency Formation Commissions (LAFCOs). To plan for the future boundaries and service areas of cities and special districts, a LAFCO must prepare informational reports called *municipal service reviews*, and then adopt a policy document for each city and district called a *sphere of influence*. LAFCOs' decisions on annexations and other boundary changes must be consistent with the spheres of influence that they adopt for the affected cities or districts.

To inform those policy choices, municipal service reviews analyze six topics:

- Growth and population projections.
- Present and planned capacity of public facilities and adequacy of public services.
- Agencies' financial abilities to provide services.
- Opportunities for sharing facilities.
- Accountability for community service needs.
- Other matters relating to effective or efficient services.

Preparing the initial round of municipal service reviews was hard for some of the LAFCOs and the special districts in their counties. Some districts resented what they thought was a LAFCO's intrusion into internal district operations. Some LAFCOs were surprised to discover that special districts provided more services in more areas than they had previously known. The municipal service reviews can be superb sources of basic information about special districts' operations, programs, facilities, and financing. Many LAFCOs post these service reviews on their websites.

Accountability and responsiveness. Good government is responsive government. Like many local agencies, special districts have worked harder in recent years to raise their public profile

and reassure their communities that they're spending public dollars wisely. Many districts belong to statewide associations that promote the special district form of government. See Appendix B for a list of those groups. These associations also offer training courses for special districts' board members and staff.

Although it's not a perfect guarantee of quality, you can ask your district if it has earned the "District of Distinction" designation from the Special District Leadership Foundation (SDLF). SDLF is a private, nonprofit group formed by statewide associations of special districts to encourage better governance practices. Has the SDLF awarded your district's board its "Recognition in Special District Governance"? Has your district's general manager earned SDLF's "Special District Administrator Certification"?

In addition to these voluntary programs, a state law passed in 2005 requires ethics training for local officials (including special districts) who accept compensation for their service. Special districts designate their employees who must also receive ethics training. Every two years these board members and key staff must receive at least two hours of training in general ethics principles and ethics laws. Records of who has taken the required training are public documents, so you can ask your district if its governing board and staff are up-to-date.

Revised state laws. Recognizing that the state laws that govern special districts were outdated, legislators have revised the statutes that control nearly 2/3 of all districts. Many of these principal acts were decades old and had not kept pace with other statutory and constitutional changes. For example, legislators had not overhauled the Public Cemetery District Law since 1939. In the meantime, the voters amended the California Constitution to limit property taxes, impose spending limits, and require more public approval of taxes, assessments, and fees. Other initiatives created the Political Reform Act and changed local officials' fiscal powers. The Legislature enacted and expanded the state laws on open meetings, public records, fiscal audits, special districts' boundaries, land use planning, and public finance.

The Senate Local Government Committee responded by convening working groups to review the state laws that govern six types of special districts. Legislators translated the results of the working groups' efforts into revised principal acts for fire protection districts (1987), recreation and park districts (2001), mosquito abatement and vector control districts (2002), cemetery districts (2003), community services districts (2005), and county service areas (2008). Appendix B lists the reports that explain these efforts.

Vestigial districts? Sometimes good ideas don't always work out the way you intended. In 1968, grand visions convinced legislators to pass the El Dorado County Toll Tunnel Act which allowed the county supervisors to form a new dependent special district. This District has the power to bore a tunnel through the Sierra Nevada from Twin Bridges to Meyers, under Highway 50's route over Echo Pass. Although that vision is unlikely to come true, more than four decades later, an inactive District still exists with the El Dorado County Board of Supervisors as its *ex officio* governing body.

Legislative experiments don't always deliver on their promises either. In 1961, the Legislature passed the Resort Improvement District Law to help land developers set up multi-function special districts to serve remote subdivisions in rural counties. In 1965, the Assembly held hearings into special districts' abuses and one result was to ban the formation of new resort improvement districts. Nevertheless, seven resort improvement districts in five counties remain in existence, including the dependent Stony Gorge Resort Improvement District (Glenn County). In 2010, the Legislature passed a bill making it easier to convert resort improvement districts into community services districts.

Appendix A: Types of Special Districts (2007-08)

County Service Areas	895
Fire Protection Districts	372
Community Services Districts	325
Cemetery Districts	252
County Water Districts	166
Reclamation Districts	156
California Water Districts	136
Recreation & Park Districts	108
Resource Conservation Districts	96
Irrigation Districts	94
Hospital Districts	80
County Sanitation Districts	73
Sanitary Districts	72
Public Utility Districts	54
Storm Water Drainage & Maintenance Districts	49
Mosquito Abatement & Vector Control Districts	46
Flood Control & Water Conservation Districts	42
Municipal Water Districts	37
Water Agency or Authority	30
County Waterworks Districts	28
Memorial Districts	27
Drainage Districts	23
Transit Districts	15
Levee Districts	14
Harbor & Port Districts	13
Library Districts	13
Water Conservation Districts	13
Airport Districts	10
Citrus Pest Control Districts	10
Water Storage Districts	8
Garbage Disposal Districts	8
Pest Control Districts	6
Municipal Improvement Districts	5
Municipal Utility Districts	5
Police Protection Districts	3
Sanitation & Flood Control Districts	2
Water Replenishment Districts	2
Sewer District	1
Bridge & Highway District	1
Joint Highway District	1
Metropolitan Water District	1
Separation of Grade District	1
Toll Tunnel Authority	1
TOTAL	3,294

Appendix B: Special District Information Resources

Association of California Water Agencies (ACWA)
910 K Street, Suite 100
Sacramento, California 95814-3512
(916) 441-4545
www.acwa.com

California Association of Local Agency Formation Commissions (CALAFCO)
1215 K Street, Suite 1650
Sacramento, California 95814
(916) 442-6536
www.calafco.org

California Association of Public Cemeteries
2640 Glen Ridge Road
Escondido, California 92027
(888) 344-9858
www.capc.info

California Association of Recreation & Park Districts
P.O. Box 22671
Sacramento, California 95822
(916) 446-2098
www.carpd.net

California Association of Sanitation Agencies (CASA)
1215 K Street, Suite 2290
Sacramento, California 95814
(916) 446-0388
www.casaweb.org

California Municipal Utilities Association (CMUA)
915 L Street, Suite 1460
Sacramento, California 95814
(916) 326-5800
www.cmua.org

California Special Districts Association (CSDA)
1112 "I" Street, Suite 200
Sacramento, California 95814
(916) 442-7887
www.csda.net

Fire Districts Association of California (FDAC)
1215 K Street, Suite 2290
Sacramento, California 95814
(916) 231-2941
www.fdac.org

Mosquito & Vector Control Association of California
1215 K Street, Suite 2290
Sacramento, California 95814
(916) 440-0826
www.mvac.org

Public Cemetery Alliance
P.O. Box 494
Gridley, California 95948
(530) 846-2537
www.publiccemeteryalliance.com

Special District Leadership Foundation (SDLF)
1112 "I" Street, Suite 200
Sacramento, California 95814
(916) 231-2939
www.sdlf.org

The library at UC Berkeley's Institute of Government Studies has an extensive collection of local government documents, including special districts' documents and many grand jury reports:

Institute of Governmental Studies
University of California, Berkeley
109 Moses Hall
Berkeley, California 94720-2370
(510) 642-1473
http://igs.berkeley.edu/library/cagovdocs

The Institute for Local Government (a joint program of the League of California Cities and the California State Association of Counties) provides helpful resources to local officials and their constituents:

Institute for Local Government
1400 K Street, Suite 205
Sacramento, California 95814
(916) 658-8208
www.ca-ilg.org

The Senate Local Government Committee has compiled a descriptive list of the key state laws that affect local governments:

The Quick List: An Annotated Glossary of Local Government Statutes (Second Edition) Report 1353-S, February 2009.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/TheQuickList2009.pdf

The Committee has also published the statutory text and commentaries on the principal acts for six types of special districts:

A New Law for a New Mission: Senate Bill 515 and the "Fire Protection District Law of 1987" Report 284-S, October 1987.
[not available online]

Parks, Progress, and Public Policy: A Legislative History of Senate Bill 707 and the "Recreation and Park District Law" Report 1112-S, October 2001.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/PPPReport.pdf

Science, Service, and Statutes: A Legislative History of Senate Bill 1588 and the "Mosquito Abatement and Vector Control District Law" Report 1226-S, September 2003.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/SSSFINALREPORT.pdf

For Years To Come: A Legislative History of SB 341 and the "Public Cemetery District Law" Report 1268-S, August 2004.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/YEARSTOCOMEPUBLICATION.pdf

Community Needs, Community Services: A Legislative History of SB 135 (Kehoe) and the "Community Services District Law" Report 1348-S, March 2006.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/CNCSReport.pdf

Serving The Public Interest: A Legislative History of SB 1458 and the "County Service Area Law" Report 1428-S, October 2008.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/STPIPublication.pdf

You can order printed copies of these reports directly from Senate Publications & Flags, 1020 N Street (B-53), Sacramento, California 95814. Discounts are available for multiple copies, but credit cards are not accepted. For ordering details, you should call Senate Publications directly at (916) 651-1538.

Appendix C: Sources for Questions & Answers

What's behind our answers to the "Frequently Asked Questions" on pages 12-14? Here are the references we used.

We list the statutes by code, followed by the section number. For example, "Government Code §56000, et seq." means that you can find the text as Section 56000 of the Government Code. The term "et seq." is the abbreviation for a Latin phrase that lawyers use to mean "and following." That means a state law starts at §56000, but continues for several more sections.

You can retrieve a statute's text from the Legislature's official website: www.leginfo.ca.gov.

If you want to see printed versions, you can go to your public library or a law library and read the published codes. Two publishers print the California statutes: *West's Annotated California Codes* and *Deering's California Codes Annotated*. Be sure to start with the "pocket part" in back of each volume. The pocket section has the latest versions of the statutes, including any recent amendments.

Question 1: How can I find out if I live in a special district?
Various definitions of "special district" are in Government Code §16271 (d), Government Code §50077 (d), Government Code §53720 (b), Government Code §56036, and Revenue & Taxation Code §95 (m). Also see California Constitution Article XIII C, §1 (c) (Proposition 218).

Question 2: How can I form a special district?
The Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code §56000, et seq.) spells out the LAFCOs' powers. The Senate Local Government Committee describes LAFCOs in *It's Time To Draw The Line: A Citizen's Guide to LAFCOs (2nd Edition).*
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/LAFCOGUIDEUPDATE2003.pdf

Question 3: Who picks my district's governing board?
The Uniform District Election Law (Elections Code §10500, et seq.) controls most special districts' elections. Some independent special districts' governing boards are appointed. For example, see Health & Safety Code §9020, et seq. which requires county supervisors to appoint residents as a public cemetery district's board of trustees.

Question 4: How can I find out who runs a special district?
Government Code §53051 requires county clerks to keep the *Roster of Public Agencies*.

Question 5: Can a special district tax me without my consent?
Property taxes. California Constitution Article XIII A, §1 (a) (Proposition 13) limits the property tax rate to 1% and tells county officials to allocate the property tax revenues, following state law. Revenue & Taxation Code §95, et seq. tells county officials how to allocate property tax revenues to local governments, including special districts.

Special taxes. California Constitution Article XIII A, §4 (Proposition 13) and Article XIII C, §2 (a) & (d) (Proposition 218) require special districts to get 2/3-voter approval for special taxes. Government Code §50075, et seq. and Government Code §53720, et seq. (Proposition 62) spell out the statutory procedures for levying special taxes. Government Code §53727 tells special districts that they need specific statutory authority before they levy special taxes. State law gives special tax authority to many types of special districts. For example, Government Code §61121 allows community service districts to levy special taxes. The Senate Local Government Committee describes special districts' tax powers in *Revenues and Responsibilities: An Inventory of Local Tax Powers*.
http://senweb03.senate.ca.gov/committee/standing/LOCAL_GOV/REVENUESANDRESPONSIBILITIES.pdf

General obligation bonds. California Constitution Article XIII A, §1 (b) and Revenue & Taxation Code §93 allow local officials, including special districts, to charge extraordinary property tax rates outside the usual 1% limit to pay for general obligation bonds. State law allows many special districts to levy general obligation bonds, but only if they get 2/3-voter approval. For example, Public Resources Code §5790, et seq. spells out the procedures that recreation and park districts must follow to issue general obligation bonds.

Question 6: But what about special assessments? Aren't they just like special taxes?
California Constitution Article XIII D (Proposition 218) contains the requirements for benefit assessments. Government Code §53750, et seq. contains the procedures for local weighted ballots. State law allows many special districts to charge benefit assessments. For example, Government Code §25216.3 allows county service areas to use benefit assessments.

Question 7: What can I do if I don't like what my special district is doing?

Public meetings. California Constitution Article I, §3 (b) guarantees public meetings. The Ralph M. Brown Act (Government Code §54950, et seq.) requires local governments' meetings to be open and public, with only limited exceptions. Government Code §53954.3 tells local officials that they must give the public an opportunity to speak at public meetings. However, disorderly conduct isn't acceptable (Government Code §54957.9).

Direct democracy. Elections Code §9300, et seq. spells out the procedures for initiatives that affect special districts. Elections Code §9340, et seq. explains the referendum process for special districts. Elections Code §11000, et seq. contains the procedures for special districts' recall elections.

Question 8: Why do special districts seem so invisible?
Government Code §6250, et seq. is the Public Records Act.
Government Code §54950, et seq. is the Ralph M. Brown Act.
Government Code §81000, et seq. is the Political Reform Act.

Question 9: How can I trust my special district's leaders?
The "public good" slogan appears above the west portal of the San Diego County Administration Center, 1600 Pacific Highway, San Diego. Government Code §53234, et seq. requires compen-

sated district board members and key district staff to take ethics training every two years. The training records are public records.

Question 10: How do I know if my special district is doing OK?
The "good government" slogan appears above the east portal of the San Diego County Administration Center, 1600 Pacific Highway, San Diego.

Budgets. Many special districts' principal acts require them to adopt annual budgets. For example, see Health & Safety Code §2070 for mosquito abatement and vector control districts.

Regular audits. Government Code §26909 requires county auditors to regularly audit special districts' accounts and records.

Financial reports. Government Code §53890, et seq. requires special districts to annually report their financial transactions to the State Controller. Government Code §12463 requires the State Controller to compile and publish the special districts' financial transactions reports. They're available both as books and online: http://www.sco.ca.gov/ard_locarep_districts.html.

Grand jury reports. Penal Code §925 allows county grand juries to investigate special districts' operations. Besides contacting your county grand jury to ask about recent reports, you can explore the collection assembled by UC Berkeley's Institute for Governmental Studies: http://cdm266301.cdmhost.com/cdm4/browse.php?CISOROOT=%2Fp266301coll6.

Special District Leadership Foundation. The SDLF is a private nonprofit organization created by several special districts' associations. More information is on its website: www.sdlf.org.

Question 11: What happens when things go bad?
California Constitution Article I, §3 (a) declares the public's right to "instruct their representatives." Government Code §54954.3 tells local officials that they must give the public an opportunity to speak at public meetings, but disorderly conduct isn't acceptable (Government Code §54957.9). The Political Reform Act (Government Code §81000, et seq.) prohibits public officials from having economic conflicts of interest. The Fair Political Practices Commission's webpage explains how to file complaints: www.fppc.ca.gov/index.php?id=498. Government Code §26500, et seq. explains that your county's district attorney is the public prosecutor. Penal Code §925 allows your county grand jury to investigate special districts.

Sources & Credits

The following publications helped the Committee's staff prepare this Fourth Edition:

Commission on Local Governance for the 21st Century. *Growth Within Bounds*. Sacramento, California. 2000.

Senate Local Government Committee. *What's So Special About Special Districts?* First Edition (1991); Second Edition (1993), Third Edition (2002). Sacramento, California.

Sokolow, Alvin D., et al. *Choices for the Unincorporated Community: A Guide to Local Government Alternatives in California*. 2nd ed. Davis, California. 1981.

State Controller. *1977-78 Annual Report, Financial Transactions Concerning Special Districts of California.* Sacramento, California. 1978.

State Controller. *Special Districts Annual Report, Fiscal Year 2006-07*. Sacramento, California. 2008.

State Controller. *Special Districts Annual Report, Fiscal Year 2007-08*. Sacramento, California. 2010.

The Senate Local Government Committee first published *What's So Special About Special Districts?* in 1991, the result of a Senate Fellow project by April Manatt. After joining the Committee's staff, Manatt produced a Second Edition in 1993. In 2002, Kimia Mizany, another Senate Fellow, wrote the Third Edition. In 2010, the Committee's staff published this Fourth Edition. Peter Detwiler revised the text and Elvia Diaz produced the report. The Fourth Edition benefited from critical reviews by and helpful contributions from:

- David Aranda, North of the River Municipal Water District
- Dewey Ausmus, California Association of Public Cemeteries
- Bob Braitman, Braitman & Associates
- Bill Chiat, California Association of Local Agency Formation Commissions
- Ron Davis, Association of California Water Agencies
- Ralph Heim, Public Policy Advocates
- Iris Herrera, California Special Districts Association
- Katie Kolitsos, Assembly Local Government Committee
- Sashi Lal, Special Districts Reporting Section, State Controller's Office
- April Manatt, April Manatt Consulting
- Geoffrey Neill, California State Association of Counties
- Catherine Smith, California Association of Sanitation Agencies
- Brian Weinberger, Senate Local Government Committee

INSTITUTE FOR LOCAL GOVERNMENT
FOUNDED 1955
Promoting Good Government at the Local Level

Tips for Promoting Civility in Public Meetings

www.ca-ilg.org/OrientationMaterials
December 2011

What is Civility?

In the context of democratic debate, civility is about how people treat each other. Civility involves the display of respect for those who have positions with which one disagrees.

Even though disagreement plays a necessary role in governance and politics, the issue is *how* one expresses that disagreement. The key is to focus on the strengths and weakness of proposed solutions to community problems—not to engage in personal attacks against those who favor different solutions.[1] An even more powerful leadership strategy is to listen for the concerns and values that underlie people's diverse perspectives to try to identify points of agreement and common ground.

Related Resources

This tip sheet is a distillation and update of the Institute for Local Government's 2003 whitepaper called *Promoting Civility at Public Meetings: Concepts and Practice,* available at www.ca-ilg.org/civility.

Additional resources from the Institute include

- *Dealing with Emotions at Public Hearings*, available at www.ca-ilg.org/respondingtoconflict and
- *A Leader's Role When Tragedy Strikes*, available at www.ca-ilg.org/tragedy

Specific Strategies

- **Embrace Diverse Points of View.** Local officials are grappling with difficult policy challenges. Bringing as many perspectives on what might be the best solution to a given problem increases the likelihood that the solution will indeed be successful and enduring. A goal is to create a culture of tolerance for differing points of view that credits everyone with having the best interests of the community in mind.

- **Everyone Gets a Chance to Share Their Views.** Voltaire said "I may not agree with what you say, but I will fight to the death for your right to say it." Everyone's right to have their view heard is a central democratic value. Conversely, a strategy that relies on drowning other perspectives out usually results in a turning up of the volume and corresponding decreases in civility in discussions.

- **With Rights Come Responsibilities.** For there to be time for everyone to weigh in on an issue, there may need to be reasonable time limits on how long individuals speak. The goal is to create a culture in which as many people as possible (including decision-makers) are respectful of other people's time in attending and participating in the meeting.

- **Avoid Debates and Interruptions**. Interruptions should be discouraged so that individuals have the opportunity to complete their thoughts. A good practice for everyone participating in the conversation is to make a note of a question or different point of view that occurs to you when someone is speaking and then address that issue when it is one's turn to speak. This is an especially important approach for decision-makers to model.

- **Reduce Uncertainty.** Assuring people they will be allowed to share their views and how can reduce concerns that they will not be allowed to be heard. Explaining the process to be used to allow all views to be heard at the outset of a meeting or discussion item can reduce tension levels.

- **The Importance of Listening.** Listening is an important sign of respect, as is giving others the opportunity to listen. Decision-makers' active interest in what people are saying is vital. Repeating back core points that a speaker makes reassures the speaker that their message has indeed been heard—even if one does not necessarily agree with it. The mood turns ugly if the public thinks the matter has already been decided, decision-makers don't care about public input, or decision-makers are being impolite or disrespectful of the public they serve. Everyone attending a meeting should respect other attendees' right to both listen and be heard. One person should talk at a time, any private conversations should be taken outside or deferred, and smart phones should be turned off (texting and emailing should not occur during the meeting).

- **Be Compassionate About the Fear Factor/ Heckling and Applause Not Allowed.** Polls suggest many people fear public speaking.[2] This fear can come from concerns about

Agenda Guidance

Some local agencies include language to the following effect on their agendas:

> Free expression of all points of view is an important democratic value in this community.
>
> To allow all persons to speak who may wish to do so, each speaker is allowed a maximum of __ minutes. An effective approach is to lead with your key point or concern and then explain the reasons underlying it.
>
> If others have already expressed your views, you may simply indicate that you agree with the previous speaker. If appropriate, a spokesperson may present the views of a group.
>
> To encourage and respect expression of all views, meeting rules prohibit clapping, booing or shouts of approval or disagreement from the audience.

being judged negatively or having ideas that people will ridicule or reject. Allowing cheering and booing or other forms of heckling discourages people from sharing their views (even silence or no applause can be perceived as rejection). It also runs the risk that those that do speak will focus more on getting applause than moving the conversation towards addressing difficult issues. (Eye-rolling and grimacing can be non-verbal forms of heckling and also have no place in communities that value mutual respect.)

- **Separate People from The Problem.** Personal attacks or questioning people's motives or character rarely moves the conversation forward to a solution of a problem. In the book about effective negotiating called *Getting to Yes*,[3] the authors encourage negotiators to attack the problem, not the people involved in the problem. Anything that approaches name-calling should be off limits.

- **Consider Using Titles.** Referring to each other by title and last name (Supervisor Hassan, Council Member Lee, Board Member Aviña) can serve as a way of showing respect that an individual has been elected and is participating in the conversation in that capacity. Using similar forms of respect for members of the public (Mr., Ms, Sir, Madam) when speaking can also reinforce the notion that everyone is engaged in a special kind of discussion. Community norms vary, however, and in some communities this may be perceived as an affectation.

- **Take a Break.** If conversations get heated, consider taking a break. As one veteran observer of public meetings noted "time can be an anti-inflammatory agent" that can give people a chance to calm down and restore order.[4]

A Note on Civility and Staff

Staff plays a critical role in providing service to the agency and the public the agency serves. An agency's ability to attract and retain capable and motivated staff is an important determinant of how satisfied the public is likely to be with the agency's performance and that of its elected officials.

An old management saw counsels those with oversight responsibilities to praise in public and criticize in private. That advice is sound for those in public service.

If an elected official has concerns about a staff member's performance or actions, a good practice is to make the top administrative official of the agency aware of those concerns.

Similarly, if a member of the public raises concerns about the performance of a public agency employee, refer it to management with a request for follow up.

If the communication is more in the nature of a personal attack, try to identify the underlying concern and respond to that. Encouraging the person to focus on the issue and avoid personal attacks. Separating people from the problem can be just as valuable a strategy when it comes to staff.

- **Ejection a Last Resort.** If a recess does not work to restore order and other techniques are not successful, calling in the sergeant of arms is a last resort. A good practice is to create a record that disruptor was given ample warnings and opportunity to leave or reform their behavior voluntarily. If selective removal of one or more disruptors does not restore order, state law does allow clearing the room with the media allowed to remain[5] (as an even more last resort).

Parliamentary Procedure and Civility

Rules of parliamentary procedure are another tool to encourage civility and decorum at meetings. The most famous source of parliamentary procedure is Robert's Rules of Order. A good starting point is www.robertsrules.com/ (the "survival tips" page is especially helpful).

A former mayor and county supervisor (and now judge) has created a simplified version for use at the local level. Called "Rosenberg's Rules," the text and an explanatory video are accessible from the Institute's website at www.ca-ilg.org/rosenbergsrules.

The following is an excerpt from Rosenberg's Rules on about courtesy and decorum:

> The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.
>
> The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.
>
> Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.
>
> Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. . . .

Note that the chair may have greater latitude in enforcing decorum among decision-makers than between the public and decision-makers.

- **Walk the Talk.** For civility to be a regular part of community discourse, community leaders must set the standard. Scholars are concerned—and the data seems to demonstrate—that public officials' incivility to one another contributes to voter alienation and antipathy toward public officials and public agencies.[6]

  A good approach is to treat people how you would like to be treated. This includes a) limiting one's statements in discussions to those that move the conversation forward, b) keeping one's remarks brief, to the point and non-repetitive of comments others have made (other than to note one's agreement), c) avoiding personal attacks (in public and private) and d) otherwise adhering to the strategies described above.

Conclusion

How a community conducts its public meetings is a reflection of the community and its values. As Dr. Martin Luther King's observed:

> In a neighborhood dispute there may be stunts, rough words, and even hot insults; but when a whole people speaks to its government, the dialogue and the action must be on a level reflecting the worth of that people and the responsibility of that government.[7]

Dr. King's admonition to his listeners to set their standards of discourse high--irrespective of how others behave--is consistent with the quote from Gandhi to his followers that "you must be the change you wish to see in the world."

About This Resource

This resource is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on Local Government 101, go to www.ca-ilg.org/localgovt101.

*The Institute welcomes feedback and suggestions on enhancing this resource:

- *Email:* info@ca-ilg.org Subject: *Tips for Promoting Civility in Public Meetings*
- *Mail:* 1400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814

Sample Codes of Civility

Drafting Note: *A threshold issue is whether an agency's code will be positive or negative. In other words, will the code describe conduct that is prohibited or describe the kind of conduct it desires to be the norm. Describing the kind of conduct that is preferred has the advantage of being more instructive in setting the goal and encouraging people to meet that goal.*

Commitment to Civil Behavior

To maintain a cohesive, productive working environment, the members of the San Diego County Water Authority Board of Directors commit to:

1. Support the Authority's mission.
2. Bring Authority related concerns, issues, and conflicts to the Authority Board for discussion.
3. Offer alternative solution(s) when addressing a problem or issue.
4. Show respect to each other as appointed representatives of their member agencies.
5. Promote civility during Board meetings and tolerate nothing less.
6. Maintain the confidentiality of material discussed during closed Board meeting sessions. Similarly, not to disclose the content or substance of confidential or privileged communications relating to Authority business.
7. Limit the length of comments during Board meetings to three minutes per Director per item and not repeat points that already have been stated by other Directors.

Pledge of Civility

1. The manner in which we govern ourselves is often as important as the positions we take.
2. The organization's collective decisions will be better—and truer to our mission—when differing views have had the opportunity to be fully vetted and considered.
3. All those who appear before the organization's board and committees have the right to be treated with respect, courtesy, and openness. We value all input.

Accordingly, we commit to conduct ourselves at all times with civility and courtesy, to both those with whom the Board interacts and to each other. We also pledge to endeavor to correct ourselves, should our conduct fall below this standard.[8]

Resources and References

[1] Burgess, Guy and Heidi, *The Meaning of Civility* , Conflict Research Consortium at www.colorado.edu/conflict/civility.htm.
[2] http://www.gallup.com/poll/1891/Snakes-Top-List-Americans-Fears.aspx (fear of public speaking ranks second to fear of snakes).
[3] Fisher, Roger and Ury, William L., *Getting to Yes: Negotiating Agreement Without Giving In* (1991).
[4] *See* Vermont Institute for Government, Born to Chair: An Introduction to the Science and Art of Chairing a Board Meeting (1998), available at http://www.sec.state.vt.us/municipal/pubs/chair.pdf and http://crs.uvm.edu/citizens/chair.pdf., page 3.
[5] *See* Cal. Gov't Code § 54957.9, which provides:

> In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

[6] Carter, Stephen L., *Civility: Manners, Morals and the Etiquette of Democracy* (1998) at 9.
[7] *From the March on Washington for Jobs, Peace and Freedom, 1963.*
[8] Adapted from the Pledge of Civility adopted by the California Public Employee Retirement System Board.

CSDA's Guide to Special District Laws and Related Codes

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The California Special Districts Association: Who we are

California Special District Association (CSDA) is a not-for-profit association that was formed in 1969 to ensure the continued existence of local, independent special districts. Special districts are a form of local government created by a local community to meet a specific need. When residents or landowners want new services or higher levels of existing services, they can form a district to pay for and administer them.

For over 38 years, CSDA has been offering its members cost-efficient programs and representation at the State Capitol and has a membership of over 1,000 organizations throughout California. We are the only statewide association representing all types of independent special districts including irrigation, water, park and recreation, cemetery, fire, police protection, library, utility, harbor, healthcare and community services districts, among many others.

CSDA provides education and training, insurance programs, legal advice, industry-wide litigation and public relations support, legislative advocacy, capital improvement and equipment funding, collateral design services, and, most importantly, current information that is crucial to a special districts management and operational effectiveness. CSDA also works very hard to keep its members informed and up-to date on current legislative issues and provides an opportunity to have a meaningful representation in the State Capitol.

CSDA's Guide to Special District Laws and Related Codes

CSDA's Guide to Special District Laws and Related Codes is a reference guide to the myriad of statutes that affect local governments and special district governance. This document, created by the CSDA Legislative Department, is meant to serve as a resource for board members and staff to quickly identify where in the California Codes certain regulations are located. The entries in *CSDA's Guide to Special District Laws and Related Codes* are concepts, names of specific acts and laws, and special district principle acts. Each entry contains a brief summary of the topic, the section number of the code it is located in, and any cross-references to other entries or resources.

The idea of a reference guide specific to special districts was inspired by the Senate Local Government Committee's *The Quick List: An Annotated Glossary of Local Government Statutes*. The *Quick List* can be found at the Senate Local Government Committee's website (http://www.senate.ca.gov).

This publication was produced by the CSDA Legislative Department.
Thomas Vu, Legislative Advocate
Maria Lerman, Legislative Assistant

The items in this Guide are designed to provide general direction in various areas and are not meant to be legal advice. It is always recommended that an attorney be consulted with any specific questions.

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Air quality/pollution control districts
California Health and Safety Code §40000
Rules and regulations of this district type seek to prevent air pollution, which causes discomfort, health risks or damage to the property of a significant number of people. Local and regional authorities have the primary responsibility of controlling air pollution from all sources, other than emissions from motor vehicles.

Airport districts
California Public Utilities Code §22001
This district type facilitates the development of airports, spaceports, and air navigation facilities. The district's objective is to encourage airport and spaceport development and to distribute the cost uniformly among all who benefit.

Appropriations limit (Gann Limit)
California State Constitution Article XIII B
Government Code §7900, et seq.
Local governments have limits (or ceilings) on the appropriations of tax proceeds. This limit is based on the amount of appropriations in the 1978-79 "base year" and is adjusted each year for population growth and cost-of-living factors, plus a few exceptions.

Resources:

- The State Appropriations Limit (April 2000), Legislative Analyst's Office

(See entry for Proposition 4 (1979))

Assembly Bill 8 (1979)
Revenue and Taxation Code §95
This state law allocates property tax revenues to local governments, to provide the long-term policy changes to the allocation system that Senate Bill 154 (1978) did not have. It was created in 1979 to provide fiscal relief to local governments suffering from Proposition 13. AB 8 created the Special District Augmentation Fund.

Resources:

- Property Taxes: Why Some Local Governments Get More Than Others (August 1996), Legislative Analyst's Office
- What's So Special About Special Districts (February 2002), Senate Local Government Committee

(See entry for "Special District Augmentation Fund")
(See entry for "Proposition 13 (1978)")

Assessments
California Constitution Article XIII D
A special district may finance the maintenance and operation of public systems that include, but are not limited to, drainage, flood control, and street lighting. Assessments

are involuntary charges on property owners to pay for these public works when their properties benefit from the improvements through increased property values. Assessments include special, benefit, and maintenance assessments, and special assessment taxes. Assessments are subject to a weighted election.

Resource:

- Assessing The Benefits of Benefit Assessment, 2nd Edition (December 2004), Senate Local Government Committee
- Understanding Proposition 218 (December 2006), Legislative Analyst's Office

(See entry for "Proposition 218 (1996)")

Audits
Government Code §26909
Special districts are required to have annual, independent audits conducted by the county auditor or a certified public accountant. This information is filed with the State Controller's Office. The annual audit can be changed to a bi-annual audit if approved unanimously by the district board and the board of supervisors, under certain restrictions.

Benefit Assessment Act of 1982
Government Code §54703, et seq.
A district that provides services for public works projects that benefit property may impose assessments for the installation, improvement, and maintenance for these facilities. Since it is considered a benefit assessment, the Act is not subject to Proposition 13 limitations.

Bond oversight
Government Code §53410, et seq.
Any local bond that is subject to voter approval, and provides for the sale of bonds by a special district, must be transparent. A special district must file a report that contains a statement indicating a specific purpose of the bond, information regarding the account into which the proceeds will be submitted, and an annual report on how that bond is spent.

Brown Act
(See entry for "Ralph Brown Act")

California Environmental Quality Act (CEQA)
Public Resource Code §21000, et seq.
The Act requires state and local public agencies to consider the environmental impacts of proposed activities or projects. Agencies must determine if the impacts will be significant, and identify alternatives and mitigation measures that will substantially reduce or eliminate significant impacts on the environment.

Resources:

- Guide to CEQA, Solano Press Books.

- Resources Agency's website. http://ceres.ca.gov/ceqa

CEQA Guidelines
14 California Code Regulations §15000, et seq.
State regulations that are required by the California Environmental Quality Act.

Resources:

- For a complete list of guidelines consult Title 14. California Code of Regulations Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

California water districts
California Water Code §34000
This district constructs, maintains, and repairs the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected with any such projects.

California water storage districts
California Water Code §39000
This district delivers water to customers for agricultural uses, supplies energy to a variety of users, and provides groundwater banking and storage services. It has the ability to construct, purchase, lease, and exchange material for works that include conduits, reservoirs, storage sites, water sheds, machinery, wells, pumps, dams, and other such appliances, and their accessories.

Citrus pest districts
California Food and Agriculture Code §8410
The districts can be formed for the effective control and eradication of citrus pests. "Citrus pest" includes any infectious, transmissible, or contagious disease, any form of animal life, or any form of vegetable life infesting citrus trees or citrus fruits.

Closed sessions
Government Code §54945.5(a) to §54945.5(i)
Closed sessions are allowed in very select circumstances, and a legislative body should go into a closed session only when absolutely required. The public must be informed of the closed session, and a brief description of the items on the agenda must be given. A minute book may be kept but not required, but the results of action taken must be made public. A meeting is always considered "open" until it is declared "closed".

Resources:

- Open & Public IV: A Guide to the Ralph Brown Act (2007), League of California Cities

(See entry for "Ralph Brown Act")

Community facilities districts (CFDs)
(See entry for "Mello-Roos Community Facilities Act")

Community Services District (CSD)
Government Code §61000, et seq.
Public Contract Code §20682, et seq.
CSDs are special districts that provide more than one of the various services that other service-specific districts provide. In 2005, the Community Services District Law, a CSD's principal act, was rewritten and streamlined by a working group that included CSDA and the Senate Local Government Committee.

Resources:

- Community Services, Community Needs (March 2006), Senate Local Government Committee

(See entry for "Contracts and bidding")

Compensation
Code section varies
Compensation of special district board members, commissioners and trustees varies by principal act, as do any provisions related to increases in compensation. Check the district principle act for procedures for a specific district.

Compensation and ethics training
Government Code §53232, et seq. (on compensation)
Local elected officials and key appointed officials (and management staff like general managers) are required by law to take ethics training courses if the officials receive compensation or reimbursement.

Conflict of interest
Government Code §1090, et seq. & §87100, et seq.
2 California Code Regulations §187100, et seq.
Public officials cannot make or influence a governmental decision in which they have a conflict of interest. An official will have a conflict of interest if the decision has a foreseeable financial effect on their economic interests. They may not exert influence on a decision in which they have a conflict of interest unless their participation is legally required, or the official can establish that effect of the decision is indistinguishable from the effect on the general population.

Resources:

- A Local Official's Guide to Ethics Laws, Institute for Local Government

Contracting and bidding
Public Contract Code §1100 to §9203 (generally applicable)
Public Contract Code §20100, et seq. (special districts-specific)
The Local Agency Public Construction Act lays out the bidding and contracting procedures for special districts. Each special district type or even, at times, a specific special district has its own contracting and bidding regulations. See the list that follows Section 20100.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
Government Code §56000 to §57550
Cortese-Knox-Hertzberg is the latest iteration of the law that governs changes to boundaries and organization of cities and special districts. It updates the Cortese-Knox Local Government Reorganization Act of 1985, and is considered "the most important reform to the state's local boundary laws in 40 years," as Senator Tom Torlakson wrote in 2003. Changes to the 1985 law include making it easier for special districts to gain LAFCO representation, as well changes to spheres of influence evaluation and implemented municipal services reviews.

Resources:

- Assembly Bill 2838 (Hertzberg, 2000)
- Guide to Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (2002), Assembly Local Government Committee

(See entry for "Local Agency Formation Commission")

Cotton pest districts
California Food and Agriculture Code §6051
This district type controls and prevents the introduction of pests, the invasion of which may cause losses of several million dollars per year to this state's cotton crop. The district maintains a control of cotton plants in areas that are at risk.

County sanitation districts
California Health and Safety Code §4700
This county type protects public health and the environment of the community by providing wastewater collection services in a safe, efficient, and innovative manner.

County water districts
Water Code §30000
This district type establishes rules and regulations for the sale, distribution, and use of water. The district also stores and conserves water for present or future beneficial use, and is authorized to run recreational facilities, sanitation facilities, and fire protection.

CSDA Alliance
The CSDA Alliance is a coalition comprised of the California Special Districts Association, the Special District Risk Management Authority, and the CSDA Finance

Corporation. The Alliance covers all the needs of special districts, ranging from legislative advocacy, educational workshops, risk management, workers' compensation, property liability and health coverages, and financing options for major purchases or projects.

CSDA Finance Corporation
The Finance Corporation is a non-profit public benefit corporation formed by CSDA to assist special districts and other public agencies with acquiring highly competitive, tax-exempt financing for all type of major capital improvement projects, land acquisitions, and equipment purchases.

District Organization Law
Government Code §58000, et seq.
The District Organization Law establishes a guide for the organization, operation and governance of certain special districts. This law applies only to particular districts or district types that refer to the District Organization Law in lieu of procedures of their own.

Resources:

- Integrity and Accountability: Exploring Special Districts' Governance (November 2003), Senate Local Government Committee

Drainage districts
Water Code *§56000, et seq.*
Drainage districts have been established by some six iterations of principal acts, the first dating back to 1885 and the last in 1923, and some by special acts. Districts have the authority to transfer their responsibilities to flood control districts (*Water Code §8150*).

Educational Revenue Augmentation Fund (ERAF)
Revenue and Taxation Code §97.2 and 97.3
Starting in 1992, in response to the state's budget woes, the Legislature implemented the first Educational Revenue Augmentation Fund, shifting property tax revenue from local governments to the schools, thus relieving the state of some of its fiscal responsibility to fund schools. A second shift (ERAF II) was implemented in 1993, but took less from local governments and exempted health and safety agencies. Both are still ongoing. In 2004, in a compromise with the local governments, a third shift (ERAF III) was allowed to take place, but only for two years, and significant restrictions were placed on the state's ability to raid local government funding through Proposition 1A.

(See entry for Proposition 1A (2004))

elections, Advisory
Elections Code *§9603*
Local governments, including special districts, can have advisory elections to allow voters to voice their opinions on substantive issues, or to indicate to the local legislative body approval or disapproval of the ballot proposal.

elections, Consolidations of
Elections Code §10400
Local municipalities, including special districts, can consolidate their elections with statewide elections. The section pertaining specifically to special districts starts at §10404.

Eminent domain
California Constitution Article I, §19
Civil Procedures Code §1230.010, et seq.
District specific authority varies by principal act
Public entities can take private property for public use, with just compensation and due process. While eminent domain laws vary from state to state, California's is among the most strict, requiring that blight be identified, and the purpose to be only for public use. 2005 saw the US Supreme Court decision *Kelo v. City of New London* handed down, causing a backlash against the use of eminent domain and started attempts to "reform" it. Special districts are given the authority to use eminent domain in their principal acts, with the procedures laid out elsewhere in the codes.

Resources:

- *Kelo* and California: How the Supreme Court's Decision Affects California's Local Governments (August 2005), Senate Local Government Committee

Ethics training
Government Code §53232, et seq. (on compensation)
Government Code §53234, et seq. (on ethics training)
Local elected officials and key appointed officials (and management staff like general managers) are required by law to take ethics training courses if the officials receive compensation or reimbursement. This applies even if they do not receive compensation or reimbursement, but the district's principal act allows the elected officials to receive them. By law, the affected local official must take an ethics training course once every two years, and the district has to establish a written policy on reimbursements. The bill that established this law also made updates to the principal acts of special districts that offer reimbursement or compensation to their board board.

Resources:

- Assembly Bill 1234 (Salinas, 2005)
- Integrity and Accountability: Exploring Special Districts' Governance (November 2003), Senate Local Government Committee
- Open, Ethical Leadership: AB 1234 Compliance Training for Special Districts, California Special Districts Association

Fair Political Practices Commission (FPPC)
Government Code §81000, et seq. & § 83100, et seq.

The FPPC was created by the Political Reform Act of 1974, as passed by voters as Proposition 9. The Commission has five members, including the chairman. No more than three members of the Commission may be members of the same political party. The FPPC regulates campaign financing and spending, financial conflicts of interest, lobbyist registration and reporting, post-governmental employment and other provisions under the Political Reform Act. It investigates alleged violations of the Act and imposes penalties when appropriate.

(See entry for "Political Reform Act of 1974")

Fees
California Constitution Article XIII D
A fee is a charge to an individual or a business for a service provided directly to the individual or business. Non-property related fees are not subject to a vote, and water delivery, garbage service and sewer service are exempt from a voter requirement. If there is a vote requirement, the proposal is rejected if a majority of property owners present written protests. Fees can be subject to referenda and cannot exceed the cost to provide the service.

> **Property-related fees**
> Fees that are imposed "as an incident of property-ownership." The definition is broad and is a point of contention. These fees are subject to a majority protest vote.

Resources:

- Understanding Proposition 218 (December 2006), Legislative Analyst's Office

(See entry for "Proposition 218 (1996)")

Fire protection districts
Health and Safety Code §13800, et seq.
Special districts can be formed to provide fire protection and other emergency services in that community. Fire protection districts are formed under the Fire Protection District Law of 1987, streamlined by SB 515 from 1987.

Resources:

- Senate Bill 515 (Bergeson, 1987)
- A New Law for a New Mission: SB 515 and the Fire Protection District Law of 1987 (October 1987), Senate Local Government Committee

Fire Suppression assessments
Government Code§ 50078, et seq.
Combined with Proposition 218, the government code gives authority to a special district that provides fire suppression services to determine and levy an assessment for fire suppression services with 2/3 voter approval. The assessment may be made for the

purpose of obtaining, furnishing, operating, and maintaining fire suppression equipment or for the purpose of paying the salaries and benefits of firefighting personnel, or both.

Geological hazard abatement districts (GHADs)
Public Resources Code §26500, et seq.
GHADs are local assessment districts created for the purpose of prevention, mitigation, abatement, or control of geologic hazards. A GHAD may be proposed by a petition signed by owners of at least 10 percent of the real property in the district, or by resolution of a local legislative body. A proposal for a GHAD must be accompanied by a plan of control, prepared by a certified engineering geologist, that describes the geologic hazard, its location, area affected, and a plan for the prevention, mitigation, abatement, or control of the geological hazard.

Gift of public funds prohibited
California Constitution Article XVI, §6
Public officials cannot give, lend, nor authorize the making of any gift of public money to any person, association, or corporation.

Harbor districts
California Harbors and Navigation Code §6000
This district type manages improvement, development, protection and maintenance of any bay, harbor, inlet, river, channel, slough, or arm of the sea, in which the tides are affected by the Pacific Ocean.

Healthcare/hospital districts
California Health and Safety Code §32000
Establishes, maintains, and provides assistance in the operation of one or more health facilities or various health services for the benefit of the district and the people served by the district.

Incompatibility of office doctrine
Government Code §1126, et seq.
Local officials cannot engage in any employment or activity which is in conflict with their duties as a local agency officer or with the duties, or responsibilities of the agency by which they are employed. An employee's outside employment may be prohibited if it involves:

- the use of the agency’s resources for private advantage, or
- receiving money or other considerations from anyone other than their local agency for the work which they are expected to complete as part of their duties as a local agency employee, or
- the performance of work in other than his or her capacity as a local employee which later may be subject to control or inspection of any officer of their shared employment, or
- time demands that would interfere with the performance of their duties or make them a less efficient employee

Infrastructure and Economic Development Bank
Government Code §63000, et seq.
Established by the Bergeson-Peace Infrastructure and Economic Development Bank Act, the bank offers grants and loans for public works projects to local agencies. The bank is governed by a five-member board of directors.

Initiative procedure
Election Code § 9300, et seq.
Any proposed ordinance may be submitted to the governing board of the district by an initiative petition filed with the district elections official. Before circulating an initiative petition in any district, the proponents of that measure must publish a notice of intention. After the publication of intention, the petition may be circulated among the voters of the district for signatures by any person who is a voter or who is qualified to register to vote in the district. Each section of the petition should have an attached affidavit of the person soliciting the signatures.

Interest rate limit on local bonds
Government Code §53530, et seq.
State law limits the interest rate on local bonds. Although it provides authority to local agencies to issue bonds bearing interest at the coupon rate or as determined by the legislative body in its discretion, it does not let it exceed 12 percent per year payable, unless some higher rate is permitted by law.

Investment of funds
California Constitution Article XI §11
Government Code §53600, et seq.
State law allows local governments to invest surplus funds, under certain guidelines.

Irrigation districts
Water Code §20500, et seq.
A community can form irrigation districts under the Irrigation District Law, the principal act, and existing districts follow this law, except as otherwise noted. Irrigation districts are allowed to own and operate facilities for power generation and to sell electrical power

Joint powers agency/agreement (JPA)
Government Code §6500, et seq.
The Joint Exercise of Powers Act allows public agencies, ranging from the federal government to the smallest special district, to enter into an agreement with each other to jointly exercise a common power. Council of governments (land-use and transportation) and risk management authorities (workers' compensation insurance) are considered JPAs.

Levee districts
California Water Code §70150 to §70151
The district type acquires drains, canals, sluices, bulkheads, watergates, levees, embankments, pumping plants and pipelines and purchases, constructs, maintains and

repairs those things, in order to protect the land of the district from overflow, and to conserve or add water to the sloughs and drains in a certain area.

Library districts
California Education Code §19400
The library district may establish, equip, and maintain a public library for the dissemination of knowledge of the arts, sciences, and general literature.

Library and museums in unincorporated towns and villages districts
California Education Code §19600
Any unincorporated town or village may establish, equip, and maintain a public library and a public museum for the dissemination of knowledge. This district maintains such public facilities through several established methods allowed by the code.

Little Hoover Commission
Government Code §8501, et seq.
The Little Hoover Commission, the common name for the Milton Marks Commission on California State Government Organization and Economy, is an independent state oversight agency that was created in 1962. It investigates state government and local operations and to promote efficiency, economy and improved service. By statute, the Commission is a balanced bipartisan board composed of five citizen members appointed by the Governor, four citizen members appointed by the Legislature, two Senators and two Assembly members.

Resources:

- Special Districts: Relics of the Past or Resources for the Future? (May 2000), Little Hoover Commission

Local Agency Formation Commission (LAFCO)
Government Code §56300, et seq.
A local agency formation commission (LAFCO) is an independent commission working within the boundaries of each county to help control the borders of cities and special districts, to discourage sprawl and encourage orderly government. The Knox-Nisbet Act of 1963 established LAFCOs in law. There is a list of 14 factors that LAFCOs consider when conducting any of the nine boundary changes. As part of this effort, LAFCOs conduct sphere of influence assessments and municipal service reviews.

> **Commission proceedings for special districts**
> *Government Code §56821, et seq.*
> This portion of Cortese-Knox-Hertzberg refers to a LAFCO's proceedings for change of organization or reorganization of special districts.

Resources:

- LAFCO Spheres of Influence After 20 Years (1991), Senate Local Government Committee

- Taking Their Pulse: How the LAFCOs Implemented AB 2838 (Hertzberg, 2000), Senate Local Government Committee
- It's Time to Draw the Line: A Citizen's Guide to LAFCOs (May 2003), Senate Local Government Committee

(See entry for "Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000")

Local Agency Investment Fund (LAIF)
Government Code §16429.1, et seq.
The LAIF offers local agencies the opportunity to allocate treasury money that is not required for immediate needs to the Treasurer in order to deposit it in the Local Agency Fund for investment. It gives special districts the opportunity to participate in a major portfolio, using the investment expertise of the Treasurer's Office investment staff at no additional cost to the taxpayer.

LOCAL Coalition
Leave Our Community Assets Local coalition was formed in 2002 by CSDA, the California State Association of Counties and the League of California Cities to oppose further raids on local government funds. The Coalition was joined by scores of special districts, chambers of commerce, community groups and more, in 2004 to support Proposition 1A (2004).

(See entry for "Proposition 1A (2004)")

Mailed ballot elections
Elections Code §4000
Local elections can be conducted wholly by mail given that all specified conditions apply. For a complete list of the conditions refer to the pertinent election code starting with Section 4000.

Marks-Roos Local Bond Pooling Act of 1985
Government Code §6584, et seq.
This law allows local governments, under a joint powers agreement or as a joint powers authority, to pool bonds to lower their overhead costs.

(See entry for "Joint powers agency/agreement (JPA)")

Memorial districts
California Military and Veterans Code §1170
These districts provide and maintain memorial halls, assembly halls, buildings, together with suitable indoor and outdoor parks and recreation facilities, including swimming pools, picnic areas, and playgrounds, for the use of persons or organizations other than veterans, and veteran soldiers, sailors, and marines who have served the United States in any wars.

Mello-Roos Community Facilities Act
Government Code §53311, et seq.
This act allows for the creation of Mello-Roos districts, also known as community facilities districts. Local agencies can create Mello-Roos districts to pay for public works and some public services for a specific area, usually for rehabilitation or redevelopment of that area.

Meyers-Milias-Brown Act
Government Code §3500, et seq.
The Act seeks to open the channels of effective communication between public employers and their employees. It provides a reasonable method of resolving disputes regarding wages, hours, and other terms and conditions of employment between public employers and public employee organizations. It also recognizes the right of public employees to join organizations of their choice and protects their decision to be represented by those organizations in their employment relationships with public agencies.

Mosquito abatement and vector control districts
Health and Safety Code §2000, et seq.
Communities can form mosquito abatement and vector control districts under the Mosquito Abatement and Vector Control District Law, the principal act for this district type. The district functions as an authority over programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors to protect the public health, safety, and welfare. In 2001 through 2002, a working group sought to revise the old law, updating and streamlining the state statutes. In 2003, the Senate Local Government Committee authored SB 1588, based on the recommendations of the working group. The bill passed in 2002 and went into effect in 2003.

Resources:

- Senate Bill 1588 (Senate Local Government Committee, 2003)
- Science, Service, and Statutes: A Legislative History of Senate Bill 1588 and the "Mosquito Abatement and Vector Control District Law" (September 2003), Senate Local Government Committee

Municipal utility district
California Public Utilities Code §11501
Provides various services such as water services, sewage disposal services through construction, operation and maintenance of sewers, sewage treatment works, solid water resource recovery for the purpose of reducing, converting, and recycling solid waste, as well as supplies drainage and other services within the MUD boundaries.

Municipal water district
California Water Code §7100, et seq.
This district type provides reliable water services to meet the needs of the community at an economical cost, while taking the steps to promote water-use efficiency. The district may acquire, distribute, and store any water, including sewage and storm waters, for the

beneficial use or uses of the district, or the owners of rights to water in the district. It may also undertake a water conservation program to reduce water use and restrict the use of district water during any emergencies. It may also improve, and operates public recreational facilities which are not appurtenant to a water reservoir but operated by the district.

Newspaper of general circulation
Government Code §6000, et seq.
Used for the purposes of fulfilling a legal requirement of a special district to publicize specific notices, or certain local news. A newspaper in general circulation must have an official subscription list of paying subscribers and must have been established and published at regular intervals of not less than weekly in the city, district, or judicial district in which it is seeking recognition.

Open meeting laws
(See the entry for "Ralph M. Brown Act")

Pest abatement district
California Health and Safety Code §2800
Controls and prevents the introduction of pests, which includes any plant, animal, insect, fish, or other matter or material, not under human control, which is offensive to the senses or interferes with the comfortable enjoyment of life, or which is detrimental to the agricultural industry of the State, and is not protected under any other provision of law.

Police protection district
California Health and Safety Code §20025
This district type protects and safeguards life and property by providing police and security service without law enforcement. May equip and maintain a police department as well as ambulances to secure police protection for the members of the district. For a definition of a "peace officer" refer to Section 830 of the Penal Code. Please note however, that these districts can no longer be formed as of 1959.

Political Reform Act of 1974
Government Code §81000 to §81003
Inhibits improper practices of state and local government officials in election campaigns and ensures that they serve the needs of all citizens equally, and perform their duties free from bias caused by their own financial interests. The Act requires certain public officials to disclose their finances, assets, expenditures and income. It also requires the regulation of lobbyist activities, and prescribes laws and practices that establish elections that are conducted more fairly.

Resources:

- Political Reform Act (2007), Fair Political Practices Commission.

Port district
Harbors and Navigation Code §6200, et seq.

Communities can form port districts pursuant to the principle act. While some ports in specific counties or individual port districts themselves have their own procedures, board commissioners are appointed. Two are appointed by the county supervisors, two are appointed by the city council in which the district is located, and the fifth is appointed by a group of supervisors and city councilmembers.

Principal act
Code section varies
The principal act of a special district is the law that enables a district of that type to form and gives it authority to operate. Each special district type (for example, flood control, public utilities, or community services districts) has its own principal act.

(See entry for "Special act")

Proposition 1A (2004)
California Constitution Articles XI §15, XIII §25.5, and Article XIII B §6
Prop 1A limits the ability of the state government to shift tax revenue from local governments, as was done in 1992-93 and 1993-94. Prop 1A was a compromise between local governments and the state. It allows the state government a final shift (otherwise known as ERAF III) lasting two years, then puts in place strict limits for future shifts. CSDA was part of the coalition (LOCAL) working to pass Proposition 1A.

Resources:
- Proposition 1A analysis, Legislative Analyst's Office http://www.lao.ca.gov/ballot/2004/1A_11_2004.htm

(See entry for "Educational Revenue Augmentation Fund")

Proposition 4 (1979)
California State Constitution Article XIII B
Government Code §7900, et seq.
This proposition established the appropriations limit, also called the Gann Limit, and requires the state to reimburse local governments for the cost of certain state mandates.

Resources:
- The State Appropriations Limit (April 2000), Legislative Analyst's Office

(See entry for "Appropriations limit")

Proposition 13 (1978)
California Constitution Article XIII A
Proposition 13 is landmark proposition whose reverberations are still being felt. Prop 13 limited the property tax rate to 1 percent and similarly placed limits on the amount the property tax rate can increase. With such limited property tax base, local governments and school districts' resources were and have been strained. Many attribute many of California's current woes—failing schools, decrepit infrastructure, lack of local services,

and sprawl—to Prop 13. Prop 13 started the domino effect of bills and proposition that has affected local governments since.

(See entry for "Assembly Bill 8 (1979)")
(See entry for "Proposition 218 (1996)")

Proposition 62 (1986)
Government Code §53720, et seq.
Proposition 62, an initiative adopted by the voters in 1986, prohibits a local agency from imposing a tax for specific purposes (a "special tax") unless it is approved by 2/3 of the voters, or a tax for general purposes (a "general tax") unless it is approved by a majority of the voters.

Proposition 218 (1996)
California Constitution Articles XIII C and XIII D
Proposition 218 requires voter or property-owner approval for local taxes, assessments and fees, except for property-related water, sewer and waste management fees, and sets up procedures to carry out these elections. Prop 218 was in response to local governments' reliance on fees and assessments as a result of Proposition 13.

Resources:

- Understanding Proposition 218 (December 1996), Legislative Analyst's Office

Public cemetery districts
Health and Safety Code §9000, et seq.
Communities can establish public cemetery districts under the Public Cemetery District Law, the principal act for public cemeteries. In 2003, the Senate Local Government Committee thoroughly revised the state statutes that govern public cemetery districts. The effort was consolidate and streamline a nearly 100-year-old law and several previous revisions dating back to 1921, 1927, and 1939. Representatives from CSDA and 20 other offices participated in a working group to update the law, which was eventually passed in 2003 and went into effect in 2004.

Resources:

- Senate Bill 341 (Senate Local Government Committee, 2003)
- For Years to Come: A Legislative History of SB 341 and the "Public Cemetery District Law" (August 2004), Senate Local Government Committee

Public utility district
California Public Utilities Code §15501, et seq.
This district type maintains the infrastructure for public service and provides, electricity, natural gas, sewer, waste collection, wholesale telecommunications, water, etc., to the residents of that district.

Public Records Act
Government Code §6250, et seq.

The Public Record Act ensures public access to government records, with limited exceptions such as attorney-client privileges. The PRA can be considered to work hand-in-hand with the Ralph Brown Act to ensure open government and transparency.

Resources:

- Summary of the California Public Records Act (2004), California Attorney General's Office (http://www.ag.ca.gov/open_government/)

Ralph M. Brown Act
Government Code §54950 to 54962
The Ralph Brown Act was adopted in 1953 to provide guidance to local governments on procedures for conducting open and public hearings (and, inversely, circumstances under which a government body can hold a closed session). Since its initial adoption, the Brown Act has been amended numerous times and continues to be.

Resources:

- The Brown Act: Open Meetings for Local Legislative Bodies (2003), California Attorney General's Office (http://www.ag.ca.gov/open_government/)
- Open & Public IV: A Guide to the Ralph Brown Act (2007), League of California Cities.

Recall procedure
Election Code §11000, et seq.
Proponents of a recall must be registered voters of the electoral jurisdiction of the officer they seek to recall. Proceedings may be commenced for the recall of any elective officer, including any officer appointed to fill a vacancy, by filing and posting of a notice of intention to circulate a recall petition.

Reclamation district
California Water Code §50000, et seq.
Responsible for reclaiming and maintaining land that is threatened by permanent or temporary flooding for agricultural, residential, commercial, or industrial use. The district may adopt a plan for the reclamation of the district lands, estimate the cost, and modify or change such original plans. The district may acquire, maintain and operate the whole or any part of any irrigation system through which any lands in the district may be supplied with water for irrigation. This includes water rights, dams, diversion works, rights of way, canals, pumps and all property or things, real or personal.

Recreation and park districts
Public Resources Code §5780, et seq.
Communities are allowed to form recreation and park districts under the Recreation and Park District Law, the principal act. In 2001, the principal act was revised to streamline and update the current law at the time. The last time significant overhauls were made, President Dwight Eisenhower occupied the White House. SB 707 completely revised the state statutes regarding recreation and park districts, and was passed and signed in 2001,

and went into effect in 2002. Many recreation and park districts took a significant hit from the first two Education Revenue Augmentation Fund shifts.

Resources:

- Senate Bill 707 (Senate Local Government Committee, 2001)
- Parks, Progress and Public Policy: A Legislative History of Senate Bill 707 and the "Recreation and Park District Law" (October 2001), Senate Local Government Committee

(See entry for "Educational Revenue Augmentation Fund")

Referendum Procedure
Election Code §9340, et seq.
The voters of any local public district have the right to petition for referendum on legislative acts of the district. The processes refer to the same rules as are set for the counties' procedures, except that all computations and officers of the county should be construed to refer to comparable computations and officers of the district. It should be noted that Section 9147 does not apply to special districts as of 2007, but starting in 2008, it will.

Regional park and/or open space districts
*Public Resources Code §*51000, *et seq.*
This district type provides enhanced recreational opportunities and expands access to recreational facilities for all residents throughout the regional district. The district's goal is to improve quality of life for all communities in the regional district by protecting, restoring, and improving the regional district's park, wildlife, open-space, beach lands, and the diverse historical, cultural, and archaeological values of the territory of the regional district.

Resort improvement districts
Public Resources Code §13000
The intent of the district is to provide an alternative method for the furnishing of extended governmental services, including the construction and financing of public improvements, within recreation resort areas adequate to meet the needs of such areas, and to provide extended services for public improvements installed or constructed.

Resource conservation districts
Public Resources Code §9151, et seq.
Resource conservation districts are formed for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and the improvement of land capabilities, generally for the viability of agricultural land. They have the authority to conduct surveys, investigations, and research. The district is governed by an elected board of directors.

River port districts
Harbors and Navigation §6800, et seq.

A community can petition the county board of supervisors to form a river port district to oversee port construction and management. It is governed an appointed board of commissioners, serving fixed terms. Two are appointed by the county supervisors, two are appointed by the city council in which the district is located, and the fifth is appointed by a group of supervisors and city councilmembers.

Sanitary districts
Health and Safety Code §6400
The Sanitary District Act of 1923 governs the formation, elections, governance, and operations of a sanitary district. Sanitary districts oversee all aspects of waste management systems, including construction, operation, collection, and treatment of garbage. It is governed by an elected board of directors. A sanitary district may be merged with a county sanitation district, following the County Sanitation District Act.

(See entry for "County sanitation district")

Securitized Limited Obligation Notes (SLONs)
Government Code §53835, et seq.
Special districts may issue securitized limited obligation notes (SLONs) and borrow up to $2 million to be paid back from designated revenues, over 10 years. SLONs are a more secure and less expensive alternative to promissory notes, and do not require voter approval; however, a special district must secure its SLONs by pledging a dedicated stream of revenues. It takes 4/5 vote of a district's governing board to issue SLONs. The authorization for districts to use SLONs ends December 31, 2009.

Small craft harbor districts
Harbors and Navigation §7000, et seq.
A community can form a small craft harbor district pursuant to the principle act. The district is governed by an elected board of directors.

Special act
Code sections varies, usually following the principal act of the district type
Special acts are laws that the Legislature passes to address the specific needs of a community and establishes a district to address those needs. These specific districts (rather than district types) are uniquely created by the Legislatures.

(See entry for "Principal act")

Special District Augmentation Fund (SDAF)
No longer exists in law
The Special District Augmentation Fund (SDAF) was created by Assembly Bill 8 (1979) to provide supplemental income for special districts as a response to financial hardships caused by Proposition 13. The SDAF was abolished in 1993 as part of the second Educational Revenue Augmentation Fund shift.

Resources:

- What's So Special About Special Districts (February 2002), Senate Local Government Committee

(See entry for "Assembly Bill 8 (1979)")

Special District Risk Management Authority (SDRMA)
SDRMA provides renewable, efficiently priced risk management services and coverages, including workers' compensation, property and liability, and health.

Special Districts Legislative Days
Special Districts Legislative Days (SDLD) is an annual event in Sacramento focused on policy and advocacy. Attendees listen to special speakers, including legislators, and statewide constitutional officers, about the important issues that affect special districts. There is a policy workshop on the top legislative priorities, as well as a Lobby Day opportunity for attendees to meet and lobby their legislators.

Special taxes
California Constitution Articles XIII A, §4 and XIII C, §2
Government Code §50075 et seq., §5372, et seq., and §53970, et seq.
A tax imposed for a specific purpose. A local government may impose, extend, or increase a special tax only if that proposal is submitted to the electorate and approved by a 2/3 vote. Special districts are limited to using only special taxes (versus general taxes) because districts are service specific and can only use funds for those services.

Special taxes oversight
Government Code §50075.1, §50075.3, and §50075.5
Local officials are required to issue annual reports on how they spend special tax revenues. The report includes the amount of funds collected and spent, and the status of projects for which the special tax was implemented.

State Assistance for Fire Equipment Act (SAFE)
Government Code §8589.8, et seq.
The Act creates ways for the Office of Emergency Services to help local agencies acquire firefighting apparatus and equipment, helping local agencies meet public safety needs. The office, which is capable of identifying firefighting apparatus and equipment that is available for acquisition, will be involved in an information system with the local agencies that are interested in acquiring apparatus and equipment. A fund is appropriated to the office for financing the equipment for the local agencies.

State mandated local programs
California Constitution Article XIII B
Government Code §17500, et seq.
The state government must reimburse local governments for the costs of new state-mandated local programs. However, the process is lengthy and is often delayed by several years, without the full payment being paid back. The Commission on State

Mandates oversees the negotiations. Starting in 2008, local governments can negotiate directly with the Department of Finance regarding mandate reimbursements.

(See entry for "Proposition 4 (1976)")

Surplus land (sold by the state)
Government Code §11011.1
State departments that are selling surplus land (as defined) must first make that land available to local jurisdictions, including special districts, to purchase at fair market value. Only after no jurisdiction has purchased the land can it be sold on the market.

Surplus property (special districts)
Government Code §50568, et seq. and 54220, et seq.
There are specific procedures for local governments, including special districts, to catalogue their property, including surplus property, and to sell off this property.

Unified school district library
Education Code §18300, et seq.
A community may form a unified school district library once a unified school district has been formed. The board of trustees, the governing board of such a district, consists of the board of trustees of the unified school district. However, certain unified school district libraries have—by special act of the Legislature—a separate elected board of trustees.

Uniform District Election Law (UDEL)
Elections Code §10500 to §10566
UDEL is the general election law for some special district types. While some special district types may contain their own unique election procedures within their principal act, some principal acts refer election procedures to UDEL. It is important to note that where UDEL and the principal act conflicts, UDEL shall apply and control *(§10502(c)*). Additionally, UDEL does not apply to initial formation elections of the district officers (*§10502(d)*).

Uniform Public Construction Cost Accounting Act
Public Contract Code §22000
In an effort to promote uniformity of the cost accounting standards and bidding procedures on construction work performed or contracted by local agencies, the Legislature established the Uniform Public Construction Cost Accounting Act as an alternative method for the bidding of public works projects by public entities.

United States Census of Governments
Every five years, on the second and seventh year of each decade (ie, 1992, 1997, 2002, and 2007), the US government takes a census of governments. The information documents all (or attempts to) state and local governments within the nation, and gives a brief description of each type of special district (both dependent and independent) within each state where special district exist.

Resources:

- 2002 Census of Governments, US Census Bureau
- http://www.census.gov/govs/www/index.html

Urgency clause
California Constitution Article IV §8 (d)
An urgency clause allows a bill to take affect immediately upon the signature of the governor. Urgency bills are those that preserve public peace, health, or safety. An urgency bill may not create or abolish any office or change the salary, term, or duties of any office, or grant any franchise or special privilege, or create any vested right or interest. To pass the bill, each house will pass the section and the bill separately by a 2/3 vote.

Vacancies
Government Code §1780, et seq.
Unless otherwise noted in the principal act of the district, vacancies in special districts are filled as provided in this section. Check a district's principle act of special act first.

Water conservation districts
Water Code §74000, et seq.
Communities can form water conservation districts under the Water Conservation District Law of 1931 to maintain—including surveying, inspecting, purchasing and selling—water supplies. The district is governed by an elected board consisting of three, five or seven members.

Water replenishment districts
Water Code §60000, et seq.
Water replenishment districts are formed and governed under the Water Replenishment District Act, the principle act of this district type. It is governed by an elected five-member board of directors, with the responsibility to upkeep the ground water supply of the community it serves.

1911 Act (The Improvement Act of 1911)
Streets and Highways Code *§5000, et seq.*
This act is one of the benefit assessment laws that allow local governments to pay for public works projects with assessment bonds.

1913 Act (The Municipal Improvement Act of 1913)
Streets and Highways Code §10000, et seq.
This act is one of the benefit assessment laws that allow local governments to pay for public works projects with assessment bonds.

1915 Act (The Improvement Bond Act of 1915)
Streets and Highways Code §8500, et seq.
This act is one of the benefit assessment laws that allow local governments to pay for public works projects with assessment bonds.

1972 Act (The Landscaping and Lighting Act of 1972)
Streets and Highways Code *§22500, et seq.*
This act allows local governments to levy benefit assessments to pay for public works and public services.

1982 Act (The Benefit Assessment Act of 1982)
Government Code §54703, et seq.
This act allows local governments to levy benefit assessments to pay for public works and public services.

Local Government Resources

Association of California Healthcare Districts
http://www.achd.org

Association of California Water Agencies
http://www.acwa.com

California Association of Joint Powers Authorities
http://www.cajpa.org

California Association of Local Agency Formation Commissions
http://www.calafco.org

California Association of Public Cemeteries
http://www.designsbyvivid.com/capc/index.html

California Association of Recreation & Park Districts
http://www.carpd.org

California Association of Resource Conservation Districts
http://www.carcd.org

California Association of Sanitation Agencies
http://www.casa.org

California Special Districts Association
http://www.csda.net

California State Association of Counties
http://www.csac.counties.org

Fire Districts Association of California
http://www.fdac.org

Institute for Local Government
http://www.ca-ilg.org

League of California Cities
http://www.cacities.org

Local Government Finance Almanac
http://www.californiacityfinance.com

Mosquito and Vector Control Association of California
http://www.mvcac.org

State resources
Attorney General's Office
http://www.ag.ca.gov

California Codes
http://www.leginfo.ca.gov/calaw.html

California Constitution
http://www.leginfo.ca.gov/const.html

California legislation database
http://www.leginfo.ca.gov/billinfo.html

California State Assembly
http://www.assembly.ca.gov

California State Senate
http://www.senate.ca.gov

Fair Political Practices Commission
http://www.fppc.ca.gov

Legislative Analyst's Office
http://www.lao.ca.gov

Little Hoover Commission
http://www.lhc.ca.gov

Local Government Commission
http://www.lgc.org

Secretary of State's Office
http://www.sos.ca.gov

State Controller's Office
http://www.sco.ca.gov

Federal resources
United States Census
http://www.census.gov

INSTITUTE FOR LOCAL GOVERNMENT

Understanding the Role of Chair

Meetings are central to the local agency decision-making process. Through public meetings, elected and appointed officials come together to receive public input, discuss, deliberate and decide issues on behalf of the public. Such decisions typically require support of a majority of the decision-making body.

All members of the decision-making body usually have the same voting power. The meeting chair, however, plays a special role in helping the group reach wise decisions. The following tip sheet offers suggestions for performing that role well.

Goal of Meeting Discussions

The usual goal of any discussion at a public agency meeting is for decision-makers to:

- Receive and share information, so everyone can make informed choices;
- Share thoughts and perspectives on what decision best serves the public's interests and other community values; and
- Reach a decision on what the best option is.

Another goal is for the group to reach decisions in a way that builds and maintains relationships as well as promotes trust in both decision-makers and the decision-making process.

Everyone's Role

All participants in the decision-making process are responsible for working towards achieving these meeting goals. Moreover, everyone has a shared stake in having an opportunity to be heard and being treated fairly. Thus, all officials have an interest in supporting the chair's efforts to conduct the meeting effectively and fairly

The Chair's Role

The chair's role includes:

- Helping the group determine whether it has all the information necessary and available to make a decision;

- Encouraging decision-makers to share multiple points of view;
- Actively listening to determine potential points of agreement and testing those points for actual agreement;
- Managing any conflicts that may arise during the discussions;
- Keeping the discussion on topic;
- Ensuring that clear decisions are made;
- Sticking to the agenda; and
- Getting through the agenda items in a timely manner.

As a result, the role of the chair can be understood as:

- A team captain who leads by example and helps the group function as a team;
- A coach who encourages participants to perform at their best, including as it relates to principles of fair play and sportsmanship; and
- A referee who has authority to stop the action and apply the rules of play.[1]

For the chair to play the role of referee effectively, the chair needs the group's trust and respect. To earn this trust and respect, the chair needs to conduct the meeting fairly. This means applying the group's agreed upon standards in an impartial manner. If one's colleagues' understand that the chair's goal is to be an impartial facilitator to help the group achieve consensus, the group will be more inclined to act in ways that support the chair's efforts and achieve the meeting's goals.

To achieve both the perception and the reality of impartiality, it can be helpful for the chair to hold off expressing his or her views on a matter and not engage in debate.

Strategies for Success

At the Beginning of the Meeting

- **Welcome and Introductions.** It can be helpful for the public (particularly first-timers) to know who is sitting at the dais, what opportunities there will be to provide input, and how they can understand what is going on (for example, if translation equipment/service is available, where people can pick up the equipment). This can communicate decision-makers' earnest desire to both receive public input and have the public understand what is going on.
- **Agenda Overview.** A brief statement of the major sections of the agenda can remind both decision-makers and the public of the scope of what needs to be accomplished during the meeting.
- **Aspirational Statement on Decorum.** If the body has adopted a guidelines and goals for civility, a brief reminder to that effect can help set the tone for both decision-makers' interactions and encouragement for other meeting participants' conduct.

As the Body Moves to New Agenda Sections/Items

- **Agenda Sections.** Different agenda sections are sometimes subject to different procedures. For example, a consent agenda usually is a group of items that are routine and non-controversial and are taken up as a group.

  Conversely, other items are taken up one by one. Sometimes certain items are subject to special procedures (for example, public hearings). It can be helpful for the chair to briefly note these differences, as a reminder to new decision-makers and first time attenders at the meeting.

  Example: Chair: "Now we are at the public hearing portion of the agenda. To be respectful of the rights and interests of all involved, there will be three stages to our consideration of each item:

  1. *Facts and Evidence:*
     a. *First staff will summarize their analysis of the issue before us.*
     b. *Then, the applicant will be given a chance to explain, based on facts and evidence, how the applicant has met standards necessary for us to approve the application.*
     c. *Next the public will be given an opportunity to offer their thoughts and evidence on the merits of the application. This can include any suggestions or questions that the public thinks we should ask of the applicant.*
     d. *We will then ask any questions of the applicant.*
  2. *Law and Analysis:*
     a. *After listening to and considering both the applicant's and the public's information, it becomes our turn to discuss among ourselves what we have learned based on what has been presented.*
     b. *Once it appears that a consensus is developing, we may ask questions of staff on what kinds of findings need to be made to explain our decision based on the information we have received.*
  3. *Decision:*
     a. *The chair will entertain a motion to make a decision and adopt findings consistent with that decision.*
     b. *If the motion receives a second, we'll vote to see if a majority of us can agree."*

- **Being Clear on the Issue to Be Resolved.** In addition to calling the agenda item, it can be helpful to identify the issue to be resolved.

  Example: Chair: "The issue before us is whether the application to engage in X enterprise meets the standards in our zoning code for such activities."

When Consensus is not Immediately Forthcoming

If the conversation does not seem to be coalescing into a consensus or even a majority position, one technique for non-time sensitive matters is to refer the matter back to staff for further work. Staff will then have time to craft a decision that endeavors to take into account as many of the concerns expressed as possible.

This reminds staff, decision-makers, the applicant and the public the standard which needs to be focused on. In addition, for complex or divisive items, sometimes participants can lose sight of the issue to be decided. A helpful role the chair can play in getting the discussion to a point of resolution is to remind participants of the issue to be resolved (or ask staff to state the issue to be resolved).

- **Note about Technical Language.** Public agency decisions sometimes involve special terminology, jargon and acronyms. This can lead to confusion and misunderstanding, which in turn, can take the discussion in unproductive directions. Another important role of the chair is to make sure the conversation occurs at a level that everyone can understand. The chair can ask speakers to define unfamiliar terms and explain unfamiliar concepts.

Fostering Discussion and Decision

- **Opening up the Issue for Discussion.** Having stated the issue and heard staff and the public's information on it, ask for decision-makers' thoughts. To enable the chair to be a fair guider of the discussion, the chair will typically refrain from offering their thoughts at the beginning.
- **Who Speaks When and to Whom.** At this point in the meeting, the discussion is among decision-makers and therefore decision-makers should be speaking to each other in an effort to come to a decision, not the public.

Staff can be a Resource

Depending on the nature of the topic under discussion, agency staff and legal counsel can sometimes assist the chair in listening for consensus or clarifying misunderstandings that are impeding the effort to reach consensus.

Where staff sits can determine how helpful they can be in this role. Being able to signal or make eye contact with the chair is one issue. Many agencies have key staff (attorney and chief administrative official) sit at the dais with the body.

An important role of the chair is to make sure only one person speaks at a time, so both the public and decision-makers can understand and follow the discussion. A typical approach is for each decision-maker to offer their thoughts and then listen to other decision-makers' thoughts in turn.

If it appears multiple people want to talk at once, the chair has the option of asking people to raise their hands to be recognized before speaking. The chair can keep a list of who has asked to be heard, to call on each person to speak in sequence. Everyone who wants to speak should know that they are on the list and their turn is coming.

- **Keeping Discussion Participation Balanced.** Some bodies have a norm that each person will take a turn in asking all their questions and sharing their thoughts. Others find that such a restriction interferes with dialogue and the deliberative process. If a person seems to be repeating him or herself or otherwise dominating the discussion to the exclusion of others, one approach is for the chair to acknowledge that the individual's perspective has been heard.

Example: *Chair "We have heard that Supervisor Nasirian feels strongly that fixing our roads is an urgent priority. What are others' thoughts?"* or *"Is there anyone who hasn't spoken yet who would like to share their thoughts?"*

The chair can also give preference to those who haven't spoken.

Example: *Chair "I see your hand up Council Member Cooke and we'll get to you in a moment; I am going to recognize Council Member Suarez first since she hasn't yet spoken."*

- **Avoiding Interrupting one Another.** When people are passionate or otherwise convinced of the correctness of their position or information, they will sometimes jump in to respond to what a colleague is saying. A chair's role is to intervene to protect the person's ability to finish their thought. (*"Let's let Director Feliciano finish his thought; you'll have an opportunity to share your perspectives."*)
- **Dealing with Conflict.** Differing perspectives is inherent in a group decision-making process and healthy. However, if the discussion gets particularly heated among two or more decision-makers, a helpful device is to have people address their remarks to the chair. Another is to summarize the points of disagreement and then move the discussion away from those who are in conflict by asking others how they see the issue. If the conversation turns personal, the chair can ask the group to keep the discussion focused on the problem at hand, not underlying motivations or personalities. If these techniques are unsuccessful, calling a recess can be helpful to enable people to step away from the conflict and reflect on how to move the discussion forward. *See also Dealing with Emotional Audiences (www.ca-ilg.org/dealing-emotional-audiences).*
- **Actively Listening for Signs of Consensus.** The chair's role is to listen for points of agreement and possible consensus and then test the chair's sense of where people are leaning. Tools the chair has to help the group get to a decision point include:

    - *"It sounds like Supervisor Rodriguez and Supervisor Ifill are both concerned about the impact of the proposed use, even with the proposed conditions on the permit, on surrounding neighbors. Am I understanding your concerns? Would either of you like to move that the application be denied"?*
    - *Thank you Council Member Chen for sharing that view; would you like to make a motion to that effect?"*
    - *"It sounds that there are two views on the board: [state the two views]. Which strikes people as having more advantages for our community? "What's the group's pleasure? The question before us is [restate the issue before the group]."*

- **Motion and Second.** Once a motion is made, the chair asks for a second. A second to the motion indicates that at least one other person agrees with the maker of the motion.
    - If no one seconds the motion, the chair can note that the motion is appearing to die for lack of a second. The chair can ask if someone else wants to make a different motion.
    - If the group seems ambivalent, the chair can ask if someone wants to second the motion for purposes of discussion. Through that discussion, an approach at least a majority can agree on may emerge, in which case the chair may want to ask whether there's a friendly amendment to the original motion or a substitute motion.

- **Vote.** It's helpful for the chair to re-state the motion on which the group is voting.

At the End of the Meeting

- **End on an Upbeat Note.** If at all possible, end the meeting on a positive note and thank everyone for their contributions to the meeting and their participation.
- **Explain Next Steps.** Note that the actions taken at the meeting are being recorded through meeting minutes, which will be reviewed at the next meeting. Note when the next meeting will be.

If at First You Don't Succeed

People can take a while to get used to the norms associated with group decision-making. If an approach doesn't work perfectly the first time, don't give up. Think about what worked and what didn't and consider whether persistence might help get the group to a better place. Many agencies have key staff (attorney and chief administrative official) sit at the dais with the body.

More Resources

Dealing with Emotional Audiences
www.ca-ilg.org/EmotionalAudiences

Codes of Conduct for Elected Boards
www.ca-ilg.org/CodesOfConduct

ILG's Meeting Resource Center
www.ca-ilg.org/meeting-resource-center

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References

Note: Sections in the California Code are accessible at http://leginfo.legislature.ca.gov/. Fair Political Practices Commission regulations are accessible at www.fppc.ca.gov/index.php?id=52. A source for case law information is www.findlaw.com/cacases/ (requires registration).

[1] *See* Vermont Institute for Government, Born to Chair: An Introduction to the Science and Art of Chairing a Board Meeting (1998), available at www.sec.state.vt.us/municipal/pubs/chair.pdf and http://crs.uvm.edu/citizens/chair.pdf.

Board Member Liability Issues

Cameron Park
Community Services District

March 6, 2019

SDRMA

Board Member Liability Issues

Presented By

Dennis Timoney, ARM
SDRMA Chief Risk Officer

Dennis supervises the SDRMA Property/Liability and Workers' Compensation claims operations. In addition, Dennis provides Safety and Risk Management training to Member agencies.

Currently there are 508 Member agencies in the Property/Liability Program and 442 Member agencies in the Workers' Compensation Program.

SDRMA

Board Member Liability Issues

GOVERNANCE

1. government, control, or authority
2. the action, manner, or system of governing

Simple Definition of *govern*

: to officially control and lead (a group of people) : to make decisions about laws, taxes, social programs, etc., for (a country, state, etc.)

: to control the way that (something) is done

: to control or guide the actions of (someone or something)

SDRMA

Board Member Liability Issues

California Government Code

61000. This division shall be known and may be cited as the Community Services District Law.

61003. (a) This division provides the authority for the organization and powers of community services districts.

61002.(b) "Board of directors" means the board of directors of a district that establishes policies for the operation of the district.

(d) "District" means a community services district created pursuant to this division or any of its statutory predecessors.

SDRMA

Board Member Liability Issues

California Government Code

61040. (a) A legislative body of five members known as the board of directors **shall** govern each district. The board of directors shall establish policies for the operation of the district. The board of directors **shall** provide for the implementation of those policies **which is the responsibility of the district's general manager.**

SDRMA

Board Member Liability Issues

California Government Code

61045. (a) A majority of the total membership of the board of directors shall constitute a quorum for the transaction of business.
(b) **The board of directors shall act only by ordinance, resolution, or motion.**
(c) Except as otherwise specifically provided by law, **a majority vote of the total membership of the board of directors is required for the board of directors to take action.**
(d) The minutes of the board of directors shall record the aye and no votes taken by the members of the board of directors for the passage of all ordinances, resolutions, or motions.

SDRMA

Board Member Liability Issues

California Government Code

61044. A board of directors shall hold a regular meeting at least once every three months. Meetings of the board of directors are subject to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

SDRMA

Board Member Liability Issues

California Government Code

(e) The board of directors shall keep a record of all its actions, including financial transactions.

(f) **The board of directors shall adopt rules or bylaws for its proceedings.**

(g) The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division.

SDRMA

Board Member Liability Issues

California Government Code

61047(e) For the purposes of this section, a "day of service" means any of the following:

(2) Representation of the district at a public event, **provided that the board of directors has previously approved the member's representation at a board of directors' meeting** and that the member delivers a written or oral report to the board of directors regarding the member's representation at the next board of directors' meeting following the public event.

(5) Participation in a training program on a topic that is directly related to the district, provided that the board of directors has previously approved the member's participation at a board of directors' meeting, and that the member delivers a written or oral report to the board of directors regarding the member's participation at the next board of directors' meeting following the training program.

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Board Member Liability Issues

California Government Code

61048. A board of directors **may** appoint one or more advisory committees to advise the board of directors about the district's finances, policies, programs, or operations.

61050. (a) **The board of directors shall appoint a general manager.**

(d) The general manager and the district treasurer, if any, **shall serve at the pleasure of the board of directors.**

61002. (f) "General Manager" means the highest level management appointee **who is directly responsible to the board of directors** for the implementation of the policies established by the board of directors.

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Board Member Liability Issues

California Government Code

61051. **The general manager shall be responsible for all of the following:**

(a) The implementation of the policies established by the board of directors for the operation of the district.

(b) The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.

(c) The supervision of the district's facilities and services.

(d) The supervision of the district's finances.

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Board Member Liability Issues

California Government Code

§ 820.9 Statutory Immunity

Members of city councils, mayors, members of boards of supervisors, members of school boards, members of governing boards of other local public entities, members of locally appointed boards and commissions, and members of locally appointed or elected advisory bodies are not vicariously liable for injuries caused by the act or omission of the public entity or advisory body.

Nothing in this section exonerates an official from liability for injury caused by that individual's own wrongful conduct.

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Board Member Liability Issues

California Government Code

§ 815.3

If the trier of fact determines that the act or omission arose from and was directly related to the elected official's performance of his or her official duties, the public entity shall be liable for the judgment as provided by law. **However, acts or omissions constituting sexual harassment shall not be deemed to arise from, and to directly relate to, the elected official's official duties.**

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Board Member Liability Issues

California Government Code

§ 815.3. (a) Notwithstanding any other provision of this part, unless the elected official and the public entity are named as codefendants in the same action, a public entity is not liable to a plaintiff under this part for any act or omission of an elected official employed by or otherwise representing that public entity, ***which act or omission constitutes an intentional tort, including, but not limited to, harassment, sexual battery, and intentional infliction of emotional distress. For purposes of this section, harassment in violation of state or federal law constitutes an intentional tort, to the extent permitted by federal law. This section shall not apply to defamation.***

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Board Member Liability Issues

California Government Code

§ 815.3 (c) If the trier of fact determines that the elected official's act or omission did not arise from and was not directly related to the elected official's performance of his or her official duties, upon a final judgment, including any appeal, the plaintiff shall first seek recovery of the judgment against the assets of the elected official. If the court determines that the elected official's assets are insufficient to satisfy the total judgment, including plaintiff's costs as provided by law, the court shall determine the amount of the deficiency and the plaintiff may seek to collect that remainder of the judgment from the public entity. The public entity may pay that deficiency if the public entity is otherwise authorized by law to pay that judgment.

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Board Member Liability Issues

California Government Code

(f) It is the intent of the Legislature that elected officials assume full fiscal responsibility for their conduct which constitutes an intentional tort not directly related to their official duties committed for which the public entity they represent may also be liable, while maintaining fair compensation for those persons injured by such conduct.

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Board Member Liability Issues

Public Records Act

The California Supreme Court has finally decided a question that has, for years, vexed courts, public officials, the media and citizen watchdogs: Are electronic communications — emails, voicemails and texts — on private devices or servers subject to disclosure under the state's 48-year-old Public Records Act? In a ruling that arose from litigation involving a citizen watchdog and the City of San Jose, the Court held today that such communications may be subject to disclosure under the Act. The Court rejected the City and other allied governmental entities and associations' position that such communications should not be subject to disclosure by a public agency since they are not in the public agency's possession.

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Board Member Liability Issues

Public Records Act

In a unanimous opinion, the Court announced that it would not permit public officials to conduct the public's business on private devices and place those communications beyond the PRA's reach. The Court referred — several times — to a constitutional mandate to broadly interpret the PRA in favor of public access. However, the Court acknowledged that the Act was dated, and that this case "concerns how laws, originally designed to cover paper documents, apply to evolving methods of electronic communication. It requires recognition that, in today's environment, not all employment-related activity occurs during a conventional workday, or in an employer-maintained workplace." The Court went on to assert that what it was deciding was a "narrow question" — namely, whether writings concerning the conduct of public business are beyond the reach of the PRA merely because they were sent or received using a nongovernment account. The Court's answer was no, they are not.

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Board Member Liability Issues

Brown Act

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

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Board Member Liability Issues

Brown Act

(b)(1)A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2)Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

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Board Member Liability Issues

Brown Act

(a)Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

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Board Member Liability Issues

Brown Act

(2)No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

(c)The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

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Board Member Liability Issues

Brown Act

(c)Writings that are public records under subdivision (a) and that are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person.

(e)This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

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Board Member Liability Issues

Brown Act

(a)Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b)After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

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Board Member Liability Issues

Brown Act

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

(a)A person may not disclose confidential information that has been acquired by being present in a closed session to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

Board Member Liability Issues

Brown Act

(c)Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:
(2)Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.
(3)Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grand jury.

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Working Together to Achieve One's Goals: Some Strategies for Success

"*Our freedom, our pluralism, our dispersion of power all invite healthy conflict as various groups and individuals pursue their diverse purpose. The reconciling of such divergent purposes is one of the tasks of the leader….In a world characterized by multiple, interacting systems, substantial rewards flow to leaders who have mastered the bargaining arts*."

- John Gardner, *On Leadership*

According to long time public servant and thinker John Gardner, the bargaining arts can range from an "I win/you lose" to a "we both win" approach. The former may be appropriate for some situations. However, it may not be the best approach to nurture a long-term collaborative working relationship.[1]

Those seeking public office at the local level generally do so because of goals and objectives they want to achieve for their community. Successfully achieving those long term objectives is critical to one's ability to serve the public. Thus, finding ways to work together effectively becomes a critical component to success and lays the foundation for continued collaboration on future issues.

This resource offers a starting point for understanding strategies of working together to achieve one's goals.

Related Resources

Getting to YES: Negotiating Agreement without Giving In, Roger Fisher and William L. Ury, Houghton Mifflin Company, 1981.

Getting It Done: How to Lead When You're Not in Charge, Roger Fisher, Alan Sharp, John Richardson, Harper Collins, 1998.

Breaking the Impasse: Consensual Approaches to Resolving Public Disputes. Jeffrey Cruikshank and Lawrence Susskind, Basic Books, Inc., 1987.

Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes, Lawrence Susskind and Patrick Field, The Free Press, 1996.

On Leadership, John W. Gardner, The Free Press, 1990.

Getting Things Done: Working Effectively to Achieve Results, David Landis, Instructor. CSAC Institute for County Excellence, January 2012. (www.csacinstitute.org/)

Working with Others to Get Things Done

Numerous experts and books[2] about negotiating strategies offer insights into the benefits of collaboration and alternatives to the "I win-you lose" negotiating approach. Sometimes referred to as seeking "mutual gain" or "principled negotiations" these strategies are "…explicitly designed to produce wise outcomes efficiently and amicably."[3]

Strategies for Achieving Mutual Gain Results[4]

Experts recommend several key inter-related strategies for mutual gain results. They are:

- Separating the people from the problem;[5]
- Focusing on interests, not positions; and[6]
- Inventing options for mutual gain.[7]

The advantage of these strategies is that they tend to produce outcomes that benefit a broader range of interests and groups and help to nurture relationships that can endure over time.

Separating the People from the Problem

> "*Negotiators are people first. A basic fact about negotiations, easy to forget in corporate and international transactions, is that you are dealing not with abstract representatives of the 'other side,' but with human beings. They have emotions, deeply held values, and different backgrounds and viewpoints; and they are unpredictable. So are you*."
>
> - Roger Fisher and William L. Ury, *Getting to Yes*

If the food in a restaurant arrives at the table tasting too salty or the wine has soured, it is not the fault of the server. Considerate diners don't blame the server when they send the food or wine back to the kitchen. The same principle applies to the individual with whom one negotiates, whether it is a colleague on the same governing board, a member of a neighborhood group or an individual representing a company proposing a project within the jurisdiction.

The authors of *Getting to Yes* observe, "A working relationship where trust, understanding, respect and friendship are built up over time can make new negotiations smoother and more efficient." This is similar to recognizing the importance of civility in public agency deliberations and relationships.

Asking "Why?" to Understand the Problem

The importance of understanding the problem at hand by asking "why" may be the most critical step in any effort to solve that problem or reach agreement on a solution.

Consider the story of two men quarreling in a library. One wants the window open and the other wants it closed. They bicker back and forth about how much to leave it open: a crack, halfway, three quarters of the way. No solution satisfies them both. Enter the librarian. She asks one why he wants the window

open: “To get some fresh air.” She asks the other why he wants it closed: “To avoid the draft.” After thinking a minute, she opens wide a window in the next room, bringing in fresh air without a draft.[8]

Asking “What is the problem you are trying to solve?” enables one to focus on the roots of the problem. This helps leaders look at the issues from many angles and devise possible win-win approaches.[9]

Listening Carefully[10]

Active listening is an ingredient in any interpersonal relationship. It takes on an added dimension when it provides opportunities to move one’s own goals forward. Listening carefully does not necessarily mean one agrees with the other party. Rather, it signals an interest in learning more and of understanding the “why” and history behind a position.

For example, active listening that is part of asking “why” may shed light on why residents in an underserved neighborhood are angry over a street widening project in a capital improvement plan. Or it may help understand why a fellow elected official is upset about the proposed date for a city council retreat. By respectfully probing for the “why” and listening carefully to the responses, one may be able to identify the reason behind the positions. The neighbors may be concerned about the safety of their children from the increased traffic and the council colleague may be upset because the retreat date selected conflicts with a long planned family reunion.

To be effective, of course, active listening must be genuine. Combining it with a quest to understand the context or “why” of a position can result in powerful insights that may lead to a reasoned, mutually beneficial solution.

Respecting the Process

Some observers liken negotiations or the process of working together to find common ground to a ritual or a dance. Respecting the process signals respect for the time and effort the parties put into the process. In some situations, reaching agreement too quickly may be perceived as a lack of respect for the process or the other parties’ interest in working through the issue. Taking the time to work out a mutually agreed upon solution validates the time everyone spends participating in that process.[11]

Other Thoughts to Consider

Characteristics of a Good Negotiated Settlement

Some experts offer the following four key characteristics of a successful negotiated settlement.[12]

1. **Fairness:** Did the participants in the process perceive it to be fair? A process that is open to modification to respond to new concerns or information generally will be viewed as fair.

2. **Efficiency:** A fair agreement may not be acceptable if it takes longer to achieve than is warranted by the problem. Was the resolution worth the trouble?

3. **Wisdom:** The search for a wise decision or settlement requires collaborative inquiry, one that breaks down a complex problem into a series of mutually agreed-upon pieces.

4. **Stability:** Will the agreement endure over time? Even if the participants view it as fair, efficient and wise, to be effective, a resolution must be stable over time.

Decision-Making Transparency

Remembering the importance of transparent decision-making is critical when working towards a win-win solution. Public agency decision-making is different from the way individuals or private businesses make decisions. This difference is fundamental to the purpose and objectives of those decisions. The guiding principle must always be what best serves the public's interest.

Remembering potential legal and ethical constraints also is important when working to find a mutually agreeable solution.[13] In seeking to find wise solutions, one does not want to inadvertently overstep what the law allows. For example, current law limits the number of elected officials who may discuss an issue outside of a meeting for which the public has received notice.[14] Fair process considerations may require a public hearing before a final decision can be made.[15] Thus, consulting with the agency's legal counsel is a good first step.

Consider that You May Be Wrong[16]

Being open to new ideas and information, including the possibility that one's perspective may be wrong, is the sign of a good leader. This applies whether it is learning about and accepting new information that might change one's prior understanding of the issue or working through an issue with the other stakeholders and coming to a different conclusion.[17]

Principled Leadership

Some experts suggest that principled leadership – that is, leadership based upon "doing the right thing" – includes ephemeral qualities that are hard to define. These are qualities "…we value above and beyond their ability to generate profits or votes." They include:

- Decency,
- Respect, and
- Compassion.

Attributes of leaders also include:

- Integrity,
- Honesty, and
- Trust.

These leadership qualities contribute to successful relationships that can benefit the community and help achieve the objectives one set out originally in seeking public office.

About the Institute for Local Government

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities, the California State Association of Counties and the California Special Districts Association.

For more information and to access the Institute's resources on local government basics, visit www.ca-ilg.org/local-government-basics.

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Note: Sections in the California Code are accessible at http://leginfo.legislature.ca.gov/. Fair Political Practices Commission regulations are accessible at www.fppc.ca.gov/index.php?id=52. A source for case law information is www.findlaw.com/cacases/ (requires registration).

[1] *Getting Things Done: Working Effectively to Achieve Results* and *Getting Things Done: Working Effectively to Achieve Results*, David Landis, CSAC Institute for Excellence.
[2] Examples include: *Getting to YES; Dealing with an Angry Public: Breaking the Impasse*, and *Getting Things Done: Working Effectively to Achieve Results*, David Landis, CSAC Institute for Excellence.
[3] *Getting to YES*, pp. 10-11.
[4] Numerous authors offer thoughtful ideas about integrated strategies for negotiating win-win, mutual gain results. Although providing detailed steps for negotiation strategies is beyond the scope of this tip-sheet, it does offer tips about two key elements of any strategy. Several of the key resources in this area are listed in Resources to Learn More at the beginning of this tip-sheet.
[5] *Getting to YES* p.11.
[6] *Getting to YES*, p. 11.
[7] *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes,* p. 117.
[8] *Getting to YES*, p 40.
[9] *Dealing with an Angry Public,* p. 221 and 232.
[10] *Getting to YES*, pp. 35 and following.
[11] *Getting Things Done: Working Effectively to Achieve Results*, David Landis, CSAC Institute for Excellence.
[12] *Breaking the Impasse*, pp. 21 and following.
[13] *Breaking the Impasse*, pp. 193-194.
[14] *See* Generally Cal Govt. Code § 54950 and following. *See also* Discussion in *Alternative Dispute Resolution: Navigating Special Issues in Public Agency Disputes* available at http://www.ca-ilg.org/post/institute-resources-intergovernmental-dispute-resolution.
[15] *See Trancas Property Owners Association v. City of Malibu*, 138 Cal. App 4th 172 (2006); *Save Tara v. City of West Hollywood*, 45 Cal. 4th 116 (2008).
[16] *Dealing with an Angry Public*, pp. 166-167.
[17] *Dealing with an Angry Public,* p. 231.