

ISLA VISTA RECREATION & PARK DISTRICT  
*Policy Manual*



**ADOPTED BY THE IVRPD BOARD OF DIRECTORS  
ON FEBRUARY 5, 1998**

THIS UPDATE INCLUDES ADOPTED CHANGES  
THROUGH April 11, 2019



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**POLICY TITLE: PURPOSE OF BOARD POLICIES 1000**

(Amended per board motion 110414-08 GB)

**1000.10** This policy manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted."

**1000.20** If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or law governing any Isla Vista Recreation and Park District or any contract of the District. Said rules, contract, regulations or law, shall prevail.

**1000.30** An exception to or waiver of any policy contained in this manual or any policy incorporated by reference, may be made only by action of the Board of Directors, unless the Board provides otherwise.

**POLICY TITLE: ADOPTION/AMENDMENTS OF POLICIES 1010**

(Amended per board motion 110414-08 GB)

**1010.10** Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the General Manager. The proposed policy or amendment is initiated by submitting a written draft of the proposed policy or amendment to each Director and the General Manager through the District office, and requesting that the item be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors.

**1010.20** Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors by 4 affirmative votes.

**POLICY TITLE: CONFLICT OF INTEREST CODE 1020**

(Amended 9/02/04 per IVRPD Motion No. 040902-04 EO  
Amended 12/02/04 per IVRPD Motion No. 041202-03 EO  
Amended 9/30/10 per IVRPD Motion No. 100930-003 GB)

**1020.10** The political reform act, Government Code Sections 81000, et. Seq. requires state and local government agencies to adopt and promulgate Conflict of Interest Code."

**1020.20** Pursuant to Section 4(A) of the Standard Code, designated employees shall file statements of economic interests with the Park District. Upon receipt of the statements of the designated employees, the agency shall retain the original and forward a photocopy of these statements to the clerk of Santa Barbara County, Elections Division.

## Disclosure Categories

DESIGNATED EMPLOYEES	DISCLOSURE CATEGORIES
Board Members/Directors	1 & 2
General Manager	1 & 2
District Clerk	1 & 2
General Counsel (and Special Counsel if required by the Board)	1 & 2
Consultants (if required by the General Manager)	1 & 2
Personnel and Finance Committee Members	1 & 2

**1020.40** When a designated employee is required to disclose investments and sources of income, s/he need only disclose investments in business entities and sources of income which do business in the District, plan to do business in the District, or have done business within the District in the past two (2) years or which supply the kind of services or goods used by the District. In addition to other activities, a business entity is doing business within the District if it owns real property within the District. When a designated employee is required to disclose interests in real property, s/he need only disclose real property which is located in whole or in part within or not more than two (2) miles outside the boundaries of the District or within two (2) miles of any land owned or used by the District.

Designated employees shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Appendix A.

### *Disclosure Categories:*

Category 1: All investments and sources of income.

Category 2: All interests in real property, and investments and business positions in business entities, and sources of income which engage in land development, construction or acquisition or sale of real property.

## **POLICY TITLE: PUBLIC COMPLAINTS 1030**

**1030.10** The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

**1030.20** A public complaint is an allegation by a member of the public of a violation or misinterpretation of District policy, state or federal law of which the individual has been adversely affected.

**1030.30** The method of resolving complaints shall be as follows:

**1030.31** The individual with a complaint shall first present the complaint in writing to the District. The complaint may then be discussed with the General Manager with the objective of resolving the matter informally.

**1030.32** At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. A written decision from the General Manager may be requested by the individual filing the complaint.

**1030.33** If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, a written complaint may be filed with the Board of Directors within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at the next regular meeting, or call a special meeting. The Board will expeditiously resolve the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. A written decision from the Board may be requested by the individual filing the complaint.

**1030.40** This policy in no way prohibits or is intended to deter a member of the community or staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

**POLICY TITLE: CONFIDENTIALITY/ACCESS TO RECORDS 1040**

(Amended per board motion 110414-08 GB)

The District will perform in accordance with the State of California Government Code 6250 Public Records Act.

CIVIL CODE SECTION 56-56.37 Confidentiality of Medical Information Act.

GOVERNMENT CODE §§3060-3074 Removal from Public Office,  
6250-6268 California Public Records Act, 54957.2 Minute book record of closed sessions, 54957.5 Agendas and other writing distributed for discussion or consideration.

LABOR CODE § 1198.5 Employees access to their own personnel records.

ATTORNEY GENERAL Indexed Letter 1L76-201 (October 20, 1976).

CASES: American Federation of State, etc. Employees v. Regents of the University of California (1978) 80 Cal.App.3d 913.

**POLICY TITLE: GENERAL EMPLOYMENT POLICY 2005**

(Amended per Board motion 110414-08 GB)

**2005.00** The District intends that all relations with employees and volunteers involve justice and open honesty without prejudice or bad faith. Personnel policies are to be implemented with the best interests of the District weighed against the rights of the employee.

**2005.01** Applications for positions shall be on the IVRPD application form in writing. Applicants for General Manager shall be screened and reviewed for qualifications by a committee consisting of at least one Board Member, one staff member and one public member. Selection of the General Manager is the duty of the Board of Directors.

**2005.10** The General Manager shall be the Executive Officer of the Isla Vista Recreation and Park District and for the Board of Directors.

**2005.20** The terms and conditions of the General Manager's employment shall be specified in the agreement of employment established between the General Manager and the Board of Directors. The agreement of employment shall be for the period of time as specified therein.

**2005.30** Whenever the agreement of employment established between the General Manager and the Board of Directors is in conflict with any District policy, said agreement of employment shall prevail.

**2005.40** The General Manager shall be appointed by the Board and shall have general administrative responsibility over the day-to-day business of the District and for the efficient conduct of any and all projects and programs undertaken by the District. The General Manager shall be the administrative head of the District staff.

**2005.50** The compensation of the General Manager shall be determined by the District. When the General Manager's position is vacant, a temporary General Manager may be selected by the board. No Director shall be appointed General Manager who has served on the Board within the last 24 months."

**2005.60** No unauthorized employee shall, directly or indirectly, give, offer, or promise anything of value to any representative of any organization or individual in connection with any transaction or business that the District may have with the organization or individual."

**2005.70** Should an employee should have any question so relating, the advice of the General Manager should be sought

**2005.80** Employment At-Will Policy: It is the general policy of the District that employees are employed at the will of the District for an indefinite period. By virtue of this policy, it is understood that one's job may terminate at any time at the will of the District or at the will of the employee, with or without cause, without liability, and with or without notice.

**2005.90** Employment At-Will Guidelines:

- 1) Any employee who has a separate, individual or collectively bargained employment contract for a specific, fixed term of employment would be an exception to this policy.



- 2) Only the District Board is authorized to modify this policy or to enter into any agreement contrary to this policy.
- 3) The Employment At Will policy shall not be modified by any oral statements, statements contained in this manual or any other employment related documents. No document shall create an express or implied contract of employment for any definite period of time or for any terms or conditions of employment.
- 4) Successful completion of any probationary period or the first or subsequent performance evaluation periods shall not impact an employee's status as an employee-at-will.
- 5) Under the terms of employment-at-will, nothing contained in this manual or other employment related documents will restrict the District's right to change the terms or conditions of employment or to terminate an employee, with or without just cause.
- 6) Statements of specific grounds for termination set forth in this policy manual or elsewhere are not all inclusive and are not intended to restrict the District's right to terminate an employee.

**POLICY TITLE: STAFF MEETINGS 2010**

(Deleted per Board Motion 081106-03 GB)

**POLICY TITLE: APPLICATION 2035**

(Deleted per Board Motion 110414-08 GB)

**POLICY TITLE: INELIGIBILITY OR DISQUALIFICATION 2040**

(Amended per Board Motion 110414-08 GB)

The appointing authority or the personnel officers may withdraw anyone from consideration whose appointment will be deemed contrary to the best interests of the District. Reasons for disqualification may include, but not limited to, the following deficiencies:

- 1) Lack of any of the requirements established for the examination or position for which he/she applies.
- 2) To abuse or Addiction to, illegal substances
- 3) Conviction of a felony, or conviction of a misdemeanor.
- 4) Dismissal from any position for any cause which would be cause for dismissal by the District.
- 5) Resignation from any position not in good standing or in order to avoid dismissal.

- 6) Deception or fraud in making the application.
- 7) Request by applicant that his/her name be withdrawn from consideration.
- 8) Failure to reply within a reasonable time, as specified by the personnel officer(s), to communications concerning availability for employment.
- 9) Disqualification or unsuitability for employment as specified in any District rule or regulation.

**POLICY TITLE: EDUCATIONAL ASSISTANCE 2120 \*amended per motion 110414-08 GB**

**2120.10** Employees of the District are encouraged to pursue educational opportunities which will further the mission of the District and prepare them for career advancement.

**2120.20** The District will reimburse full-time employees for courses of study with the approval in advance, and at the discretion of the General Manager.

**POLICY TITLE: ADVANCEMENT OF WAGES 2140**

\*amended per motion 110414-08 GB

The District will not advance wages

**POLICY TITLE: DRUG AND ALCOHOL ABUSE 2190**

\*amended per motion 110609-02 GB

**2190.10** The Isla Vista Recreation & Park District recognizes alcohol and drug dependency as treatable conditions and encourages those employees who are suffering from such conditions to seek treatment. District leaves of absence for this purpose can be requested in addition to using vacation and sick leave"

**2190.20** The District does not allow alcohol or illegal substances to be distributed or used by its staff during work hours. Should an employee attempt to work while under the influence of alcohol or illegal substances, it is cause for disciplinary action up to and including dismissal as they are putting themselves and others at risk. Employees found to be in violation of this policy may be subject to disciplinary action up to, and including, dismissal.

**POLICY TITLE: USE OF TOBACCO PRODUCTS W/IN THE DISTRICT 2195**

\*amended per motion 110609-02 GB

**2195.10** the smoking of tobacco products is banned completely within District buildings, parks, confined spaces, in District vehicles, or within 20ft of any district structure. "No smoking" signs shall be posted at each District building.

**POLICY TITLE: PRE-EMPLOYMENT PHYSICAL EXAMINATION 2200**

**2200.10** All job applicants for full-time, temporary and part-time employment who are seriously being considered for hiring shall be required to submit to a physician's examination at District expense.

**2200.12** Applicants who refuse to cooperate in the examination shall not be considered further for employment.

**2200.50** All medical examination results shall be kept confidential. The applicant may be told he/she failed to pass the examination, but only the General Manager and Executive Secretary shall have access to the actual examination results.

**POLICY TITLE: SEXUAL HARASSMENT 2210**

\*this policy was amended per board motion 110609-02 GB

**2210.10** IVRPD is committed to providing a work environment for its employees that is free of harassment. The District prohibits sexual harassment as well as harassment because of race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law, ordinance or regulation. This policy applies to all persons involved in the operation of the District and prohibits harassment by any employee of the District – supervisors and co-workers.

**2210.20** Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;

**2210.30** Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;

**2210.40** Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,

**2210.50** Retaliation for having reported or threatened to report harassment.

**2210.60** If any employee of the District believes that he/she has been harassed, the employee should provide a written complaint to the supervisor, a division manager, the Administrative Assistant to the General Manager, or the General Manager as soon as possible after the incident. The complaint should include details of the incident(s), name(s) of the individual(s) involved, together with the name(s) of any witness(es).

**2210.70** Staff receiving harassment complaints will refer them immediately to the General Manager of the President of the Board of Directors (in the event the complaint involves the General Manager) who will undertake an immediate, thorough and objective investigation of the harassment allegation(s).

**2210.80** If it is determined that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined to be responsible for harassment will be subjected to appropriate disciplinary action, up to and including termination. Whatever action is taken against the harasser will be made known to the employee lodging the complaint, and appropriate action will be taken to remedy any loss to the employee resulting from the harassment. Retaliation by management or co-workers against anyone filing a complaint will not be permitted or tolerated.

**2210.90** Employees are encouraged to immediately report any incident of harassment so that complaints can be quickly and fairly resolved.

**POLICY TITLE: NEPOTISM 2230**

**2230.10** It is the policy of Isla Vista Recreation and Park District to seek for its staff the best possible candidates through appropriate search procedures. There shall be no bars to appointment of close relatives in any staff category in the same or different departments so long as the following standard is met:

**2231.11** No employee shall vote, make recommendations, or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, promotion, termination, other employment status, or interest of a close relative.

**2231.111** For the purpose of this policy, "close relative" is defined as husband, wife, mother, father, son, daughter, sister, brother and "in-laws".

**2230.20** When an individual is considered for appointment in a department in which an immediate family member is already assigned, review of this fact shall be required at all appointing levels. The objective of this review shall be to assure equity to all members of the department.

**2230.30** It is the policy of the District that relatives of members of the Board of Directors or regular full-time employees may be employed by the District if that person meets or exceeds established criteria and is determined to be the most qualified applicant for the position. Relatives of District employees hired as regular full-time, seasonal or part-time employees shall not work directly under the supervision of the relative.

**POLICY TITLE: OUTSIDE EMPLOYMENT 2240**

\*this policy was amended 12/8/08 GB

**2240.10** District full time employee shall be permitted, subject to the written approval of the General Manager, to accept employment.

**2240.20** An employee who does have additional or outside employment shall not be permitted to use District records, materials, equipment, facilities or other District resources in connection with said employment.

**POLICY TITLE: PARK NAMING POLICY 2250**

(Updated 4/07/05 EO)

\*this policy was amended per board motion 110414-08 GB

**2250.10 Purpose**

The purpose of this policy is to establish standard procedures and guidelines for the naming of public parklands and facilities owned and/or operated by the Isla Vista Recreation and Park District.

This policy, adopted April 7, 2005 by the IVRPD Board of Directors, may not be consistent with existing names of District areas and facilities. Rather, this policy is a basis for future decisions.

**2250.20 Authorization**

The naming of parks and facilities shall be the function of the Board of Directors, in conjunction with a study group named by the Board. Through this group, diversity, balance, and creativity will be sought during the process of adopting names. The group will recommend names to the District Board for final approval. Community input will be encouraged through publicly noticed meetings.

**2250.30 Objectives**

In the naming of parks and facilities, the Board and its appointed group shall be charged with keeping to the objectives described by this policy, which serve the constituency and the history of the District.

**2250.31** To provide meaningful name identification for individual parks, park areas and/or park facilities.

**2250.32** To provide criteria and opportunities for community input during the process of naming parks, park areas, and/or park facilities.

**2250.33** To insure that the naming of parks, park areas, and/or park facilities is controlled by the District Board through recommendations from the public and staff.

**2250.34** To insure that existing names with historical significance to the District and the Isla Vista community are not forgotten or replaced at the cost of District history, i.e., remembrance of significant District events, landmarks, and/or people who made contributions to Isla Vista.

**2250.40 Qualifying Names**

Names submitted for consideration should provide some form of individual identity to the parks, park areas, and/or park facilities to be named, in relation to the following:

**2250.41** The geographic location of the park. This includes descriptive names.

**2250.42** An outstanding feature or quality of the park.

**2250.43** An adjoining, street, school, or natural feature.

**2250.44** A commonly recognized historical event, group, organization, or individual (living or deceased).

**2250.45** An individual or organization that contributed significantly to the acquisition or development of the facility to be named. This can include either a deed or substantial monetary contribution, or contribution toward acquisition and/or development of the park or facility (typically not less than 50 percent of the value of the property or improvements).

**2250.46** Outstanding accomplishments by an individual for the good of the community. Quality of the contribution should be considered along with the length of service by the individual - this to be fully substantiated by the person making the recommendation.

**2250.47** An individual who provided an exceptional service in the interest of the park system as a whole, typically while serving in a public office. Current public officials should not be considered as candidates for naming.

**2250.48** A folk name, or name of long standing given and used by the Isla Vista population, other than the park's "official" name.

### **2250.50 Other Naming Alternatives**

The following are additional alternatives and criteria, which must be considered in the naming of parks, park areas, and/or park facilities:

**2250.51** Parks and facilities that are donated to the District can be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the District Board. Naming rights are not guaranteed if the donation of parkland is a dedication as required by the District's subdivision ordinance (parkland dedication).

**2240.52** Facilities within a park can be named separately from the park and/or facility in which they are located, subject to the general guidelines outlined in this policy.

**2240.53** Individuals, groups, and/or organizations interested in proposing a name for an existing un-named park area or facility must do so by presenting their written proposals to the General Manager, for consideration by the Board of Directors.

### **2250.60 Naming Process for Facilities**

\*amended per motion 110609-02 GB

**2250.61** A temporary name will be designated by District staff for identification of the park area or facility during acquisition and/or development.

**2250.62** Individuals, groups, and/or organizations interested in proposing a name for an existing un-named park area or facility must do so by presenting their written proposals to the General Manager, for consideration by the Board of Directors.

**2250.63** The Board of Directors will appoint an ad-hoc committee to make a name recommendation. This group may choose from a variety of means to select a name, (e.g., citizen contests, recommendations from previous owners, historical review of the site, and other criteria for naming included in this policy,) but in all cases, public involvement is required.

**2250.64** The Board of Directors will conduct a public meeting on the proposed naming and allow 30 days following the public meeting for public comment.

**2250.65** The Board of Directors will take action on the request following the 30 days for public comment.

**2250.80 Park and Facilities Renaming**

**2250.81** The renaming of parks and facilities will be strongly discouraged. Critical examination will be conducted by the Board to insure that renaming the park will not diminish the original justification for the name or the prior contributors. Community input will be sought for any renaming of parks.

**2250.82** Renaming of parks will follow the same procedures as naming of parks, but must also be accompanied by either a petition containing the signatures of the residents whose properties surround the park, as well as the signatures of qualified electors equal to at least 25% of the vote cast for the last presidential election; or by a majority vote of the Board of Directors.

**2250.83** Only parks and facilities named for geographic or street locations, outstanding features or subdivisions should be considered for renaming. Parks that have been named by deed restriction shall not be considered for renaming.

**2250.84** Parks and facilities named after individuals shall never be changed, unless it is found that because of the individual's character the continued use of his/her name would not be in the best interests of the community.

**2250.90** Park Names shall be contained in Appendix

**POLICY TITLE: ACCEPTANCE AND VIOLATIONS OF RULES 2260**

\*Deleted per motion 110609-02 GB

**POLICY TITLE: Internet, E-mail, and Electronic Communication Ethics, Usage and Security 2265  
(Updated 4/07/05 EO)**

\* amended per board motion 1106090-02 GB

**2265.10** The Isla Vista Recreation and Park District provides a wide range of computer resources to staff for the purpose of advancing the mission of the District. These resources are provided and maintained at the District's expense--and therefore, the public's expense--and are to be used by members of the Staff and Board with respect for the public trust through which they have been provided.

**Usage and access to District computers are for staff to conduct District business only; District use by Board members will require board approval.**

**2265.20** This policy provides details regarding the appropriate and inappropriate use of District computers. The procedures do not attempt to articulate all required or proscribed behavior by users. Successful operation of the District computer network requires that all users conduct themselves in a responsible, decent, ethical, and polite manner while using the District computers. The users are ultimately responsible for their actions in accessing and using District computers. As users of District computers, they are expected to review and understand the guidelines and procedures in this document.

**2265.25** The District expects everyone to exercise good judgment and use the computer equipment in a professional manner. The use of the equipment is expected to be related to the District's goals or for conducting District business. The District recognizes, however, that some personal use is inevitable, and that incidental and occasional personal use that is infrequent or brief in duration is permitted so long as it occurs on personal time, does not interfere with District business, and is not otherwise prohibited by District policy or procedures. If an employee or an elected official is aware of somebody violating this policy, they are to inform the General Manager of the alleged violation within two (2) business days. If the General Manager is alleged to have violated this policy, then the person is to notify the Chairperson within two (2) business days.

**2265.27** Use of District Software: District software is licensed to the District by a large number of vendors and may have specific license restrictions regarding copying or using a particular program. Users of District software must obtain permission from the District prior to copying or loading District software onto any computer, whether the computer is privately owned or is a District-owned computer.

**2265.30** Use of Internet and E-mail: All employees and elected officials must read and adhere to the guidelines and policies established herein regarding use of Internet and e-mail. Failure to follow this policy may lead to progressive discipline, up to and including employee termination.

**2265.31** Employees and elected officials shall not use the Internet or e-mail in an inappropriate manner. Inappropriate use of the internet and e-mail includes, but is not limited to:

**2265.31.1** Accessing internet sites that contain pornography, exploit children, or that would generally be regarded in the community as offensive; or sites for which access has no official business purpose.

**2265.31.2** Participating in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity, or any activity that is inconsistent in any way with the District's policies, (e.g., the policy on sexual harassment).

**2265.31.3** Exploiting security weaknesses of the District's computing resources and/or other networks or computers outside the District.

**2265.31.4** Internet access is to be used for District business purposes only (unless the employee is on break). Employees who have completed all job tasks should seek additional work assignments. Use of the Internet should not interfere with the timely and efficient performance of job duties. Personal use of the Internet and e-mail is not a benefit of employment or elected office with the District.

**2265.32** Employees or elected officials do not have any right to privacy in any District computer resources, including e-mail messages produced, sent, or received by District computers or transmitted via the District's servers and network. Employee and elected official access to the Internet and e-mail is controlled by use of a password. The



existence of a password does not mean that employees or elected officials should have any expectation of privacy. Elected officials and employees must disclose their passwords to the District upon request, and the District will maintain a file of all District passwords currently in use. The District may monitor the contents of all e-mail messages to promote the administration of the District, its business, and policies.

**2265.33** Employees' and elected officials' access to and use of the Internet, e-mail, and other electronic communications will be monitored frequently. Failure to follow the policy may lead to progressive discipline, up to and including employee termination. Disciplinary action may also include the removal of Internet and e-mail privileges, including access from their computer.

**2265.34** Internet and e-mail provide means by which employees or elected officials of the District may communicate with District customers (general public), business associates, and fellow staff members or elected officials about District matters. Messages to or from customers, business associates, and fellow staff members or elected officials through the District's e-mail system may be considered part of the District's business records and should be treated as such, in accordance with this policy and the Public Records Act.

**2265.35** Deleting an e-mail message does not necessarily mean the message cannot be retrieved from the District's computer system. For a specific period of time, the District retains backup copies of all documents, including e-mail messages produced, sent, and received on the District's computer system, as well as a history of web-site use.

**2265.36** E-mail and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters, and other paper-based documents. E-mail can be forwarded to others, printed on paper, and is subject to possible discovery during lawsuits in which the District may be involved.

**2265.37** Currently, all District e-mail being sent is not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way Internet data is routed, all messages are subject to "eavesdropping". Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destinations, or they may be purposefully intercepted from the Internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter and/or re-distribute your message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum, or document available to the public.

**2265.38** E-mail, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.

**2265.39** Use of electronic mail or the Internet to distribute copyrighted materials is prohibited.

**2265.40** Each user should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information. (This is especially important for law firms and accounting firms that have strict professional ethical obligations and duties toward their clients.)

**2265.41** Use of electronic mail or the Internet to send offensive messages of any kind is prohibited.

**2265.42** Use of electronic mail or the Internet for inappropriate or unauthorized advertising and promotion of the District is prohibited.

**2265.43** When District employees or elected officials communicate using electronic mail or other features of the Internet, the employee or elected official must be extremely mindful of the image being portrayed of the District.

**2265.44** Computer viruses can become attached to executable files and program files. Receiving and/or downloading executable files and programs via electronic mail or the Internet without expressed permission of the General Manager is prohibited. This includes, but is not limited to, software programs and software upgrades. All downloaded files must be scanned for viruses.

**2265.45** Use of another user's name/account, without express permission of the Systems Administrator, to access the Internet is strictly prohibited.

**2265.46** Personal use of the District's computer resources for personal, commercial or political activity or any type of illegal activity is strictly prohibited.

**2265.47** It is advisable for all employees of the District to remind customers/clients/contractors of these security issues when sending confidential electronic mail and/or documents to the District via electronic mail. If applicable, our customer/clients/contractors should be reminded to implement a security policy and make sure their employees understand the ramifications of sending privileged information via electronic mail. (This is especially important for law firms and accounting firms that have strict professional ethical obligations and duties toward their clients.)

**2265.48** The District will not be responsible for maintenance and payment of personal Internet accounts or related software. To maintain the integrity and firewall protection of the District's network system, telephone system, modem pool, or communication server, access to the Internet shall only occur through the firewall.

**2265.49** E-mail messages that users need to retrieve from their personal Internet accounts must be retrieved via that User's personal Internet account on their break time. District users shall not access such personal e-mail accounts using the District's network system, telephone system, modem pool, or communication server except on break and only for a short duration. Employees or public officials who breach this policy shall have their privilege of Internet/e-mail access for personal use terminated.

**2265.50** Elected official access will be related to conducting District business, such as corresponding with constituents or other agencies, or researching District issues.

**2265.51** Employees and elected officials will only access the Internet using the approved Internet browser (Internet Explorer). Any other browser being used on a workstation will be promptly removed.

**2265.52** Employees and elected officials will respect all copyright and license agreements regarding software or publication they access or download from the Internet. The District will not condone violations of copyright laws and licenses and the employee or elected official will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication downloaded onto District computer resources, becomes the sole property of the District.

**2265.53** Employees and elected officials shall only download information and/or publications for official business purposes.

**2265.54** Employees and elected officials are to scan all downloaded materials before using or opening them on their computers to prevent the introduction of computer viruses.

**2265.55** All list subscriptions should be for business purposes only. The employee or elected official will make sure List Servers are notified when the employee or elected official leaves the District.

**2265.70** Employee or Elected Official Acceptance. By signing this agreement, I hereby represent that I have read, understand, and agree to the District's Internet, E-mail, and Electronic Communications Ethics, Usage, and Security Policy.

**POLICY TITLE: MISCELLANEOUS 2270**

\*deleted per board motion 110609-02 GB

**POLICY TITLE: ASSIGNED LABORERS 2280**

**2280.001** Purpose: This policy establishes a procedure by which the Board of Directors of the Isla Vista Recreation & Park District will permit the operation of a volunteer community work service program on District property. A volunteer community work service program is defined as a program allowing certain county probationers and minor offenders the opportunity to "work-off" their offenses through a court referral work program. Rather than paying a fine or going to jail, work referral participants would work a specified number of hours on a community service project.

**2280.002** Policy: The Board of Directors of the Isla Vista Recreation & Park District directs the General Manager, or his/her appointed representative, to administer the District's volunteer community work service program.

**2280.003** Procedure: The Isla Vista Recreation & Park District shall receive its volunteer community work service participants from the county's probation department subject to the following conditions.

**2280.004** Types of Offenses or Conditions Excluded From Work Program: Conviction of the following types of offenses shall normally exclude any applicant from participating in the District's volunteer community work service program: any felony convictions or any injury or illness that would require a doctor's release.

**2280.005** Work Requirements and Procedures: In order for any applicant to participate in the District's volunteer community work service program, the following procedures are to be followed:

- 1) Referred to the District by the County's court referral program.
- 2) Must not be excluded from participating in the program for any reason listed under policy 2280.004.
- 3) Must complete the District's work application information form.
- 4) Must be interviewed and recommended for approval to participate in the program by District staff.
- 5) Must be willing to perform physical labor at any park site located in the community.
- 6) Must present work application form and court referral at the time of interview with District staff.
- 7) Must be reliable and adhere to pre-arranged work schedule.
- 8) Must be eligible for Worker's Compensation insurance coverage.
- 9) Prohibited from driving District vehicles.
- 10) Must complete job sheet form for each pay period.
- 11) Must wear appropriate work clothes at all times.
- 12) Must comply with District work policies at all times.

**2280.006** Typical Work Assignments. Projects assigned to volunteer community workers may include, but not be limited to the following:

- 1) Weed removal.
- 2) Clearing debris from the pond.
- 3) Cleaning debris from sidewalks, driveways, and playing courts.
- 4) Site clearance at developing park sites.

- 5) Preparing wall, floor and ceilings for painting.
- 6) Wire brushing pool sides and bottoms.
- 7) Removing graffiti from walls, ceilings, floors, walkways and playing courts.
- 8) Assisting park maintenance staff in routine and non-routine duties.
- 9) Cleaning rest rooms.

**POLICY TITLE: OVERTIME 2290**

\*deleted per board motion 110609-02 GB

**POLICY TITLE: EMPLOYEE SUGGESTION PLAN 2300**

**\*amended per board motion 110609-02 GB**

Suggestions will be brought back to GM as needed

**POLICY TITLE: VIOLENCE IN THE WORKPLACE 2301**

\*this policy has been amended per board motion 110609-02 GB

**2301.1** IVRPD has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrance and exits, and service areas. Report any suspicious persons or activities to management personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time do not leave valuable and/or person articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys are missing.

IVRPD is committed to providing its employees a safe work environment. IVRPD will not tolerate any violent or threatening behavior by or toward its employees. This policy prohibits actual or threatened violence against any person on IVRPD-premises, at any IVRPD-sponsored event, and/or while engaging in any IVRPD-related activity. Safety and security in the workplace is every employee's responsibility. IVRPD relies upon all employees' compliance with this policy to achieve our goal of providing a violence-free workplace.

Some examples of conduct that violates this policy include:

- Physically or verbally or violent behavior; and/or intimidating or harassing behavior
- Sabotage or destruction of any IVRPD-property or property of any employee;

Additionally, IVRPD strictly prohibits the possession of any weapon, firearm, or other dangerous objects or material of any kind on IVRPD-premises or at any IVRPD-related event.

Any conduct violating this policy, including any threats of or actual violence, both direct and indirect, must be reported as soon as possible to your immediate

supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. All suspicious individuals or activities must be reported as soon as possible to a supervisor. Anyone receiving a report of a violation of this policy must report the matter immediately to the General Manager.

Employees should notify their supervisor of any restraining order in effect or of any potentially violent non-work situation that could result in workplace violence.

IVRPD will promptly and thoroughly investigate any report of actual or potential workplace violence. The identity of the individual making a report will be protected as much as is practical; however, IVRPD may need to disclose information in order to protect the safety of others. IVRPD will not tolerate retaliation against any employee who reports workplace violence.

IVRPD will take appropriate corrective action when it determines a violation of this policy has occurred. This may include imposing discipline, up to and including termination, upon any employee who violates this policy, including its reporting requirements.

**POLICY TITLE: ILLNESS AND INJURY PREVENTION PROGRAM 3010**

(Amended per Board Motion 060601-03 EO)

**3010.01** It is the intention of the Isla Vista Recreation and Park District to develop, implement, and administer a comprehensive loss prevention program. The Park District maintains that the public and its employees are their most important assets. Therefore, public and employee safety is our greatest responsibility. In all of our assignments, the health and safety of all should be the utmost consideration. Department heads and supervisory personnel at all levels of the Park District work force are directed to make safety a matter of continuing concern, equal in importance with all other operational considerations.

Reviews of operations should include consideration of problems and/or errors which could occur as related to the environment, equipment, job procedure, and personnel. Accidents are unplanned events. Proper planning can control accidents. Most accidents are preventable. Loss prevention means to initiate such pre-planning as is necessary to minimize unsafe conduct, contain environmental hazards, and control unsafe conditions.

Continual emphasis on loss prevention techniques, the refinement of work procedure, and safe working conditions have been shown to significantly reduce injuries, property damage, and work interruption. Every employee is charged with the responsibility of supporting and cooperating with the loss prevention program outlined in the Park District's Safety Program manual. All employees are expected, as a condition of employment, to adopt the concept that the safe way to perform a task is the most efficient and the only acceptable way to perform it. Safety adherence and performance will be considered an important measure of supervisory and employee performance evaluations at the Park District. For those

workers whose safety performance is deficient, training will be provided. (Rev. 3/20/03)

**3010.10** Program Goal and Outline: The goal of the District is to provide safe and healthful working conditions for all of its employees. Therefore, the District will maintain a safety and health program conforming to the best practices of agencies of this type. The District's safety and health program will include:

**3010.11** Providing mechanical and physical safeguards to the maximum extent possible.

**3010.12** Conducting a program of safety and health inspections to find and eliminate unsafe working conditions or practices, to control health hazards, and to comply fully with the safety and health standards and law for every job.

**3010.13** Training all employees in good safety and health practices.

**3010.14** Providing necessary personal protective equipment, and instructions for its use and care.

**3010.15** Developing and enforcing safety and health rules, and requiring that employees cooperate with these rules as a condition of employment.

**3010.16** Investigating every accident promptly and thoroughly to determine its cause and correct the problem so it will not happen again.

**3010.17** Developing a system of recognition and awards for outstanding safety service and/or performance.

**3010.20** Program Responsibility: Although the District recognizes that the responsibility for safety and health is shared, the General Manager shall be responsible and have full authority for implementing this policy and the District's Injury and Illness Prevention Program.

**3010.21** The District accepts responsibility for leadership of the safety and health program, for its effectiveness and improvements, and for providing the safeguards required to ensure safe conditions.

**3010.22** Supervisory personnel are responsible for developing proper attitudes toward safety and health in themselves and in those they supervise, and for ensuring that all operations are performed with the utmost regard for the safety and health of all personnel involved, including themselves.

**3010.23** No employee will be required to work at a job he/she knows is not safe or healthful. Employees are responsible for wholehearted, genuine operation of all aspects of the safety and health program, including compliance with all rules and regulations, and for continuously practicing safety while performing their duties. Any

employee found not practicing safety while performing their duties will be subject to appropriate discipline.

**3010.30** Injury and Illness Records: The District's record keeping system for its Injury and Illness Prevention Program shall conform to Cal/OSHA standards. Records shall be used to measure and evaluate the success of said program.

**3010.31** A report shall be obtained on every injury or illness requiring medical treatment. (See also Section 3010.8.)

**3010.32** Each injury or illness shall be recorded on the "Cal/OSHA Log and Summary of Occupational Injuries and Illnesses," Cal/OSHA Form 300, according to its instructions.

**3010.33** A supplementary record of the occupational injuries and illnesses shall be prepared on OSHA Form 5020, "Employer's Report of Injury or Illness," with the same information as in 3010.32, above.

**3010.34** Annually, the summary Cal/OSHA Form 300 shall be prepared and posted no later than February 1 in a place easily observable by employees. Said form shall remain posted until April 1. (Rev. 3/20/03)

**3010.35** All records specified in this section shall be maintained in the District's files for a minimum of five (5) years after their preparation.

**3010.40** Documentation of Activities: Records shall be maintained of steps taken to establish and maintain the District's Injury and Illness Prevention Program. They shall include:

**3010.41** Records of scheduled and periodic inspections as required by Cal/OSHA [California Code of Regulations, Title 8, Chapter 4] to identify unsafe conditions and work practices. The documentation must include the name of the person(s) conducting the inspection, the unsafe conditions and work practices identified, and the action taken to correct the unsafe conditions and work practices. The records are to be maintained for at least three (3) years.

**3010.42** Documentation of safety and health training required by Cal/OSHA [California Code of Regulations, Title 8, Chapter 4] for each employee. The documentation must specifically include employee name or other identifier, training dates, type(s) of training and the name of the training provider. These records must also be kept for at least three (3) years.

**3010.50** Program Communication System: Readily understandable communication shall be maintained with all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the District of hazards at the work site without fear of reprisal. Communications with employees, including translation where appropriate, shall include meetings, training programs, posted written information, and a system of



anonymous notification by employees about hazards. (Rev. 3/20/03), "Employees are expected to report all hazards whether corrected or not. No negative actions will be taken against anyone reporting hazards." (Amended per board motion **110120-03** GB)

**3010.52** The District's Code of Safe Practices, below, shall be posted at a conspicuous location in the District's maintenance office, and shall be provided to each supervisory employee who shall keep it readily available.

**3010.53** Periodic meetings (at least one per quarter) of supervisory employees shall be held under the direction of the General Manager for the discussion of safety problems and accidents that have occurred. Documentation of these meetings shall be maintained for three (3) years.

**3010.54** Supervisory employees shall conduct "toolbox" or "tailgate" safety meetings, or equivalent, with their crew(s) at least every 10 working days to emphasize safety. Documentation of these meetings shall be maintained for three (3) years.

**3010.55** General employee meetings shall be conducted (at least one per quarter) at which safety is freely and openly discussed by those present. Such meetings should be regular, scheduled, and announced to all employees so that maximum employee attendance can be achieved. Documentation of these meeting shall be maintained for three (3) years. Discussions at these meetings should concentrate on:

**3010.551** Occupational accident and injury history within the District, with possible comparisons to other similar agencies;

**3010.552** Feedback from employees;

**3010.553** Guest speakers from the District's workers' compensation insurance carrier or other agencies concerned with safety; and

**3010.554** Brief audio-visual materials that relate to the District's operations.

**3010.56** Training programs shall be conducted when new equipment, machinery or tools are purchased. Employees shall be instructed in the safe operation of said equipment, machinery or tools. Documentation of training programs shall be maintained for three (3) years.

**3010.561** New employees shall be trained by their supervisor in the safe operation of the equipment, machinery and tools with which they will be working prior to being allowed to work independently. Documentation of new employee training shall be maintained for three (3) years.

**3010.57** Posters and bulletins relating to and encouraging safe and healthy practices shall be posted on a rotational basis at a conspicuous location in the District's maintenance office.

**3010.58** News articles and publications devoted to safety shall be distributed to employees. This policy shall also be distributed to all employees upon its adoption, to all new employees at the time of their hiring, and annually thereafter. News articles and publications devoted to safety shall be maintained in the District files for Employee review.

**3010.59** A safety suggestion box shall be maintained where employees, anonymously if desired, can communicate their concerns to the District General Manager.

**3010.60** Hazard Assessment and Control: Periodic safety inspections shall be conducted to identify existing hazards in the work place, or conditions, equipment and procedures which could be potentially hazardous. The inspections shall be conducted by personnel who, through experience or training, are able to identify actual and potential hazards and who understand safe work practices.

**3010.61** Safety inspectors will determine whether safe work practices are being followed and will ensure that unsafe conditions or procedures are identified and corrected promptly.

**3010.62** Safety inspections will be conducted on a bi-monthly basis.

**3010.63** A written assessment will be prepared after said inspections which will document identified hazards and prescribe procedures for the elimination of same, and measures that can be taken to prevent their recurrence.

**3010.64** The General Manager will review written inspection reports and/or assessments and will assist in prioritizing actions and verify completion of previous corrective actions. He/she shall also review the overall inspection program to determine trends.

**3010.70** Accident Investigation: All accidents shall be thoroughly and properly investigated by the General Manager with the primary focus of understanding why the accident or incidence occurred and what actions can be taken to preclude recurrence. A written report of said investigation shall be prepared which adequately identifies the cause(s) of the accident or incidence.

**3010.71** The investigation must obtain all of the facts surrounding the occurrence: what caused the situation to occur; who was involved; was/were the employee(s) qualified to perform the functions involved in the accident or near miss; were they properly trained; were proper operating procedures established for the task involved; were procedures followed, and if not, why not; where else this or a similar situation might exist, and how it can be corrected.

**3010.72** The accident investigator must determine which aspects of the operation or process require additional attention (what type of constructive action can eliminate the cause(s) of the accident or near-miss.)

**3010.73** Actions already taken to reduce or eliminate the exposures being investigated should be noted, along with those remaining to be addressed.

**3010.74** Any interim or temporary precautions should also be noted. Any pending corrective action and reason for delaying its implementation should be identified.

**3010.75** Corrective action shall be identified in terms of not only how it will prevent a recurrence of the accident, but also how it will improve the overall operation of the work activity. The solution should be a means of achieving not only accident control, but also total operation control.

**3010.801 Safety Practices.** All employees shall follow these safe practices rules, render every possible aid to safe operations, and report all unsafe conditions or practices to the Grounds Supervisor or the General Manager.

**3010.802** Supervising employees shall insist on employees observing and obeying every rule, regulation, and order as is necessary to the safe conduct of the work, and shall take such action as necessary to obtain observance.

**3010.803** Anyone known to be under the influence of drugs or intoxicating substances which impair the employee's ability to safely perform the assigned duties shall not be allowed on the job while in that condition, and will be subject to the discipline specified in Policy #2190.

**3010.804** Horseplay, scuffling, and other acts which tend to have an adverse influence on the safety or well-being of the employees shall be prohibited.

**3010.805** Work shall be well planned and supervised to prevent injuries in the handling of materials and in working together with equipment.

**3010.806** No one shall knowingly be permitted or required to work while the employee's ability or alertness is impaired by fatigue, illness, or other causes that it might unnecessarily expose the employee or others to injury.

**3010.807** Employees shall not enter manholes, underground vaults, chambers or other similar places that receive little ventilation, unless it has been determined that it is safe to enter.

**3010.808** Employees shall be instructed to ensure that all guards and other protective devices are in proper places and adjusted, and shall report deficiencies promptly to the Grounds Supervisor.

**3010.809** Crowding or pushing when boarding or leaving any vehicle or other conveyance shall be prohibited.

**3010.810** Workers shall not handle or tamper with any electrical equipment, machinery, or air or water lines in a manner not within the scope of their duties, unless they have received instructions from the Grounds Supervisor.

**3010.811** All injuries shall be reported promptly to the Grounds Supervisor and General Manager so that arrangements can be made for medical or first aid treatment per District Accident Procedure.

**3010.812** When lifting heavy objects, the large muscles of the leg instead of the smaller muscles of the back shall be used.

**3010.813** Materials, tools, or other objects shall not be thrown from buildings or structures until proper precautions are taken to protect others from the falling objects.

**3010.814** Employees shall cleanse thoroughly after handling hazardous or toxic substances, and follow special instructions from authorized sources.

**3010.815** Work shall be so arranged that employees are able to face a ladder and use both hands while climbing.

**3010.816** Gasoline shall not be used for cleaning purposes.

**3010.817** No burning, welding, or other source of ignition shall be applied to any enclosed tank or vessel, even if there are some openings, until it has first been determined that no possibility of explosion exists, and authority for the work is obtained from the Grounds Supervisor or General Manager.

**3010.818** Any damage to scaffolds, false work, shoring or other supporting structures shall be immediately reported to the Grounds Supervisor or General Manager.

**3010.819** District's Code of Safe Practices.

Use of tools and equipment: All tools and equipment shall be maintained in good condition.

**3010.820** Damaged tools or equipment shall be removed from service and tagged "DEFECTIVE."

**3010.821** Pipe or Stillson wrenches shall not be used as substitute for other wrenches.

**3010.822** Only appropriate tools shall be used for the job.

**3010.823** Wrenches shall not be altered by the addition of handle-extensions or "cheaters."

**3010.824** Files shall be equipped with handles and not used to punch or pry.

**3010.825** Screw drivers shall not be used as chisels.

**3010.826** Wheelbarrows shall not be used with handles in an upright position.

**3010.827** Portable electric tools shall not be lifted or lowered by means of the power cord. Ropes shall be used for this purpose.

**3010.828** In locations where the use of a portable power tool is difficult, the tool shall be supported by means of a rope or similar support of adequate strength.

### **DISTRICT'S CODE OF SAFE PRACTICES MACHINERY AND VEHICLES**

**3010.829** Only authorized persons shall operate machinery or equipment.

**3010.830** Loose or frayed clothing, or unbound long hair, dangling ties, finger rings, etc., shall not be worn around moving machinery or other sources of entanglement.

**3010.831** Machinery shall not be serviced, repaired or adjusted while in operation, nor shall oiling of moving parts be attempted, except on equipment that is designed or fitted with safe guards to protect the person performing the work.

**3010.832** Where appropriate, lock-out procedures shall be used.

**3010.833** Employees shall not work under vehicles supported by jacks or chain hoists, without protective blocking that will prevent injury if jacks or hoists should fail.

**3010.834** Air hoses shall not be disconnected at compressors until hose line has been bled.

**3010.835** All excavations shall be visually inspected before back filling, to ensure that it is safe to back fill.

**3010.836** Excavating equipment shall not be operated near tops of cuts, banks, and cliffs if anyone is below.

**3010.837** Tractors, backhoes and other similar equipment shall not be operated where there is possibility of overturning, such as in dangerous areas like edges of deep fills, cut banks, and steep slopes.

#### **POLICY TITLE: BUDGET PREPARATION 3020**

**3020.10** Staff to present a year-to-date fiscal report at the March Board meetings, and the first draft at the April Board meeting to enable staff to present additional hard data to the Board.

**(Amended per motion 190411-002 dated 4/11/19.)**

**3020.15** The preliminary budget will be based on the previous year's budget, adjusted according to expected changes in the District's financial circumstances.

**(Amended per motion 190411-002 dated 4/11/19.)**

**3020.20** A copy of the budget will be posted.  
**(Amended per motion 110120-003 GB dated 4/11/19)**

**POLICY TITLE: FIXED ASSET ACCOUNTING CONTROL 3030**  
**\*amended per motion 110609-02 GB**

**3030.10** The purpose of this policy is to ensure proper accounting control and accurate financial reports of fixed assets.

**3030.20** An accounting of all fixed assets shall be conducted annually by the General Manager. A fixed asset is any asset that is depreciable

**POLICY TITLE: EXPENSE AUTHORIZATION 3040**  
**\*this policy was deleted per board motion 110609-02 GB**

**POLICY TITLE: CREDIT CARD POLICY 3045**  
**Sections 3045.21 & 3045.22 added per board motion 110609-02 GB**  
**\*this policy was amended per board motion 110609-02 GB**

**3045.10** The Importance of Internal Control Standards:  
The basic concept of internal control is quite simple. It involves having different employees perform different key duties or activities in the transactional process to prevent mistakes and intentional breaches. If different individuals process components of a transaction, each person provides a check on the other. Separation of duties also acts as a deterrent to fraud or concealment because collusion with another individual is required to complete the fraudulent act. Our credit card policy was formulated with these simple facts in mind.

**3045.20** General description  
The District credit cards are authorized for the purchase of materials, services and supplies, when the total cost does not exceed \$3,500 per purchase, and for travel and travel arrangements for infrequent travelers. The District credit cards are never to be used to obtain cash advances or for cash equivalents such as bank checks, traveler's checks, and electronic cash transfers. Additionally, the District credit cards are never to be used for the purchase of personal items of any nature. Commingling of District purchases and personal purchases is expressly forbidden by the tenets of this policy.  
**(Amended BY Resolution 190411-001)**

**3045.21** The district credit cards are never be used to obtain cash advances, or for cash equivalents such as bank checks, traveler's checks, and electronic transfers."

**3045.22** the District credit cards are never to be used for the purchase of personal items of any nature. Commingling of District purchases and personal purchases is expressly forbidden by the tenets of this policy

**3045.30 \*this policy was deleted per board motion 081106-03**

**3045.40** When a District credit card has been lost or stolen, immediately notify the bookkeeper or the Executive Secretary or General Manager in his or her absence"

**POLICY TITLE: INVESTMENT POLICY 3050**

**3050.100** The Isla Vista Recreation and Park District believes that social and environmental responsibility needs to be encouraged, supported and promoted in all of its business. Thus, Governmental, agricultural, and business institutions need to reflect an acceptable level of social and environmental accountability, in accordance with state and federal social and environmental laws, regulations and policies, to be selected as a financial institution for those investments purchased from the General Investment Pool and the Direct Investment pool that involve district monies.

**3050.110** This investment policy is not in complete accordance with the adopted policy of the County of Santa Barbara, as it goes one step further to acknowledge the importance of social and environmental responsibility on a local, state, federal, and global level. However, the District adopts the County of Santa Barbara's Investment Policy, as it changes from time to time. The purpose of the additional policy language is to encourage socially and environmentally responsible investments and to encourage this level of critical thinking at the County, State and Federal levels of government.

**3050.112** The District does not approve of its funds being used to support any financial institution that is engaged in environmental degradation and/or violations of civil rights in the United States and/or in foreign countries. The District urges the County of Santa Barbara to further research the financial institutions that fit the "Authorized Instruments" and "Policy Criteria for selecting Brokers/dealers" sections outlined in the County Statement of Investment Policy, for their commitments to upholding environmental and social justice.

**3050.113** Investments to simply make the highest market rates of return should no longer be the most important criteria on which to base financial decisions in this county. Investing with a consciousness of the wide-scale environmental and social atrocities that are being committed in the name of profit is the next logical step for the County of Santa Barbara in achieving its goals to protect its citizens and work responsibly within the local and global community. The District encourages the Treasurer of the County of Santa Barbara to consider investment alternatives that yield equal returns on the County of Santa Barbara's Investment Pool, while upholding the objective of investing responsibly.

**3050.120** The District encourages the inclusion or exclusion of corporate securities in investment portfolios, based upon social or environmental criteria. Investors should seek to own profitable companies with respectable employee relations, strong records of community involvement, excellent environmental impact policies and

practices, respect for human rights around the world, and safe and useful products. Investors should avoid investments in those firms that fall short in these areas.

**3050.200** The District encourages investment that supports development initiatives inflow-income communities both in the United States and in developing countries. Community Investment provides affordable housing, creates jobs, and helps responsible businesses get started. Community Investing is achieved through certain types of institutions, such as Community Banks and Community Credit Unions.

**POLICY TITLE: OPERATING FUND RESERVE POLICIES 3055**

\* This policy was amended per board motion 1106090-02 GB

**3055.122** The District's general fund shall have operating cash reserves sufficient to provide for monthly cash flow and for a budgeted reasonable level of equipment and infrastructure replacement by ending each fiscal year with a fund balance to cover six months of general fund supported operations"

**3055.123** the board of directors may transfer any amount beyond the general fund reserve as specified in section 3055.122 of this policy back to fund balance for reallocation by 4/5<sup>th</sup> board vote"

**POLICY TITLE: DEPOSIT POLICY 3060**

\*this policy was deleted per board motion 110609-02 GB

**POLICY TITLE: PHOTOCOPY SERVICE 3080**

\*this policy was amended per board motion 110609-02 GB

Provisions for Photocopies shall be in accordance with the California Public Records Act

**POLICY TITLE: MESSENGER AND MAIL SERVICE 3090**

\*this policy was deleted per board motion 081204-03 GB

**POLICY TITLE: RECORDS RETENTION 3095**

**3095.00** Purpose: This policy establishes criteria for the retention and/or disposition of District records. The following timetable has been approved by the District's Legal Counsel and adopted by the Board of Directors. All revisions to this policy must be reviewed by legal counsel.

**3095.001** Disposition of Records: A review of all records shall be made annually. Records that are older than the prescribed times may be disposed of.

**3095.002** Accounting and Fiscal Records Retention

TYPE OF RECORD	PERIOD
Accounts Payable Invoices Capital Expenditures, Improvements	P



Capital Expenditures, Equipment	5
Deferred Comp	10****
Services and Supplies	5
<b>ACCOUNTS PAYABLE LEDGER</b>	P
Accounts Payable Distribution Journal	3
Audit Report	P
Audit Work Papers	3
Balance Sheets (Trial Balance) (June)	P
Bank Deposits	5
Bank Statements	5
Bank Records (other, i.e., Passbooks)	5
Budget (final)	P
Budgets (Preliminary)	5
Capital Improvements Records	P
Capital Equipment Records	5
Cash Receipts	3
Cash Receipts Ledger	P
Cash Receipts Journal	P
Check Register	P
Checks, Payroll	5
Checks, Payable	
Capital Expenditures, Improvements	P
Capital Expenditures, Equipment	5*
Services and Supplies	5
Cost Accounting Records	5
Financial Statements (Periodic)	5
General Ledger Records	P
Notes Payable Ledger	P
Payroll Journals – Combined	2
Distribution	3
Full-Time	P
Part-Time	P
Year-to-Date (Jan/Nov)	2
Year-to Date (Dec)	P
Employee Listing	3
Payroll Payment Reports	
Credit Union	5
Credit Union Contribution Cards	5
Deferred Comp	10****
Deferred Comp Contribution Cards	10****
Life Insurance	7
Health Insurance	12
United Way	5
United Way Contribution Cards	5
Workers' Comp (Payments)	7
Workers' Comp Individual Records	P
Petty Cash Records	3

Purchase Orders	
Pink (Numerical Copy)	2
Yellow (Vendor File–	5
Service/Supplies)	P
Yellow (Vendor File–Capital	12
Expend.)	
Log	
Time Cards	4
Travel Expense Reports	10
W-2's	5

**3095.003** Personnel Records Retention

TYPE OF RECORD	PERIOD
Employment History File – Full-Time Accident Report File Application for Employment DMV Report Employee Job Performance Review Fidelity Bond Application Fingerprint Card Interview Report Job Description Medical Examination Report Payroll change Notice Photo Test Results Wage Garnishment	P P P P P P P P P P P P P
Employee Absentee Reports	7
Employee History File – Part-Time Log of Employment Employee Name Employee Address Employee Dates	10 P P P P
Potential Employee Files Application Interview Results Test Results	1 1 1

- P = Permanent Record
- \* = After Disposal of Equipment
- \*\* = After Termination of Contract
- \*\*\* = After Termination of Employment
- \*\*\*\* = After Employee Withdraws from the Program

**POLICY TITLE: PURCHASING 3100**

**3100.000** In order to establish efficient procedures for the purchase of services, supplies, and equipment, to secure for the District services, supplies, and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases, the following purchasing system is hereby adopted.

**3100.001** The following words and phrases whenever used in this chapter shall be construed as defined in this section:

- 1) "Purchasing Agent" means the General Manager or his designated representative.
- 2) "Supplies" means and includes all supplies, materials, and equipment.
- 3) "Services" means and includes labor, professional services, and consulting services.

**3100.002** Use of Contracts and Purchase Orders.

- 1) Purchase Orders must be used for every purchase:
  - a) Board approval is required when the total cost does exceed five thousand dollars, exclusive of sales or use tax
- 2) Contracts
  - a) Formal written contracts shall be used in other instances subject to exceptions herein.
- 3) Exceptions: No employee shall purchase or contract for supplies or services for the District other than through the purchasing agent. Any purchases, contracts, or obligations to pay made contrary to this provision shall be null and void.

**3100.003** Validity of Contracts and Purchase Orders. The District shall not be and is not bound by any contract, purchase order, or any other document unless the same shall be made in writing in accordance with the provisions herein and signed by the appropriate authority.

**3100.004** Staff members shall submit requests for supplies and equipment to the Purchasing Agent by standard requisition forms, or by other means as may be established by the Purchasing Rules and Regulations.

**3100.005** Encumbrance of Funds. Except as otherwise provided by this resolution or when directed by the General Manager, all purchases of supplies and services involving an expenditure of District funds in the amount of five thousands dollars or less shall be purchased, when feasible and when in the best interest of the District, in the open market by written quotation for those expenditures above three thousand dollars, without newspaper advertisement and without observing the procedure prescribed for the award of formal bid purchases.

Open market purchases, whenever possible and practicable, shall be based on at least three competitive quotations and shall be awarded to the person, firm, or corporation submitting the lowest responsible quotation. However, all bidding may be dispensed with for purchases of services and supplies having a total estimated value of less than \$1,500.

If a written or telephone quotation for supplies, services, or a combination of supplies and services, has been obtained within the 60 days next preceding a proposed

similar purchase, and said quotation is still effective, it may be used in connection with the subsequent purchase as one of the three required quotations.

The District shall keep a record of all open market orders and the quotations submitted in competition thereon. Such records shall be open to public inspection during business hours. Records of such open market orders or purchases may be disposed of by the District following four years from the date of the purchase.

**3100.006 Bid Procedure (P.R.C §5782.5(b) (amended per motion 081204-03GB)**

Except as otherwise provided herein, purchases of services and supplies of an estimated value greater than fifty thousand dollars, including sales or use tax, shall be advertised for bid.

New construction with respect to which the cost of materials, supplies, and labor will exceed the sum of fifty thousand dollars, exclusive of any taxes, shall be advertised for bid.

All projects for alterations, maintenance, or repairs, with respect to which the cost of materials, supplies, and labor will exceed the sum of fifty thousand dollars, including sales or use tax, shall be advertised for bid.

1) Notice Inviting Bids

Notice inviting Bids shall be published at least 10 days before the opening of bids. Notices shall include a general description of the article, services, or project, shall state where bid forms and specifications may be secured and the time and place for opening bids. Notices shall be published at least twice in a newspaper of general circulation, printed and published in the District. Notices inviting bids shall only be published if the estimated cost of the project is considered to be above \$50,000.

2) Bid Bonds

All bids on public projects in excess of \$50,000 in value shall be accompanied by either cash, a certificate of deposit or certified check or draft, or a cashier's check or draft or on some responsible bank in the United States, in favor of and payable at sight to the District, in an amount not less than then (10) percent of the aggregate amount of the bid. If the bidder to whom the contract is awarded shall fail or neglect to enter into the contract and file the required bonds within ten (10) days after posting of such contract, the District shall draw the money due on such certificate of deposit or check or draft and pay the same or any cash deposited into the treasury, and under no circumstances shall it be returned to the defaulting bidder. In lieu of the foregoing, any bid may be accompanied by a surety bond in said amount furnished by a surety authorized to do a surety business in the State of California, guaranteeing that said bidder will enter into the contract and file the required bonds within said period. With the approval of the General Manager, prospective bidders may file annual surety bonds covering all bids to be made during a calendar year.

- 3) Opening of Bids and Awards  
All bids shall be sealed, identified as bids on the envelope and shall be submitted to the General Manager at the place and time specified in the public notice inviting bids. Bids shall be opened by the General Manager or his designated representative, in public, at the time and place designated in the notice inviting bids. Bids received after the specified time shall not be accepted and shall be returned to the bidder unopened. The contract shall be left to the lowest responsible bidder, as defined herein. The Board of Directors or the General Manager, as the case may be, may reject any and all bids and waive any informalities or minor irregularities in the bids. If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay or re-advertising for bids, the Board of Directors may, in its discretion, accept the one it chooses or accept the lowest bid made by and after negotiation with the tie bidders at the time of the bid opening. If identical bids are received with cost and other factors being equal, preference shall be given to vendors located within the boundaries of the Isla Vista Recreation & Park District. If no bids are received, the legislative body may have the project done without further complying with this section.
- 4) Disposition of Bid Bond or Deposit  
All deposits and bonds shall be returned after execution of the contract by the successful bidder and deposit of the necessary bonds.
- 5) Approval of Faithful Performance and Labor and Materials Bonds; Waiver  
Faithful performance or labor and material bonds required by specifications or contract shall be approved as to form by the District's attorney. The General Manager may waive the furnishing of a faithful performance bond when in his opinion such waiver will not be detrimental to the District.
- 6) Exceptions to Competitive Bidding  
The restrictions and provisions of this section shall not apply:
  - a) To contracts involving the obtaining of professional or specialized services such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants.
  - b) Where calling for bids on a competitive basis in the opinion of the General Manager is impracticable, unavailing or impossible.
  - c) Where the District's requirements can be met solely by a single patented article or process.
  - d) Placement of insurance coverage.
  - e) When public work is performed by the District with its own employees.

- f) When an emergency requires that an order be placed with the nearest available source of supply, or when the commodity can be obtained from only one vendor.
- 7) Authority of General Manager  
The General Manager shall be authorized to sign all purchase orders and contracts and award same, for purchase of services, supplies, or a combination of services and supplies involving an expenditure of five thousand dollars, including sales or use tax. The General Manager may delegate his authority to sign purchase orders for supplies and services involving an expenditure not exceeding two hundred and fifty dollars (\$250.00) exclusive of sales or use tax, in conformance with control procedures to be established by the General Manager for that purpose. All purchase orders and contracts shall bear the signature of the General Manager or as otherwise herein provided.
- 8) Award of Contracts in Excess of Five Thousand Dollars  
The award of all contracts for services, supplies, or a combination of services and supplies involving an expenditure exceeding five thousand dollars, including sales or use tax, shall be made by the Board of Directors and signed by the Chairperson of the Board; provided, however, that the Board may authorize the General Manager to execute said contracts on behalf of the Board.
- 9) Lowest Responsible Bidder  
In addition to price, in determining the "lowest responsible bidder", consideration will be given to quality and performance of the supplies to be purchased or services provided by the seller. Criteria for determining low bid include, but are not limited, to the following:
- a) The ability, capacity and skill of the bidder, to perform the contract or provide the supplies or services required.
  - b) The ability of the bidder to provide the supplies or services promptly, or within the time specified, without delay or interference.
  - c) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
  - d) The quality of bidders performance on previous purchases or contracts.
  - e) The ability of the bidder to provide future maintenance, repair parts and services for the use of the subject of the contract.
  - f) The previous and existing compliance by the bidder with laws and provisions relating to the contract.
  - g) The sufficiency of the financial resource and ability of the bidder to perform the contract.

- h) The number and scope of conditions attached to the bid.
- i) Those products and vendors which have earned their standing as “environmentally and socially sound”, will be prioritized when considering purchase contracts. A reasonable effort will be made to determine whether products meet these criteria, but by no means shall the effort and costs of exploring these options exceed the benefit to the District. In making this determination, Staff shall weigh the merits and benefits of alternative products on a case-by-case basis, and shall use judgment to acquire products or select vendors that will provide the best product, while meeting the goal of promoting environmentally and socially sound products.

10) Inspection and Testing

The District shall inspect supplies delivered and services performed to determine their conformity with the specifications set forth in the purchase order or contract. The District may require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specifications.

11) Purchasing Rules and Regulations

The purchasing agent shall prepare purchasing rules and regulations as may be necessary for the procurement of supplies and services which shall include, among other things, control procedures, to supplement the provisions of this resolution.

12) Severability

This policy shall be liberally construed and applied, in order to fully promote its underlying purposes for controlling purchases for park maintenance, improvements and recreation programs for the Isla Vista Community. If any section, subsection, phrase or clause of this policy is, for any reason, held to be invalid, such decision shall not affect the validity of the remainder of this policy. The Board of Directors of the Isla Vista Recreation and Park District hereby declares that it would have adopted this policy and each section, subsection, sentence, phrase or clause thereof, irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses be declared invalid.

**POLICY TITLE: SIGNATURE AUTHORITY ON DISTRICT WARRANTS 3110**

**3110.010** This policy establishes regulations and procedural guidelines relative to signature authority on District warrants.

**3110.020** The Board of Directors of the Isla Vista Recreation and Park District has resolved that any one or more of the following three persons, acting alone or jointly, as provided in the paragraph below, the Chairperson of the Board of Directors, the Vice Chairman of the Board of Directors and the General Manager of the District are authorized to withdraw funds of the District from its accounts, to sign checks and drafts against said accounts for and on behalf of the District and to endorse and deposit in said accounts, certificates of deposits and drafts payable to the District.



**3110.030** As a matter of District policy, warrants for all business related expenses incurred by the District shall be approved in the following manner:

- 1) Facsimile Signatures - The District's facsimile signature is for the General Manager. The facsimile signature may be used for computer printed warrants of \$5,000 or less.
- 2) Handwritten Signatures - Handwritten signatures are required for all hand typed warrants and for computer-printed warrants in excess of \$5,000. Handwritten signature guidelines are as follows:
  - a) The General Manager is authorized to sign all warrants that are within the Board approved budget and work plan.
  - b) All other warrants must be manually signed by the General Manager and the Chairperson.

**3110.040** Warrants issued solely for the purpose of transferring revenues from the revenue collection funds or accounts to the operating accounts must have the handwritten signature of the General Manager.

**3110.050** Warrants or other authorizations for refunding facility use deposits or class registration fees requires the handwritten signature of the General Manager alone.

**3110.060** The General Manager is authorized to sign Letter of Credit applications and related credit documentation forms on behalf of the District. Accordingly, the General Manager is authorized to withdraw funds of the District from its accounts to be used as Letter of Credit collateral and to pledge and deposit said collateral funds in Certificates of Deposit, designated bank accounts or other investment vehicles in support of Letter of Credit applications required for various District work projects.

**POLICY TITLE: PRIVATE USE OF EQUIPMENT/MATERIAL/SUPPLY 3120**

**3120.000** It is the policy of the District that the private use of District equipment, materials, and supplies shall be prohibited, except as provided below. District equipment, materials, and supplies shall not be used for personal or private purposes, either on District premises or elsewhere, by District employees or others, under any conditions. Employees who violate this regulation are subject to termination, disciplinary action, and/or criminal prosecution.

**3120.001** The term "District equipment materials and supplies" shall mean all District property, including hand tools, power tools, automotive equipment, office equipment, and supplies, construction materials, etc.

No distinction is made as to condition of equipment and materials. This regulation applies equally to items classed as salvage, scrap, or junk.

**3120.002** A copy of this regulation shall be posted on each employee bulletin board at least twice a year. All new employees shall be informed of the provisions of this regulation. This section is directory only and failure to report and inform will not justify or excuse a violation of this regulation.

**3120.003** The General Manager or persons authorized by the General Manager may loan tools and or recreation equipment in support of District sponsored programs or events. Tools and or recreation equipment may be loaned to private groups and persons if the use of the tools and/or equipment has a substantial public benefit to the community of Isla Vista.

**3120.004** Examples of tools that may be loaned included shovels, hoes, pitchforks, brooms, grapplers, etc. Recreation equipment such as footballs, basketballs, frisbees, etc., may be loaned. Under no circumstances shall power tools or machinery be loaned to private groups and persons.

**POLICY TITLE: SURPLUS SUPPLIES MATERIALS AND EQUIPMENT 3121**

**3121.01** The General Manager may authorize the abandonment, destruction, trade-in, sale, or exchange of supplies materials or equipment which cannot be used by any department or are no longer used, or are obsolete, worn-out, or unsuitable for use, on items with a \$500.00 value or less.

**3121.02** Board approval is required for abandonment, destruction, trade-in, sale, or exchange of supplies materials or equipment which cannot be used by any department or are no longer used, or are obsolete, worn-out, or unsuitable for use, on items with a value more than \$500.00.

**3121.03** Said surplus supplies or equipment may be donated to public bodies, charitable, civic or non-profit organizations, provided District property has nominal commercial value or the estimated cost of continued care, handling, maintenance, or storage would exceed the estimated proceeds of sale. Otherwise they will be sold by auction or other reasonable method.

**3121.04** A record shall be maintained of all items which are disposed of in accordance with this policy. Said record shall include a description of the item, the means of disposal, and the proceeds, if any, from the sale of an item.

**3121.05** Surplus items identified by the General Manager may be sold during a public auction. Closed bids will be given to the General Manager or appointed representative for each item being sold. The District maintains the right to reject all bids for items received at the auction. A public notice shall be posted on the public bulletin board and in a local paper of general circulation indicating the time and place of auction. A general description of items to be sold will be included in the public notice.

**POLICY TITLE: LOST AND UNCLAIMED PERSONAL PROPERTY 3122**

**3122.000** When lost, abandoned, turned in or otherwise unclaimed personal property or money comes into possession of the District, it shall be held and stored in

a safe place until it is claimed. If the owner or person entitled to possession thereof fails to claim the property within a fourteen (14) day period, the property or money shall be offered to the employee(s) who found and turned in the property or money as long as the value of the property is less than \$100. If the property has a value greater than \$100, it shall be forwarded to the Santa Barbara County Sheriff's Office. Should the employee not accept the property or money, the General Manager shall proceed with the sale or disposal of the property in accordance with the procedure outlined in the policy relating to disposal of surplus supplies and equipment. Monies shall be deposited in the General Fund. All lost or abandoned property with no identifiable owner that is perishable, aromatic or potentially contagious may be disposed of immediately at the discretion of District Staff. Examples would include, but not necessarily be limited to, food and organic items, heavily soiled clothing, mattresses or upholstered materials or other items, which could be reasonably deemed to be contagious. Under no circumstances will the public be allowed to dig through the District's solid waste receptacles in search of disposed property as allowed under this policy.

When any District employee in the performance of their duties procures lost, abandoned or unclaimed property or money, it shall become the property of the District and shall be disposed of in accordance with this policy.

**POLICY TITLE: OPEN SPACE ORDINANCE 3123**

**3123.000** The Isla Vista Recreation and Park District encourages subdividers to provide parks and recreational facilities and open space areas for the health, safety, and general welfare of residents and property owners of subdivisions; to make park and recreational facilities immediately available for residents and property owners in subdivisions; to keep children off the streets and away from places exposing them to dangers and harmful influences; and to encourage the orderly development of the County. This policy is intended to promote recreation mitigation of new development occurring in or adjacent to Isla Vista.

**POLICY TITLE: IDENTIFICATION AND LEASE OF REAL PROPERTY 3125**

**3125.000** The Board of Directors of the Isla Vista Recreation & Park District has determined that it will be necessary for the District to establish additional revenue sources to provide basic and essential public recreational services for the residents of the District. The Board of Directors has further determined that it would be possible, in many instances, to lease real property owned by the District in order to generate additional revenue for the District without detriment to the services provided by the District. The Board has also determined that in certain instances the lease of real property owned by the District would actually enhance the recreational programs and facilities offered by the District. It is the intent of the District in this policy to provide an orderly procedure for the identification and lease of property which could profitably be leased by the District.

**3125.001** It is anticipated that real property owned by the District which would be available for lease to others will generally fall into one or more of the following categories:

- 1) Undeveloped Real Property: Real property which has been acquired by the District for park and recreational use which has not yet been developed or placed in use for park and recreational purposes.
- 2) Supplemental Use Real Property: Real property which has been placed in use for park and recreational purposes, or for which such uses have been planned, which can accommodate additional commercial, industrial, cultural, or agricultural use without significant detriment to existing or planned park and recreational use of the site.
- 3) Enhanced Use Real Property: Real property at sites which have an existing or potential park and recreational use which can be enhanced by the lease of real property at the site for commercial, industrial, cultural, or agricultural use.
- 4) Developed Real Property: Real property which has been developed by the District for park or recreational use which can be operated and maintained more economically or more effectively for the benefit of the District and its residents under lease.
- 5) Surplus Real Property: Real property which has been determined to be surplus to the present and foreseeable needs of the District, including real property, which may be used by other entities for park and recreation purposes, or for housing available to persons and families of low and moderate income.

The Board of Directors of the District shall periodically inventory all real property owned, held, or controlled by the District to determine which property, if any, shall be made available for lease by others. The identification of such real property for lease shall also establish which of the foregoing categories shall be applicable to said property.

**3125.002** Before offering real property for lease, the Board shall make the determinations and findings necessary for lease of the particular parcel of real property involved. With regard to all types of real property owned, held, or controlled by the District, the Board shall determine the potential uses for which the site will be offered for lease. In determining the uses which will be permitted at the site, the Board shall consider the impact such uses will have upon the site itself and upon the neighborhood in which the site is located, environmental factors associated with such use, the desires of residents, property owners, and businesses in the vicinity of the site, the economic profitability to the District of various potential uses, and such other factors as may be determined by the Board to be applicable to the site. In addition to the determinations and findings set forth above, the Board of Directors shall also make the additional determinations and finding hereinafter set forth with regard to each individual type of real property which is considered for lease. The determinations and findings made by the Board pursuant to this policy may be made concurrent with the identification and categorization of such property as being available for lease. However, they may be made in response to specific inquiries or proposals for the lease of real property or at such other times as may be determined by the Board to be appropriate. The determinations and

findings required to be made by the Board of Directors pursuant to this policy shall be adopted by a vote of 2/3's majority vote of the Board of Directors of the District.

**3125.003** Real property which has been acquired by the District for park and recreational use which has not yet been developed or placed in use for park and recreational purposes may be leased to other entities or persons for use until such time as control of said property is required for development or use for park and recreational purposes. Prior to offering such real property for lease, the Board of Directors shall determine, on the basis of information available to the Board at that time, approximately when control of the property will be required for development or use for recreation and park purposes. In making this determination, the Board shall consider the recreational needs of the potential users of other site, growth patterns in the area of the park site, availability of funds for development and use of the site, development problems of the particular site, potential interim recreational uses, and such other factors as the Board deems applicable to the individual site. The duration of leases of undeveloped real property shall be no greater than the period of time during which the property shall not be required by the District for development or use for park and recreational purposes. Such leases shall, however, normally be shorter periods of time to provide flexibility in the District's planning for the use of such sites.

**3125.004** Real property which has been placed in use for park and recreational purposes, or for which such uses have been planned, which can accommodate additional commercial, industrial, cultural, or agricultural use may be offered for lease to other entities and persons provided that the Board of Directors makes the determinations and findings provided for in this paragraph. The Board of Directors must determine and find that the additional uses proposed for the site shall have no significant detrimental effect on existing or planned park and recreational uses for said real property. Further, the Board shall determine and find that the revenues and other benefits to be received by the District as a result of the lease of the property offset any detriment to park and recreational use and provide significant benefit to the District. The portions of the site which shall be offered for lease for such purposes shall be specifically identified and described. The Board may also identify actions which shall be taken by the potential Lessee to mitigate the detrimental effects of the supplemental use.

**3125.005** Real property at sites which have an existing or potential park and recreational use may be leased for commercial, industrial, cultural, or agricultural uses which will enhance the park and recreational use of the property, provided that the Board of Directors makes the following determinations and findings with regard to said real property. The Board shall determine that the overall park and recreational use of the site will be enhanced by the lease of a portion of the site for commercial, industrial, cultural, or agricultural purposes. The Board shall also specifically identify the portions of the site which shall be offered for lease for such purposes. The Board shall determine that the leasing of property at the site for the specific uses identified will result in economic benefit to the District greater than that which would be realized if the District itself provided the services which would result from the lease.

**3125.006** Real property which has been developed by the District for park and recreational use may be leased in part or in total to other entities and persons for use as a recreational facility provided that the Board of Directors makes the determinations and findings provided for in this paragraph. First, the Board must determine and find that the lease of the site will not restrict or diminish the availability of the real property for use by residents of the District, and that the recreational services offered will be at least equivalent to those which would be offered by the District if it operated and maintained the site. Further, the Board shall determine that said real property will be operated, maintained, and made available to the public at a reasonable cost. The Board shall also determine and find that the lease of the site, as opposed to maintenance and operation by the District will result in economic benefit to the District. The Board shall determine and find that the interests of the residents of the District, the interests of the residents, property owners, and business in the vicinity of the site, and interests of the District will be benefited by the lease of said real property.

**3125.007** Real property which has been determined to be surplus to the present and foreseeable needs of the District may be leased to other entities or persons, provided that the Board of Directors makes the following determinations and findings. First, the Board shall determine that the public benefit of a lease of said property is expected to be greater than the public benefit which would result from the sale or other disposition of the property. The Board shall further determine that a reasonable expectation exists that future public needs justifies retention of the ownership of the property. If the property to be leased is adjacent to, or a portion of real property which is, or will be, used for other governmental activities, the Board shall determine that the lease of such property will not interfere with the use or development of the remaining public property. Surplus real property will normally be sold or disposed of pursuant to the District's policies and procedures for the identification and disposition of surplus real property. However, if the Board makes the foregoing determinations, it may offer such real property for lease. If the Board determines that it would be beneficial to the public to offer said property for lease for park and recreation purposes or for housing available to persons and families of low and moderate income, the Board shall follow the procedures set forth in its policy for the identification and disposition of surplus real property, except that the real property will be offered for lease, rather than sale.

**3125.008** Before ordering the lease of any real property, the Board of Directors shall, in a regular open meeting, by a four-fifths vote of all its members, adopt a resolution declaring its intention to lease the real property to a responsible entity or person. The resolution shall describe the real property proposed to be leased in such a manner as to identify it, and it shall specify the minimum rental, and the terms upon which it will be leased. The resolution may also specify the qualifications, experience, and financial backing required to be possessed by entities and persons submitting proposals or bids for lease of real property. The resolution shall fix a time not less than three (3) weeks thereafter for a public meeting of the Board of Directors to be held at its regular place of meeting, at which time the sealed proposal to lease will be received and considered. If the Board, in its discretion,

determines that it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the fact that such a commission will be paid, and the rate thereof, shall be specifically provides for the payment of same, and there is contained in or with the sealed proposal or stated in or with the oral bid, which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall be paid only out of money received by the District from the lease.

Notice of the adoption of the resolution and of the time and place of holding the meeting shall be given by posting copies of the resolution signed by the Chairperson of the Board in three public places within the District not less than 15 days before the date of the meeting, and by posting the notice in the Isla Vista Park District and any other area in which said property may be located, pursuant to Government Code Section 6063 (three weeks). In addition, the Board may purchase advertising space and may advertise the proposed lease in such newspapers, magazines, and other periodicals as, in its judgment, will best publicize the sale to those persons most likely to bid for and lease the property. The Board may also provide for the mailing of notice to real estate brokers and to entities and persons who may have an interest in the lease of said property.

**3125.009** At the time and place fixed in the resolution for the meeting of the Board of Directors, all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the Board. Of the proposals submitted which conform to the terms and conditions specified in the resolution of intention to lease and which are made by responsible bidders, the proposal which is the highest shall be finally accepted, unless a higher oral bid is accepted, or the Board rejects all bids. In determining which is the highest sealed proposal, the Board shall not subtract therefrom the commission that has been authorized, which the proposal provides shall be paid to a licensed real estate broker; if the highest bid provides for said commission specified in the resolution.

Before accepting any written proposal, the Board shall call for oral bids. If, upon the call for oral bidding, any responsible entity or person offers to lease the property upon the terms and conditions specified in the resolution for a price exceeding by at least five percent the highest written proposal which is made by a responsible entity or person, such highest oral bid shall be finally accepted. In determining which is the highest oral bid, the Board shall not subtract there from any commission to be allowed to a licensed real estate broker stated in or with the oral bid, but the Board shall allow a commission at the rate specified in the resolution. Such commission shall not exceed one-half the difference between the highest sealed proposal and the highest oral bid were procured by licensed real estate brokers, then the commission shall be divided between them. In such a case, one-half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the lease shall be paid to the broker who procured the lessee to whom the lease was confirmed.

**3125.010** The final acceptance by the Board of Directors may be made at the same session as bids are opened or at a subsequent meeting of the Board held not

later than thirty days after the opening of the bids. Acceptance of a proposal or bid for lease shall be by a vote of at least four (4) of the members of the Board of Directors.

The Board of Directors may, at the meeting scheduled for the consideration of bids, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from lease. The Board may waive any irregularities or inconsistencies of a proposal or bid as it relates to the Notice or Intention to Lease Real Property, provided that it would be in the best interests of the District to do so.

Any resolutions of acceptance of any proposal or bid made by the Board of Directors shall authorize and direct the Chairperson of the Board, or other presiding officer or member thereof, to execute a lease and to deliver it upon performance and compliance by the lessee of the executory terms and conditions to be performed.

**3125.011** In determining whether to accept a written proposal or an oral bid submitted for the lease of District real property the Board shall consider, in addition to the other factors provided for in this policy, the capability of the entity or persons submitting the proposal or bid to perform the lease in a manner which will be satisfactory to the District. Whether or not the resolution declaring intention to lease real property specifies the qualifications, experience, and financial backing required to be possessed by potential lessees, these factors shall be considered by the Board in awarding a lease. Before awarding a lease, the Board shall determine that the potential lessee possesses the qualifications and experience necessary to perform the lease satisfactorily. The Board may also review the potential lessee's actual performance of other leases to determine satisfactory manner. Further, the Board shall consider whether the potential lessee has the capital or financial backing to perform its obligations under the lease. In order to make these determinations, the Board may require potential lessees to submit detailed information with regard to qualifications, experience, and financial status. An entity or person submitting a written proposal or oral bid will be determined to be a responsible proposer or bidder only if the qualifications, experience, and financial backing of the entity or person indicate that the potential lessee will have the capability of performing the lease satisfactorily.

**3125.012** The Board has determined that the procedure set forth in this policy for the leasing of real property in response to the proposals and bids submitted by responsible entities and persons will normally consume a minimum of approximately three (3) months from the time a particular parcel is determined to be available for the lease until such time as a lease has been approved for that parcel. During the time that the District is following the procedure for lease of real property, a particular parcel may be standing idle, rather than benefiting the community and providing revenue to the District. In order to avoid such loss, the Board of Directors may lease to responsible entities and persons real property owned by the District which would be available for lease to others for a period of up to four (4) months without following the procedures set forth in this policy relative to declaring its intention to



lease the real property and soliciting the submittal of written proposals and oral bids for the lease of the property. The Board may, instead, determine the fair market rental value of the property and lease said property to a responsible entity or person at that fair market rental value for a period of up to four (4) months. A lease awarded pursuant to this paragraph shall not be renewable, and it shall not be extended for additional periods of time, unless the District is in the process of seeking a lease which will be equivalent to or supersede the short-term lease, and the procedure for leasing the property in response to proposals and bids has not yet been completed. In such a case, the short-term lease may be extended until a lease has been awarded pursuant to the bidding procedure spelled out in this policy, provided that in no instance shall such an extension of time extend for a period in excess of four (4) months. Short-term leases shall be granted by the Board only upon approval of at least four (4) members of the Board of Directors.

**3125.013** As an exception to the procedures set forth in this policy for the lease of District real property pursuant to the proposal and bid process, the District may award short-term, terminable leases for the uses of undeveloped real property and developed real property owned or controlled by the District for which the fair market rental value is five hundred dollars (\$500.00) per month or less. Such leases shall be for a period of no more than twenty-four (24) months, and they shall be renewable for a term of no more than twelve (12) additional months. Such leases shall contain a provision which specifically provides that the lease may be terminated by the District, in its sole discretion, by giving to the lessee ninety (90) days written notice of its intention to terminate the lease. Such leases may be terminated by the Board for any reason, in the sole discretion of the Board. However, such leases shall normally be terminated only if the real property is needed for park, recreation, or other governmental use, or if the property can be leased to another lessee for a monthly rental which is at least twenty-five percent (25%) greater than the rental paid by the existing lessee. Prior to terminating an existing short-term, terminable lease so that the property can be leased to another lessee at a higher rent, the District shall secure from the new lessee a cash deposit equal to at least three (3) months rent at the increased rental amount plus a security deposit appropriate for said property. If the District receives a bonafide offer from a different potential lessee to lease property which has been leased under a short-term, terminable lease, the lessee holding the short-term, terminable lease shall be permitted to match the increased rental which has been offered and thereby continue its lease. If the District elects to terminate a short-term, terminable lease which has been granted for use of the real property for agricultural purpose, and if crops have been planted on the property prior to the giving of written notice by the District of its intention to terminate the lease, the lease shall not be terminated until such time as the lessee has had sufficient time to harvest said crops. The lessee shall not, however, be granted additional time for the harvesting of crops if the lease is being terminated so that the property can be used for recreation and park purposes. Short-term, terminable leases granted pursuant to this section shall be by a vote of 2/3 majority vote of the members of the Board of Directors.

**3125.014** Permits to use District real property for a maximum of forty-eight (48) hours may be granted by the General Manager for the exclusive use or nonexclusive use

of undeveloped real property or for the nonexclusive use of park and recreational purposes upon a determination by the General Manager that the use to be made of the real property will not result in significant detriment to the real property or to the park and recreational use of the real property, and that the granting of a permit to use will be economically beneficial to the District. Permits to use District real property for a maximum period of seven (7) consecutive days may be granted by the Board of Directors for the exclusive use or nonexclusive use of undeveloped real property or for the nonexclusive use of real property which has been placed in use for park and recreational purposes upon a determination by the Board of Directors that the use to be made of the real property will not result in significant detriment to the real property or to the park and recreational use of the real property, and that the granting of a permit to use will be economically beneficial to the District. Short-term permits granted by the Board of Directors pursuant to this section shall be approved by at least four (4) of the members of the Board of Directors. Permits to use real property for a period of up to seven (7) days, granted pursuant to this section, shall be exempt from the requirements of this policy for the lease of District property.

**3125.015** The foregoing policy for lease of real property owned, held, or controlled by the District shall not be applicable to the District's procedures and policies with regard to the granting of permits to use District owned real property and facilities to entities providing recreational programs for residents of the District. Further, the foregoing policy for lease of District real property shall not be applicable to joint ventures established by the District with other entities for the construction, financing, maintenance, or operation of recreational facilities and activities within the District.

**POLICY TITLE: TREE MAINTENANCE POLICY 3130**

**3130.010** Tree maintenance and tree removal in District parks and open spaces shall be performed no more than is necessary for (1) safe enjoyment of the park or open space, (2) the healthful growth and development of the trees, and (3) fostering wildlife habitat consistent with the use and location of the parks and open spaces.

It is accepted as a broad policy that costs are associated with tree maintenance. For that reason, no tree shall be removed for the sole reason that it is more economical to do so than provide necessary maintenance in order that the tree may thrive. Those costs associated with tree maintenance, and that economy shall not be the sole concern in any aspect of tree maintenance or removal. To the greatest extent possible, the health of the tree will have precedence.

It is deemed desirable to allow native trees to exist in their natural state and condition unless the trees are determined to be a public hazard.

Trees that have died due to natural causes are recognized as important habitat that supports a diversity of flora and fauna. Dead trees shall be allowed to remain, when in the judgment of the General Manager, it is determined that the dead tree poses no safety risk to District employees and/or to the public. The General Manager shall also consider the aesthetic effects of leaving a dead tree in the park.

The General Manager or designee will exercise their informed judgment in the area of conflict between the goal of eliminating tree risk and that of not removing trees or portions of them unless absolutely necessary.

In areas of special concern or instances of questionable maintenance or removal, a Certified Arborist may be required to submit a recommendation for a course of action to be taken.

**3130.020** The General Manager or designee shall have the authority for removal of any tree or portion thereof from public land within a District park or open space if any of the following conditions exist:

- 1) The tree is completely dead.
- 2) A tree of any size, living or dead, is determined to be an immediate danger to the health and safety of the public. Risks to park visitors from identified tree hazards will not be permitted.
- 3) The tree is infested by insects and/or disease organisms to the point that it cannot recover and its continued presence threatens the health of neighboring trees.
- 4) The tree is decayed to the point that removal of the dead material will lead to a tree that will not return to being a full and healthy tree or the structural integrity and strength of the tree is compromised.
- 5) The tree is leaning to the point that corrective measures such as lightening the top, or other removal, or supporting the trunk will not eliminate a specific public hazard.
- 6) The tree is determined to have a root system not capable of holding the tree upright and is so damaged that its death is consider imminent.

If a tree is removed from public land within a District park or space, said tree shall be replaced as follows:

- 1) Each removed trees shall be replaced with at least three (3) natives when appropriate.
- 2) Removed tree shall be replaced in the same park unless replacement will interfere with planned improvements in the park. If not replaced in the same park, tree shall be replaced in the nearest park.

**POLICY TITLE: ORGANIC POLICY 3140**

**3140.030** The use of materials for gardening (fertilizers, pesticides, herbicides, fungicides) shall be compliant with the United States Department of Agriculture, National Organic Program. No blood or bone meal may be used.

(Amended per board motion 120411-03 JL)

**3140.040** Integrated pest management techniques will be used.

(Amended per board motion 120411-03 JL)

**3140.070** In the event that organic methods have failed and/or the public health or safety are endangered the General Manager shall report such events to the Board of Directors and recommend a course of action.

(Amended per board motion 120411-03 JL)

**POLICY TITLE: ASSESSMENT AND SPECIAL TAX APPEAL PROCESS 3150**

**3150.010** Appeals from the levy of assessments for Assessment Districts and Special Tax. Appeals of assessments or special taxes levied by the District will be conducted in accordance with the following procedures: Notice of Right to Appeal. Within ten (10) days after the special tax and assessments for each year have been levied, the District shall cause a Notice of Right to Appeal to be published once a week for two successive weeks in a newspaper of general circulation within the District, and will post said notice in at least three (3) prominent places within the District. Such notice shall be substantially in the form contained in Section 2 of this procedure.

**3150.020** The notice shall read as follows:

NOTICE OF APPEAL PROCEDURES FOR ISLA VISTA RECREATION AND PARK DISTRICT ASSESSMENT DISTRICT NO. #2 & #3 and SPECIAL TAX FOR PARK MAINTENANCE AND IMPROVEMENTS AND RECREATION PROGRAMS.

"Appeals from, or objections to, the levy of the special tax and assessment for the fiscal year 20\_\_\_\_ may be filed with the Isla Vista Recreation and Park District, in writing, on or before \_\_\_\_\_, 20\_\_\_\_. Copies of the appeal policy may be obtained at the Park District office located at 961 Embarcadero Del Mar, Isla Vista, California 93117. If you do not file a written appeal within the time prescribed, you will lose your right to object to the tax and the assessment."

**3150.030** Appeals of the amount of the special assessment or of the special tax ( both referred to as the "assessment") for a parcel, or any component of the assessment, must be made in accordance with the following:

An appeal shall be initiated by the owner of any property subject to the levy of an assessment (herein called "Taxpayer") by written application to "Board of Directors of the Isla Vista Recreation & Park District, 961 Embarcadero Del Mar, Isla Vista, California, 93117." The application must be received no later than one hundred and fifty (150) days after the levy of the assessment. If the application is received within said 150 day period, the assessment may be corrected for the current and all future years, if appropriate. If the application is not received within said 150 day period, the assessment may be corrected for future years only, if appropriate. However, if the reason for a change of the assessment is a district clerical error, the correction may also be made for one prior year if the application

is received within the 150 day period, and for the current year if the application is not received within said period.

Any such application for reduction shall set forth all facts upon which the taxpayer relies as support for the assessment reduction sought. The application must give the mailing address of the taxpayer, must specify by the street address or assessor's parcel number the location of the parcel for which the assessment is being appealed and must contain a statement under penalty of perjury that the facts set forth in the application are true. If the district's staff and the appealing taxpayer do not agree on a resolution of the matters presented by the appeal, the application shall be set for hearing before the Board of Directors of the Isla Vista Recreation and Park District (the "Board") as soon as reasonably possible. Notice of such hearing shall be mailed to the appealing taxpayer at least fourteen (14) days in advance of the date of the hearing. Filing of an appeal is not grounds for failing to timely pay the entire assessment specified as due on the tax bill. A record of all appeals consisting of the written application and the decision of the Board will be available as public record.

The taxpayer is not required to be present at the hearing. If present, the taxpayer may present any relevant evidence and may be examined under oath by the District's representative and by members of the Board. The District's representative may also present any relevant evidence and may be examined under oath by the taxpayer and by members of the Board. The burden of proof on any factual questions shall be on the taxpayer.

Within forty (40) days after the hearing, the Board, by majority vote, shall determine if any component of the assessment shall be adjusted and by how much. If the assessment is reduced or increased as a result of the decision of the Board, the assessment shall be refunded or collected, insofar as feasible, in the same manner as secured roll ad valorem property taxes.

**POLICY TITLE: LEGAL POLICY 3160**  
**(Policy amended per motion 081204-03 GB)**

**3160.01** There shall be no contact of District Legal Counsel by any District Employees, other than the General Manager, *designated staff* and/or authorized Board Members. Individual Board members only contract counsel through Board direction.

**3160.02** The General Manager is the coordinator of all legal contacts with the District's Attorneys. In matters that directly affect the General Manager employment conditions, the responsibility is assigned to a board member, as directed by the board chair. If the Board Member has a legal question, it must be channeled through the General Manager, who may or may not forward the question in writing to the District's Attorneys.

**3160.05** The Board of Directors shall approve a change of legal counsel.

**3160.06** All requests for legal opinions from individual directors must be submitted in writing to the Board. The General Manager will give a written response to the request to the entire Board.

*Grievances are addressed by the Personnel Committee through the Board. The Board when necessary can authorize legal counsel.*

**POLICY TITLE: DRIVING POLICY 3170**

**3170.02** District motor vehicle equipment is clearly identified and operators should be ever conscious of the impression they create with the general public. Respect for traffic laws and attention to the common courtesies of the road will do much to enhance the District's position within the community. Any employee reported of committing traffic violations may be subject to disciplinary action and any fines resulting there from will be the responsibility of the vehicle operator.

**3170.03** Proof of insurance, a copy of accident information form and a copy of the vehicle registration will be maintained in the District's vehicle glove compartment at all times. In consideration of other employees, there will be no smoking in District vehicles.

**3170.04** Unauthorized use of any District vehicle, or transporting of passengers other than District personnel, unless authorized by the General Manager or Supervisor may result in the dismissal of the employee. Employees are required to have their license in their possession, proof of District insurance and a fastened seat belts at all times when operating District vehicles.

**3170.05** Employees are required every October to provide to the District proof of insurance for personally owned vehicles (POV) used for District business. Additionally, every October, employees will provide a current copy of their drivers license for District records. The copy of the drivers license will be placed in the Employee's personnel file.

**3170.06** Employees are required to notify the District in writing in the event that an employee's license is suspended, expired or terminated due to traffic violations and/or failure to renew. The notice must be given to the District within 10 days of receiving notice from the permitting agency that the license has been either suspended, revoked or terminated or from the date that the license expired. Failure to notify may result in discipline up to and including termination.

**3170.07** Driving District vehicles is an essential function of the following Employee positions related to District business; Groundswoker I, Groundswoker II, Streetsweeper, Full Charge Bookkeeper, and General Manager. These positions require that these Employees maintain an acceptable driving record.

**3170.08** An acceptable driving record is defined as an employee's license which has not been revoked, suspended, expired or terminated for any reason. Additionally, the license does not have more than four (4) points credited to the Employee's driving record.

**3170.09** Employee driving records that are not acceptable as defined in this policy are subject to disciplinary action, up to and including termination.

**POLICY TITLE: CODE OF ETHICS 4010**

**4010.10** The Board of Directors of Isla Vista Recreation and Park District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following rules shall be observed.

**4010.11** The dignity, style, values and opinions of each Director shall be respected.

**4010.12** Responsiveness and attentive listening in communication is encouraged.

**4010.13** The needs of the District's constituents should be the priority of the Board of Directors.

**4010.14** The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

**4010.15** Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

**4010.16** Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

**4010.17** Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

**4010.18** Directors should practice the following procedures:

**4010.181** In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve Board decision-making. The nature of the request of information shall be made available to other Board members upon request. Notice of the nature of the request shall be discussed in the next Board packet after the request is made.

**4010.182** In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

**4010.183** In handling items related to safety, concerns for safety or hazards should be reported to the General Manager at the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

**4010.184** In presenting items for discussion at Board meetings, see Policy #5020.

**4010.185** In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

**4010.19** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor.

**4010.20** The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

**4010.21** When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

**4010.22** Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

**4010.23** Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

**4010.24** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

**POLICY TITLE: REMUNERATION AND REIMBURSEMENT 4030**

**4030.10** Members of the Board of Directors shall receive a monthly "Director's Fee" based on attendance, the amount of which shall be annually established by the Board at its regular meeting in July.

**4030.20** Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with Policy #4090. Reimbursement for the cost of the use of a Director's vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

**POLICY TITLE: BOARD CHAIRPERSON 4040**

**4040.10** The Chairperson of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the



Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

**4040.20** In the absence of the Chairperson, the Vice Chairperson of the Board of Directors shall serve as chairperson over all meetings of the Board. If the Chairperson and Vice Chairperson of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

**4040.30** The Chairperson and Vice Chairperson shall be elected once each year at the first meeting in January. **(amended per Board Motion 090115-05)**

**4040.40** Should the offices of Chairperson or Vice Chairperson become vacant, the Board shall elect a successor at the next regular meeting or at a special meeting called for that purpose and such election shall be for the unexpired term of that office.

**(amended per Board Motion 090115-05)**

**POLICY TITLE: MEMBERS OF THE BOARD OF DIRECTORS 4050**

**4050.01** The officers of the District shall be a Chairperson, a Vice Chairperson, a Secretary of the Board, a Treasurer, and a General Manager. The Treasurer shall be the elected County of Santa Barbara Treasurer. The District may also, from time to time, appoint such other officers and agents, counsel and employees, permanent and temporary, as it may require, and fix and determine their qualifications, duties and compensation.

The officers of the District shall perform such duties and functions as may from time to time be required by the District, or the Bylaws, or rules and regulations of the District, or by law.

**4050.02** Board-elect succession shall take place at the first regularly scheduled meeting after the election is certified by the County of Santa Barbara elections office.

**4050.10** Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

**4050.11** Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

**4050.20** Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

**4050.30** Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda.

**4050.40** Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting which the item is discussed (including, if desired, a position on abstention or dissenting vote).

**4050.50** Directors shall recuse from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision making responsibilities.

**4050.60** Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager if information request is excessive General Manager can bring this request to the board for consideration.

**POLICY TITLE: COMMITTEES OF THE BOARD OF DIRECTORS 4060**

**4060.10** The Board shall appoint such ad hoc committees as may be deemed necessary or advisable by the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

**4060.20** The following shall be standing committees of the Board:

**4060.21** Personnel Committee; and

4060.22 Policy and Ordinance Committee; and

**4060.24** Finance Committee

**4060.30** The Board shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

**4060.40** The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Committee Chairperson, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

**4060.50** The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

**4060.51** The Board's standing Policy and Ordinance Committee shall be concerned with updating, revisiting and revising the District Policy Manual and Ordinance to be in line with state mandates, State and Federal laws, protocol and the goals and objectives of the Recreation and Park District.

**4060.60** The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

**4060.70** Committee's shall conduct themselves according to Robert's Rules of Order (revised).

**POLICY TITLE: COMMITTEE SELECTION POLICY 4065**

**4065.10** When a position on a District committee becomes open, the Board shall determine a length of term for the position to be filled and a deadline for the receipt of applications. Applications shall be received for at least three weeks. The application deadline and the length of term shall be included in all advertising.

**4065.20** Openings for District committees shall be advertised in two local papers appropriate to our audience for one day a week for two consecutive weeks. The openings shall also be posted on the District Bulletin Board for two weeks. (Amended by Board Motion 020221-08 EO.)

**4065.30** Applications for District committees shall consist of a one page maximum letter from the applicant that details why she/he should be considered to be a member of the committee and completed FPPC form 700 (financial conflict of interest statement) for applicants for the Personnel Committee, and other committees as directed by the Board of Directors. The application details shall be included in all advertising and posting.

**4065.40** Information for potential applicants shall be made available to persons who contact the District and wish to apply for the opening. The information shall consist of: a copy of the committee's charge, a description of what the committee members' duties entail, including an estimate of the time commitment for the position; and a statement that committee members shall not profit from committee actions. The availability of the information, or the information itself, shall be included in all advertising and postings.

**4065.50** Committee members shall be selected at a regular meeting of the Board, no longer than one regular meeting cycle after the deadline for receipt of applications. The Board reserves the right to reject all applicants and determine a new deadline for applications when committee member selection is discussed (See Policy 5010.10).

**POLICY TITLE: BASIS OF AUTHORITY 4070**

**4070.10** The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

**4070.20** Directors do not represent any factional segment of the community, but are, rather, a part of the body which represents and acts for the community as a whole.

**4070.25** The basis of authority for the District is the Public Resources Code and Landscaping and Lighting Act. The General Manager will provide the Board on an annual basis an update and overview of these acts.

**POLICY TITLE: MEMBERSHIP IN ASSOCIATIONS 4080**

**4080.10** The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

**4080.20** The Board of Directors shall maintain membership in the California Special Districts Association and shall insure that annual dues are paid when due.

**4080.30** The Board of Directors shall maintain membership in the Santa Barbara Chapter of the California Special Districts Association and shall insure that annual dues are paid when due.

**4080.31** At the first regular Board meeting in January a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

**POLICY TITLE: TRAINING, EDUCATION AND CONFERENCE 4090**

**4090.10** It is the policy of Isla Vista Recreation and Park District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District.

**4090.20** District administrative staff shall be responsible for making arrangements for per diem, travel, lodging and registration for Directors attending state and national seminars, workshops and conferences. All expenses shall be reported to the District by Directors, together with validated receipts.

**4090.30** Attendance by Directors of seminars, workshops and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

**4090.40** Upon returning from seminars, workshops, or conferences where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board; if it is not feasible to report at the next regular meeting, the Director will report during the first meeting where a presentation can be agendized, and no later than six months after training. (Amended per Motion 051201-09 EO) Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) shall be delivered to the District office to be included in the District library for the future use of other Directors and staff.

**POLICY TITLE: ROLL CALL 4101**

Before proceeding with the business of the Board, the Acting Board Secretary or his/her deputy shall call the roll of the members, and the names of those present shall be entered in the minutes

**POLICY TITLE: QUORUM 4102**

A majority of the Board constitutes a quorum for transaction of business. Less than a majority may adjourn from time to time, and compel attendance of absent members in the manner and under the penalties prescribed by law.

**POLICY TITLE: CLAIMS AGAINST THE DISTRICT 4104**

Any claim for payment for any service, equipment or supply, which has been previously authorized by the Board or by the General Manager, in accordance with ordinance, shall be paid by the General Manager, without reference to the Board, upon his determination that the service has been rendered or the equipment or materials delivered in accordance with specification.

**POLICY TITLE: REPORTS/RESOLUTIONS FILED W/SECRETARY 4105**

All reports and resolutions shall be filed with the Board Secretary and entered in the minutes.

**POLICY TITLE: COMPENSATION FOR BOARD MEMBERS 4106**

**4106.001** Each Member of the Board of Directors shall receive as compensation for each meeting attended, the amount established by District ordinance. A Board Member may elect to waive the compensation.  
(Amended per board motion 120411-03 JL)

**4106.002** For purposes of this policy, a meeting is as follows: any meeting of the Board of Directors, a standing committee meeting, an Ad-hoc committee meeting, a meeting acting as a representative of the District, and a meeting with the General Manager.  
(Amended per board motion 120411-03 JL)

**POLICY TITLE: BOARD MEETINGS 5010**

**5010.10** : Regular meetings of the Board will occur once per month, to be held on the second Thursday of the month at 6:00 p.m. at the District Office, 961 Embarcadero Del Mar, Isla Vista Ca 93117. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board. (Amended per board motion **110120-03** GB)

**5010.20** Special meetings (non-emergency) of the Board of Directors may be called by the Board Chairperson or by a majority of the Board Members. (Amended per Board Motion 020117-06 EO)

**5010.60** The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

**5010.70** The Chairperson and the General Manager shall insure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

**5010.80** District Staff will prepare a written report to the Board that details for each item of business: 1) a synopsis of the item; 2) a synopsis of any relevant information from previous discussions of the item by the Board, Committees of the Board and public, if any; 3) any new information that Staff may have gathered since the last Board discussion of the item; 4) any action requested by Staff regarding the topic (e.g. "Consider adopting a policy regarding the consumption of alcohol in Sueño Park" or "Consider waiving fees, deposit, and alcohol permit cost for the 18th Annual I.V. Jugglers' Festival in Anisq'Oyo Park on April 1 and 2, 1995"); 5) any anticipated immediate or long-term fiscal impacts of the requested action; and, 6) any staff recommendation for the action requested (e.g. approve, deny or Board policy). This report shall be distributed to the Board and available to the public by no later than 12:00 noon of the Monday prior to any Board meeting.

**POLICY TITLE: BOARD MEETING AGENDA 5020**

**5020.10** The Chairperson, in cooperation with the General Manager, shall prepare an agenda for each regular and special meeting of the Board of Directors. The Chairperson of the District or in the absence of the Chairperson, the Vice-Chairperson shall finalize the agenda. In the absence of both the Chairperson and Vice-Chairperson, the General Manager shall finalize the agenda. Any Director may submit to the General Manager and request that any item to be placed on the agenda no later than 5:00 o'clock P.M. on the tenth day prior to the meeting date. The agenda is finalized at 5:00 P.M. on the tenth day prior to the meeting day.

**5020.20** Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

**5020.21** The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least ten (10) business days prior to the date of the meeting;

**5020.22** The Chairperson shall be the sole judge of whether the public request is or is not a "matter directly related to District business."

**5020.23** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

**5020.30** This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

**5020.40** At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a location that is freely accessible to members of the public.

**5020.41** The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same location.

**5020.42** The order of business of the meetings of the Board of Directors shall be as ordered from time to time by the Board of Directors. Unless otherwise ordered, it shall be as follows:

I. General Items

A. Welcome to All Present

**B. ANNOUNCEMENTS AND APPRECIATIONS**

C. Vox Populi-Any member of the public may speak on any item within the Board's jurisdiction (The Board will not take action on any non-agenda item except as provided for by law.)

**D. ADOPTION OF AGENDA**

E. Revisions to Minutes

**F. COMMITTEE REPORTS**

G. Staff Reports/Selection of Items for Reordering Administrative Staff's Priority List

GM Consent

II. Appeals to The Board

III. Old Business

IV. New Business

V. Adjournment

**POLICY TITLE: BOARD MEETING CONDUCT 5030**

**5030.10** Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of the District. The latest edition of Robert's Rules of Order, Revised shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert's Rules of Order, Revised.

**5030.20** All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

**5030.30** The conduct of meetings shall, to the fullest possible extent, enable Directors to:

**5030.31** Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

**5030.32** Receive information, consider and take any needed action with respect to reports of accomplishment of District operations.

**5030.40** Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

**5030.41** Three (3) minutes may be allotted to each speaker. The Chairperson may extend or reduce the amount allotted to each speaker for each item discussed; depending on factors including but not limited to the relative public significance of the item, time available for the meeting, time needed for other agenda items, number of persons wishing to speak and whether a speaker has spoken previously.

**5030.42** No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

**5030.43** No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors under provisions contained in Policy #1030.

**5030.50** Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the majority of the Board finds that:

- 1) there is in fact willful disruption of any meeting of the Board, and
- 2) that it renders the orderly conduct unfeasible, and
- 3) that order cannot be restored by the removal of the individuals who are willfully interrupting the meeting. They may order the room cleared and subsequently conduct the Board's business without the audience present.

**5030.51** In such an event, only matters appearing on the agenda may be considered in such a session.

**5030.52** After clearing the room, the Chairperson may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.

**5030.53** Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

**5030.54** The use of proxies for Directors is prohibited.

**POLICY TITLE: BOARD ACTIONS AND DECISIONS 5040**

**5040.10** Actions by the Board of Directors include but are not limited to the following:



**5040.11** Adoption or rejection of regulations or policies;

**5040.12** Adoption or rejection of a resolution;

**5040.13** Adoption or rejection of an ordinance;

**5040.14** Approval or rejection of any contract or expenditure;

**5040.15** Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

**5040.16** Approval or disapproval of matters which require the District or its employees to take action and/or provide services.

**5040.20** Action can only be taken by the vote of the majority of the Board of Directors. A majority of the current number of Directors constitutes a quorum for the conduct of business. For example, if there are three (3) seats filled and two vacant, two (2) votes are required to take action, and two Directors constitute a quorum.

**5040.211 Example.** If 3 of 5 Directors are present at a meeting, a quorum exists and business can be conducted. However, if 1 Director abstains on a particular action and the other 2 cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

**5040.212 Example.** If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, 3 Directors must vote in favor of the appointment for it to be approved. If 2 of the 4 Directors present abstain, the appointment is not approved.

**5040.213 Example.** Some actions of the Board require a 2/3-majority vote of the Board and are specified by Code, Statue, and or District Policy.

**5040.31** The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Chairperson, a voice vote may be requested.

**5040.32** A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

**POLICY TITLE: REVIEW OF ADMINISTRATIVE DECISIONS 5050**

**5050.10** The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an

appeal, unless the conflicting provision is a statute or federal law which provides a shorter statute of limitations, in which case the shorter statute of limitations shall apply.

**5050.20** This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations including, without limitation, those affecting personnel operating policies and subject to review under § 1094,5 of the Code of Civil Procedure.

**5050.30** The purpose of this policy is to insure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

**POLICY TITLE: MINUTES OF BOARD MEETINGS 5060**

**5060.10** The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

**5060.11** Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board meeting. Written minutes shall document information as required in this policy section.

**5060.20** An audio tape recording shall be made of each open session meeting of the Board of Directors where practical. Copies of the recordings shall be kept for 30 days on the website after the meeting date, then archived onto a CD or other electronic data/information and kept in storage for 90 days. (Amended per Board Motion **070405-03** GB & **100930-06** GB )

**5060.21** The Chairperson will announce the fact that a recording is being made at the beginning of the meeting, and the recording device shall be placed in plain view of all present, so far as is possible.

**5060.22** Recordings made during closed sessions of the Board are deemed not to be public records.

**5060.23** The recordings, tapes, discs or other electronic data/information storage devices shall be kept in fire-resistant, locked cabinets or in a fire-proof, locked vault.

**5060.30** Resolutions and ordinances shall be recorded in the official minutes as having passed or failed and individual votes will be recorded ( Amended per Board Motion **100930-06** GB)

**5060.31** All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each fiscal year.

**5060.40** The minutes of Board meetings shall be maintained as hereinafter outlined.

**5060.411** Date, place and type of each meeting;

**5060.412** Directors present and absent by name;

**5060.413** Call to order;

**5060.414** Arrival of tardy Directors by name and time;

**5060.415** Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon;

**5060.416** Adjournment of the meeting;

**5060.417** Record of written notice of special meetings;

**5060.418** Record of items to be considered at special meetings;

**5060.421** Approval or amended approval of the draft minutes of preceding meetings;

**5060.423** Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;

**5060.424** All Board resolutions and ordinances in complete text, numbered serially for each fiscal year;

**5060.432** A record of the General Manager's report to the Board;

Delete Policies **5060.425** , **5060.426**; **5060.427** **5060.429** **5060.430** **5060.431** **5060.433** **5060.434** & **5060.435** (Per Board Motion 100930-06 **GB**)

**POLICY TITLE: DEVELOPMENT IMPROVEMENT STANDARDS 6010**

**6010.10** The District shall maintain standard plans and details in order to provide a uniform and consistent method of regulating and guiding the design and preparation of plans for construction of facilities; and/or insuring proper installation of all private works involving Improvement Standards.

**6010.20** The purpose of the Improvement Standards is to provide standards to be applied to improvements and private works to be dedicated to the public and accepted by the District for operation and maintenance. This is necessary in order to provide for coordinated development of required facilities to be used by the public.

**6010.30** It is recognized that it is not humanly possible to anticipate all situations that may arise or to prescribe standards applicable to every situation. Therefore, any items or situations not included in the Improvement Standards shall be designed and/or constructed in accordance with latest edition of the Uniform Building Code as required by the General Manager.

**6010.40** Proposed changes in the Improvement Standards shall be presented to the Board of Directors for their review and consideration. If the proposed change(s) is approved by the Board, staff shall incorporate said change(s) in the originals of said

Standards, and shall annotate the date of said revision approval upon the documents.

**6010.50** Copies of the current Improvement Standards shall be available at the District office and shall be available to interested parties upon request and payment of the cost of producing the requested copy.

**6010.60** District Staff shall only use Redwood lumber only when there is no cost effective alternative available and will not knowingly use any old growth redwood products.

**POLICY TITLE: ENVIRONMENTAL REVIEW GUIDELINES 6020**

**6020.10** General.

**6020.11** These Isla Vista Recreation and Park District Guidelines implement the California Environmental Quality Act of 1970 (CEQA) as amended and insure that consideration is given to the environmental effects of projects which are subject to CEQA. An EIR, or environmental impact report, is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways either to mitigate or avoid the effects. It is an information document which, when fully prepared in accordance with CEQA and these guidelines, will inform public decision makers and the general public of the significant environmental effects of projects proposed to be carried out or approved. The information in an EIR constitutes evidence that the District shall consider along with any other information which may be presented to the District. While CEQA requires that major consideration be given to preventing environmental damage, it is recognized that public agencies have obligations to balance other public objectives including economic and social factors in determining whether and how a project should be approved. Economic and social information may be included in an EIR or may be presented in whatever form the District desires. The District retains its existing authority to balance environmental objectives with economic and social objectives and to weigh the various long term and short term costs and benefits of a project in making the decision to approve or disapprove it.

**6020.12** The regulations contained in Title 14, Division 6, Chapter 3 of the California Administrative Code are incorporated by reference as if set out in full and shall be applicable as they exist from time to time, including additions, deletions, alternations and amendments thereto (called the "State Guidelines"). , except as modified herein, to these procedures (14 Cal. Code of Regs. Section 15022). It is the intent of the District in adopting these guidelines, that they will always conform to and comply with the California Environmental Quality Act and said regulations.

**6020.13** Definitions.

**6020.131** "District" means the Isla Vista Recreation and Park District.

**6020.132** "Board" means the District's Board of Directors.

**6020.133** "District staff" means the District's General Manager or other delegated District employees.

**6020.134** Other definitions as found in 14 Cal. Code of Regs. Section 15350, et seq.

**6020.20** The Secretary of Resources, State of California, has found that specific classes of projects do not have a significant effect on the environment and they are declared to be categorically exempt from the requirement for the preparation of environmental documents. A list of these exemption classes commonly found in District operations, along with the specific activities which the District has found to be within these categorical exemptions follows. The categorical exemptions listed herein are not intended to be, and are not to be construed to be, a limitation of the exemption classes set forth in 14 Code Cal. Regs. Section 15300, et seq.

**6020.2210** Class I: Existing Facilities. Operation, repair, maintenance or minor alteration of all existing District facilities, structures, equipment or other property of every kind which activity involves negligible or no expansion or use beyond that previously existing, including, but not limited to;

**6020.2211** Irrigation systems,

**6020.2212** Sidewalks and pathing,

**6020.2213** Buildings,

**6020.2214** Play equipment.

**6020.2220** Class II: Replacement or Reconstruction. Replacement or reconstruction of any existing District facilities, structures or other property where the new facility or structure will be located on the same site and have substantially the same purpose and capacity as the replaced or reconstructed facility or structure, including but not limited to;

**6020.2221** Sidewalks and pathings,

**6020.2222** Irrigation systems,

**6020.2223** Buildings,

**6020.2224** Play equipment.

For the purpose of determining the extent of this class exemption for play equipment in the same park, the following shall apply: A replacement of play equipment will be considered as categorically exempt under Class II if the replacement is within 10 feet of the existing play equipment, the footprint of the replacement play equipment is no larger than the existing footprint and no substantial clearing of mature trees or bushes is necessary.

**6020.223** Class III. New Construction or Conversion of Small Structures. Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the interior of the structure. Examples of this exemption include but are not limited to;

**6020.2231** Relocation of or modification to facilities appurtenant to irrigation.

**6020.224** Class IV: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature, scenic trees, including but not limited to;

**6020.2241** Grading on land with a slope of less than ten percent (10%), except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;

**6020.2242** New gardening or landscaping but not including tree removal;

**6020.2243** Filling of earth into previously excavated land with material compatible with the natural features of the site;

**6020.2244** Minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;

**6020.2245** Minor temporary uses of land having negligible or no permanent effects on the environment;

**6020.2246** Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal agencies.

**6020.225** Class V: Information Collection. Basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These activities may be undertaken strictly for information-gathering purposes or as part of a study leading toward the undertaking of a project.

**6020.226** Class VI: Inspection. Inspection activities, including but not limited to inquiries into the performance of an operation and examination of the quality, health or safety of a project.

**6020.227** Class VII: Accessory Structures. The construction or placement of minor structures accessory to or appurtenant to existing commercial, industrial or institutional facilities, including small parking lots.

**6020.228** Class VIII: Surplus Government Property Sales. Sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in 14 Cal. Code of Regs. Section 15206. However, if the surplus property to be sold is located in any of those areas even its sale is exempt if;

**6020.2281** The property does not have significant values for wildlife habitat or other environmental purposes; and

**6020.2282** Any of the following conditions exist;

**6020.22821** The property is of such size or shape that it is incapable of independent development or use; or

**6020.22822** The property to be sold would qualify for an exemption under any other class of categorical exemption in Section 6 of these Guidelines; or

**6020.22823** The use of the property and adjacent property has not changed since the time of purchase by the District.

**6020.229** Class IX: Annexations of Existing Facilities and Lots for Exempt Facilities. The following annexations:

**6020.2291** Annexations to the District of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities;

**6020.2292** Annexations of individual small parcels of the minimum size for facilities exempted by Class III, New Construction or Conversion of Small Structures.

**6020.230** Class X: Changes in Organization of the District. Changes in the organization or reorganization of the District where the changes do not modify the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

**6020.231** Establishment of an improvement district;

**6020.232** Consolidation of two or more districts having identical powers;

**6020.233** Merger with a district lying entirely within the boundaries of the District.

**6020.30** Environmental Review Procedures.

**6020.31** The requirements set forth in these Guidelines apply to projects which may have a significant effect on the environment and which involve discretionary governmental action. Where it can be seen with certainty that there is no possibility

that the activity in question may have a significant effect on the environment, the activity is not covered by the requirements set forth in CEQA. However, these Guidelines should be consulted to determine the procedures necessary to verify that conclusion.

Appendix A to the state guidelines.

**6020.40** Preliminary review and initial study.

**6020.41** At the outset, a proposed activity shall be examined by District staff for the purpose of determining whether it is either statutory or categorically exempt or involves another agency as the lead agency (14 Code Cal. Regs. Section 15050, et seq.).

If the District staff determines that the project is exempt from CEQA and the District approves or determines to carry out the project, the District may file with the County Clerk of the county in which the project will be located, a Notice of Exemption on the form provided as Appendix E to the State Guidelines.

**6020.42** If the project is determined not to be exempt and the District is the lead agency, the District staff shall conduct an initial study to determine if the project may have a significant effect on the environment. In making such a study, the District staff shall prepare a written determination-using Appendix I to the State Guidelines.

**POLICY TITLE: PUBLIC INFORMATION PROGRAM 7000**

**7000.001** The Board of Directors of the Isla Vista Recreation and Park District believes in developing, implementing, and maintaining an informative, candid and up-to-date public information program designed to strengthen the democratic process and to solicit citizen participation in the District's various programs and activities. It shall be the duty of the public information official to develop, implement and maintain a comprehensive and up-to-date public information program that will bring issues to the attention of staff, the Board of Directors and the public to obtain citizen contributions and develop sustained support for District programs and activities.

**7000.002** The Board of Directors of the Isla Vista Recreation and Park District does hereby establish a policy to formally develop and maintain a public information program. It further directs the General Manager to implement this policy.

**7000.003** Pertaining to the public information program, it shall be the mission of the General Manager to:

- 1) Create a positive image of the Isla Vista Recreation & Park District by generating a up-to-date flow of verbal, written and visual communication from the Board of Directors and staff to District residents and local, state and national elected officials.



- 2) Write and edit District publications for residents, providing information on District programs and services and encouraging citizen involvement in District programs and activities.
- 3) Provide communications counsel to the Board of Directors and staff on strategies for marketing District services and programs and for promoting District events.
- 4) Identify and research newsworthy topics. Service print and electronic media, alerting them to significant news and public affairs events by means of news releases, conferences and telephone contacts.
- 5) Review, edit and coordinate communications meant for public distribution.
- 6) Maintain regular contact with the general public in order to receive and examine citizen attitudes and concerns.

**7000.004** Goals of the General Manager or his/her designee shall include, but not be limited to:

- 1) Keeping the residents of the Isla Vista Recreation & Park District informed of the District's programs, services, activities and functions so that local residents may participate and gain full benefit from said services, activities and functions and so that each resident can become aware of how and where their tax dollars are spent.
- 2) Enhancing the professional image of the District and increasing the knowledge of the District as a progressive public agency.
- 3) Increasing participation in District programs and cooperation with District policies.
- 4) Planning for and responding to media and community issues.
- 5) Providing a high level of professional expertise for the development of quality written materials.

**7000.005** The General Manager or his/her designee shall use the following approaches in order to achieve the District's public information program goals:

1. **Plan** - The public information official shall use a variety of communication tools to disseminate information designed to keep the Isla Vista Recreation & Park District visible in a positive way;
2. **Preparedness** - The General Manager shall plan for responses to potential media/community controversy. The General Manager shall also be prepared to supply information and background on District operations or personnel as appropriate.

**7000.06** It is generally believed that the audiences of the Isla Vista Recreation & Park District are, but not limited to the following:

- 1) Residents of the Isla Vista Recreation & Park District.
- 2) District Employees.
- 3) Local business and community leaders.
- 4) Local, state, and national elected officials.
- 5) Neighborhood associations located within the jurisdiction of the Isla Vista Recreation & Park District.
- 6) The various news media.
- 7) Professional associations where the District is a member.
- 8) The various publics located outside of the District's jurisdiction where appropriate.

**POLICY TITLE: PROGRAMS FOR CONTRIBUTIONS TO DISTRICT 7010**

**7010.001** The Board of Directors of the Isla Vista Recreation & Park District believes that there are many individuals, clubs, groups and organizations who have either volunteered their time in services to the community or who have made donations or contributions to the community that has helped in the total recreation service, and in so doing, should be honored. It is therefore determined that a planned recognition program be developed to honor individuals, clubs, groups and organizations who have so distinguished themselves.

**7010.002** The Board of Directors of the Isla Vista Recreation & Park District does hereby establish a policy to formally recognize and acknowledge the accomplishments made by citizen volunteers and contributions and donations made by individuals, clubs, groups and organizations. It further directs staff to implement this policy.

**7010.03** Procedure:

- 1) Certificates of Appreciation. Examples of reasons for giving certificates of appreciation might be: Volunteers helping to build a piece of play equipment; a person donating a tree for a park; a group donating a flag pole; etc. The certificates of appreciation should carry the District seal and be signed by the Chairperson of the Board and framed.
- 2) A list of those individuals, clubs, groups and organizations who have given time in service to the community or who have made a contribution or donation that has helped in the total recreation service, shall be submitted by public, board or staff to the General Manager's office for review.
- 3) Those who, in the consideration of the General Manager, have made a contribution or donation or who have volunteered their services to a degree that warrants a certificate of appreciation shall be invited to receive the certificate at a regularly scheduled Board of Directors meeting. All certificates of appreciation are approved by the Board of Directors. The Board of Directors shall endeavor to award certificate of appreciation no later than three regularly scheduled meetings after the service or donation/contribution was made.

4) Volunteer Service Award. A list of volunteers, either as members of a nonprofit foundation, service club or as individuals, who have given time in service to the District in the amount of 50 hours or more of qualified service during a calendar year, shall be submitted to the General Manager's office for review. A special awards ceremony, which may be held at regularly scheduled Board meeting, shall be designated as the appropriate time for awarding volunteer service awards. Volunteer services awards shall be presented in the following manner:

- 1 year..... Certificate of Appreciation
- 3 years.... Service Pin marked with "3 years"
- 5 years.... Service pin marked with "5 years"
- 7 years.... Service pin marked with "7 years"
- 10 years.. Service pin marked with "Veteran Volunteer"

5) Individuals or organizations making major contributions such as large sums of money, property usable for parks, buildings, or equipment, should receive a resolution of appreciation signed by the Board Chairperson and permanently affixed to a walnut plaque. All major contributions shall be approved by the Board of Directors.

6) A list of those individuals, clubs, groups and organizations who have given a considerable amount of time in service to the community or who have made a significant contribution or donation that has helped in the total recreation service, shall be submitted by public, staff or board to the General Manager's office for review. The recipient shall be invited to receive the resolution at a regularly scheduled Board of Directors meeting. The Board shall approve all resolutions and will endeavor to award the resolution no later than three regularly scheduled Board meetings after the service or donation/contribution was made.

7) The Board of Directors award may be given at the discretion of the Board for outstanding service to the community.

8) Administration of the citizen's recognition program shall be handled by the General Manager or his/her designee.

**POLICY TITLE: COMMUNITY PARTICIPANT PROGRAM 7020**

**7020.001** It shall be the policy of the Isla Vista Recreation & Park District to encourage individuals, clubs, organizations and businesses to participate with the District in meeting the leisure-time needs of the community by providing a variety of recreation programs, restoration projects or clean-up events and facilities for all age groups. The two major categories of involving the community in District-related programs are as follows:

**7020.002** Category I - Cooperative Program: A cooperative program is defined as an activity proposed by either the District or any individual, club, group, organization

or business which is recognized by the District as a recreation benefit to the community.

For the purposes of this policy, individuals, clubs, groups, organizations or businesses involved in the District's Community Participation Program shall be called program participants.

**7020.003** In order to be considered for a cooperative program, program participants shall meet the following requirements:

1. A District cooperative program is any activity or program in which a program participant provides financial support or other assistance in a recreation activity and shares in the responsibilities of conducting and administering the activity or program.
2. The activity or program shall clearly be a recreation benefit to the residents of the community

**7020.004** Program Participant's Responsibility for Cooperative Programs:

1. Program participants shall assume the leadership for their activities and are expected to be a self-governing and should not expect the District to become involved in or responsible for liabilities, internal operations, and/or other problems.
2. Program participants shall submit to the District a calendar of events and attendance reports for cooperative programs.
3. Programs participants shall designate a person or persons to act as liaison between the District and the program participant.
4. Program participants shall be responsible for their own financial obligations, financial records, and all matters concerning money.
5. Each program participant shall sign an agreement to hold the District harmless for any liability and maintain public liability insurance with carriers acceptable to the District sufficient to protect the District against any losses attributed to the cooperative program.
6. Program participants shall name the District or make reference to the District on all printed materials and publicity releases that are specifically for cooperative programs.

**7020.005** Applying For Cooperative Program Status:

1. District staff may work closely with program participants and shall give professional or technical assistance as needed.

2. The District may also assist in procuring school district facilities and school busses as needed.
3. The District may provide copying services at a reduced cost to program participants. Program participants shall provide their own typing.
4. The District may provide some direct or in-kind financial assistance to program participants.
5. The District may assist program participants in developing program flyers and posters, writing publicity releases and ordering supplies, equipment and awards.
6. Upon request, the District may serve as a consultant and advisor to program participant's executive body.

**7020.006** Category II - Sponsorship Program: A sponsorship program is defined as an activity of the District which receives financial assistance from any individual, club, group, organization or business which is interested in advertising in any District publication or printed piece. For the purposes of this policy, individuals, clubs, groups, organizations or businesses involved in the District's sponsorship program shall be called sponsors.

**7020.007** In order to be considered for a sponsorship program, sponsors shall meet the following requirements:

1. A District sponsored program involves any sponsor who provides financial support for a District activity or advertises in any District publications or other printer pieces.
2. Advertising in any District publication or other printed piece shall describe the activity in a positive manner.

**7020.008** Because of the limited level of involvement, the sponsor shall incur no liability other than financially supporting the sponsorship program. The District shall provide hold harmless agreements to sponsored program participants.

**7020.009** The District shall assume all responsibilities and liabilities for the administration and implementation of the sponsorship program.

**7020.010** Activities Eligible for Sponsorship Program:

1. Any recreational activity or program of the District shall be eligible for total or partial financial support by a sponsor.
2. Advertising space shall be made available in District publications and other printed pieces to sponsors as a means of obtaining financial support for the costs of printing such materials.

**7020.011** A sponsorship solicitation program shall be established which shall include activity encouraging sponsorship of District activities, programs, publications and other printed pieces. The sponsorship program is not designed to make a profit for the District.

Appropriate recognition will be given to the sponsor. This would include giving the name of the sponsor in all advertising media where appropriate, and on all posters, flyers, programs and awards.

**7020.012** Staff administration of the sponsorship program shall be the responsibility of the General Manager.

**POLICY TITLE: MEMORIAL DONATION PROGRAMS, GRANTS AND GIVING 7030**

**7030.001** The Board of Directors of the Isla Vista Recreation & Park District realizes that there is a need to develop a policy to accept donations of trees, plants, equipment, facilities or money that have been contributed to the District in the memory of someone deceased. The Board of Directors also realizes that a memorial donation program should be established.

**7030.002** The Board of Directors of the Isla Vista Recreation & Park District does hereby establish a policy to formally accept contributions of trees, plants, recreation or maintenance equipment, facilities or cash donations given in memory of someone deceased and administer a program to remember that person when requested by the donor. The General Manager shall be responsible for the administration of the Memorial Donation Program.

**7030.003** Trees purchased by donors should be discouraged. It is preferable that the District receive money instead so that it might select a healthy, vigorous tree with good caliper of trunk, a healthy root system, grown at a tree nursery under controlled conditions and one that is insect and disease free.

**Type of Tree** - The type of tree shall be recommended by the General Manager or his/her designee. Some trees may be appropriate for one kind of park but not for another kind of park. Some trees, because of their nature, may not be acceptable to any park. Examples of unacceptable trees are palm trees, olive trees or certain varieties of eucalyptus trees. These trees are messy and require special cleaning and pruning.

**Size of Tree** - It is preferable that trees in 15 gallon containers or smaller be accepted by the District.

**Park site Selection** - While all parks need trees, the General Manager shall indicate which park or parks shall receive the trees. The General Manager shall prepare an annual tree site selection chart. As trees are donated during the year, the sites shall be crossed off the list. Requests for specific parks and sites within parks shall be honored where appropriate.

Costs incurred by the District for this portion of the program shall include purchasing administration, pick-up from nursery, transport, planting preparation, and planting labor. These costs shall be updated and kept current by the General Manager or his/her designee.

**Scheduling** - The General Manager and his/her designee shall schedule the tree planting at a time whereby the donor may attend and participate in the tree planting activity if desired. In most instances, trees should be planted within 10 days of receipt of the donation.

**7030.004** The procedure for accepting plants in memory of someone deceased shall be the same as those procedures for accepting trees as listed in 7030.003 except for the following differences:

- 1) Plants may come in containers as small as one gallon in size.
- 2) Plants that require excessive maintenance shall not be accepted.
- 3) Plants that pose a potential hazard to park users such as oleanders or plants with thorns are also not acceptable as donations.
- 4) It shall be the duty of the General Manager to maintain a list of acceptable plants for donation.

**7030.005** The procedure for accepting equipment is as follows:

**Definition:** Equipment shall refer to; site accessories such as benches, drinking fountains, picnic tables, bike racks, trash containers, BBQ grills, walkway lights, etc.; play or recreation equipment may include swings, slides, whirls, climbers, etc.; and maintenance equipment such as mowers, pruners, trimmers, etc.

While it is preferable to accept cash to purchase the exact piece of equipment on behalf of a donor, when the District is offered a piece of equipment, it shall be the duty of the Grounds Worker II to inspect each piece of equipment to insure that District safety and design standards are met. Current local, state and federal regulations shall also be considered when inspecting equipment prior to accepting any donation. The District maintains the right to refuse any donation of equipment.

**7030.010** The procedure for accepting facilities is as follows:

**Definition:** Facilities shall refer to; accessory buildings such as picnic shelters and rest rooms; major facilities may include riding trails, multipurpose recreation buildings, stadiums, sport lighting, tennis courts, etc. Undeveloped land and open space land shall also be considered as major facilities.

Due to the magnitude of accepting donations of large facilities, it shall be the duty of the Board of Directors to review such donations based on staff input and Board committee recommendations. All other procedures shall remain in force.

**7030.020** The District shall accept cash donations in the form of actual U.S. currency, personal checks, cashiers checks, money orders and any other form of legal and acceptable money transactions.

**7030.030** The program of recognizing donations made in remembrance is as follows: Memorial plaques should be discouraged for several reasons. There are additional costs of purchasing, affixing and maintaining plaques. Plaques in parks may be subjected to vandalism (which may offend the donors). Plaques may also look unattractive after exposure to the elements for several years. Numerous plaques in one park may have a negative impact on the appearance of the park.

The installation and acceptance of plaques shall be approved by the Board.

**7030.040** Staff is authorized to submit or collaborate on grant applications for \$10,000 or less to support existing programs or for maintenance and repair of existing structures. If feasible, the Board of Directors will approve the application before the submittal. If the Board of Directors does not approve the application, the Board of Directors will be informed of the application at the next Board meeting.

- 1) All grant applications for the development of new facilities or programs and/or in excess of \$10,000 shall be approved by the Board of Directors.
- 2) The Board of Directors of the District shall formally approve the concept of a grant application for the development of new facilities and/or programs in excess of \$10,000 before seeking final approval from a collaborative agency.

**7030.050** The Isla Vista Recreation & Park District shall not solicit nor accept donations, in-kind or cash, from corporations that extract oil from the planet; nor shall Park District employees be paid from donations or gifts from same corporations. This shall not preclude the District from soliciting or accepting oil mitigation funds that are distributed by public agencies or foundations. (Board Motion 020117.05EO)

#### **POLICY TITLE: RULES/REGULATIONS FOR DISTRICT FACILITIES 8000**

**8000.005** In order that the residents of the Isla Vista Recreation and Park District may receive maximum benefit and enjoyment from District facilities and programs, the Board of Directors of the Isla Vista Recreation and Park District hereby establishes the following conditions of use.

**8000.010** The General Manager shall enforce or cause to have enforced the provisions herein and shall have the authority to eject or cause to be ejected from District facilities any person acting in violation of these rules and regulations. Further, the General Manager shall have the authority to deny use of facilities to individuals or groups who fail to comply with these rules and regulations.

#### **8000.020** Rules and Regulations

- 1) No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, bench, table or other structure, apparatus or property; or pick, cut, or remove any shrub, bush, or flower; or mark or write upon any building, fence,



bench, or other structure or erect any structure of any kind; or deposit any earth, rock, or other substance thereon.

- 2) Persons shall be discouraged from walking, climbing, and standing or sitting upon any property not designated or customarily used for such purposes.
- 3) No person shall dump, deposit, or leave any bottles, broken glass, ashes, paper boxes, cans, dirt rubbish, waste, garbage, or refuse or other trash except that incidental to the use of the facility and which must be deposited in the receptacles provided therefore.
- 4) No person other than authorized shall ride a horse or animal of any description onto or over land owned, managed, controlled, or operated by the District other than upon specified areas and at times designated for such a purpose.
- 5) No person shall operate powered or line-attached model crafts of any kind or description or motorized or self-propelled vehicles on or over facilities owned, managed, controlled, or operated by the District except in areas set aside for those specific activities.
- 6) No person shall park or otherwise allow their automobile to remain in District facilities.
- 7) No person shall make or kindle an open fire except in picnic stoves or fire circles provided by the District for that purpose.
- 8) No animals shall be let loose in the parks, except at such times and under such conditions as may be expressly permitted by the District. Dogs must be on a leash.
- 9) No person shall carry or discharge firearms or air-powered weapons or throw stones or other missiles.
- 10) No person shall sell, offer, or solicit for sale any goods, merchandise, or other services without a special permit from the District.
- 11) Betting, gambling, or maintaining gambling equipment is prohibited.
- 12) No "Metal Detectors" for other than that used for District maintenance shall be used in District parks.
- 13) No person without expressed authorization from the District may distribute any circulars, cards, or written matter or post, paste, or affix any placard, notice, or sign within any park.
- 14) No person may play golf or archery in park facilities.
- 15) No person may use fireworks in District Parks.

16) No animals may be tied to fences, trees, poles or other District facilities.

**8000.025** Additional Insurance for Events in District Parks

Park users, who are incorporated as private businesses or nonprofit businesses, including educational entities, must provide the District with a Certificate of Insurance, naming the District as Additionally Insured, for the specific day of park rental for an event.

- 1) Coverage must include accident and liability insurance in the amount of \$1,000,000.
- 2) The Certificate must be provided at Park User's expense.
- 3) The Park District office must receive the Certificate no later than 10 days prior to the day of the event.
- 4) This requirement does not apply to individuals who rent the park for events.
- 5) If this requirement would prevent an event from occurring, then the General Manager is directed to waive the requirement.

6)

**8000.30** The General Manager shall provide any additional rules and regulations to the Board for approval.

**8000.31**

**POLICY TITLE: CONCESSIONS 8010**

**8010.000** The purpose of this policy is to establish procedures for the selection and operation of certain concessions on District-owned property.

**8010.050** Definitions:

**Concession:** A concession is any revenue producing operation performed on property which is under the jurisdiction and control of the Isla Vista Recreation and Park District. A permit or concession contract shall be required for any concession.

**Concessionaire:** A concessionaire is any individual, partnership, association or corporation who is legally responsible for the generation of revenue and the liabilities of operating a concession. The operator of the concession is not a District employee and is a private citizen or firm under contract to the District.

**Concession Contract or Permit:** A concession contract or permit is a legal document executed by the concessionaire and the District which sets forth all the terms and conditions of the agreement between both parties. A District approved concession is a privilege, not a right and shall be revoked at any time for non-conformance or non-compliance.

In order for a concession contract to be considered, it must provide a needed service to the public, generate revenue for the concessionaire and District, and act as an integral part of the overall recreation program. Purpose of the District's concession program is to provide local residents with a balanced program of

worthwhile and pleasant concession services and facilities. A concession may require approval of the Board of Directors.

**8010.060** For the purposes of permitting and regulating concessions, they shall be classified as follows:

1. Special Activity Concession conducts concessions during special activities such as festivals, parades, etc. The maximum period for concessions is ten consecutive days. This type of concession shall be granted for a single location only during the time period prescribed and designated.
2. Seasonal Concession is a concession that may be granted for a maximum period of one year. This type of concession may operate in one or more locations.
3. Long Term Concession is a concession that may be granted for one year or more and allows for more than one location.

**8010.065** The Board of Directors shall establish processing and concession fees during the annual budget hearings.

**8010.070** When the District decides to establish a new concession to meet a specific need, or the District is approached by a prospective concessionaire, Staff will prepare a feasibility study and present the study in a report to the Board with recommendations. Staff's feasibility study shall address specific aspects appropriate to each concession and may include type of concession, how each concession will enhance the overall recreation program while providing local residents with a needed service, economic benefit to the District and impact of concession on surrounding facilities. Staff shall solicit proposals or bids for concessions by advertising in the appropriate media or by contacting prospective concessionaires. Advertising for proposals or bids shall be made when the anticipated gross revenue for any concession shall exceed \$3,000 during the contract term.. Bid procedures shall be in conformance with District policy.

**8010.075** Renewal of Concession Contracts.

Prior to the time of expiration of a concession contract, staff has the option of reviewing the existing contract for renewal or placing the contract out to bid. If renewal is to be considered, staff shall evaluate all terms, conditions, and provisions of the concession contract or permit and the overall performance of the concessionaire.

**8010.080** Exclusive Rights of a Concession.

The exclusivity of a concession shall be determined on concession by concession basis. Unless a specific concession requires exclusivity because of the amount of investment, type of premises, equipment, etc., the District shall not enter into an exclusive contract with any concessionaire.

From time to time, two concessions from different categories (i.e., long term and special activity) may be selling the same type of product or service at the same facility on the same day. Each type of concession shall be granted the same privileges granted all concessions under this policy. Under these circumstances, exclusivity shall not be granted to any one category of concession over another.

**8010.90** Concessions at More than One Facility.

Unless a specific concession requires that it be established at more than one park site, the District shall not enter into a contract with any concessionaire making such a request.

**8010.95** Administration of Concession Contracts.

Concession contract administration shall be the duty of the District's General Manager. Areas of responsibility shall be established among District employees by the General Manager as necessary.

**POLICY TITLE: FEES AND CHARGES 9000**

**9000.10** The general purpose of establishing fees is to support the administration and total operation cost associated with programs and services offered by the District. It shall be the policy of the District to assess fees and charges for certain programs, facility use and special services provided by the District consistent with California State Law. It is expected that the adoption of this fees and charges policy will assist in maintaining a sound base of financial operation for the District.

**9000.20** Program and Service Goals:

Public recreation and park services contribute to the quality of living and well-being of individuals and families within the community. Services also contribute to the attractiveness of neighborhoods and the social and economic progress of the community.

The citizens of the Isla Vista Recreation and Park District have authorized the use of public funds to provide recreation and park services, and their elected state and local representatives have enacted laws to support these services. Therefore, it is the goal of the district to establish, expand and improve park and leisure time opportunities which the citizens cannot supply themselves or which are in the best interest of the public for the district to provide.

It shall be the district's goal to establish and multiply those opportunities which will be personally satisfying, consistent with the varied interests, needs and competencies of the changing population regardless of age, sex, race, creed, social or economic status. Insofar as the park district is able, such opportunities will be directed toward the self-fulfillment, physical and intellectual involvement and cultural development of the individual. Respect for the dignity, autonomy and self-determination of each person will be paramount.

An equally important goal will be to conserve nature and make natural beauty paramount. Recognizing that the harmonious relationship of man and nature is crucial to human life, the District will do everything within its power to help people

enjoy, understand, appreciate, protect, and strengthen their ties with their natural environment. Above all, the District's services and resources will be evaluated primarily in terms of their worth to humans.

Opportunities for social, physical and cultural development, including sports, outdoor living and the performing, graphic and plastic arts, and all of the major leisure interests of the people will be encouraged and multiplied.

The District will also recognize that its services do not stand alone and they are closely related to local planning, housing, health and welfare and to the business, political, cultural and spiritual community, to education in all of its settings and to all the functions of government.

**9000.30 Fees and Charges Policies:**

General Public Programs and Services - It is recognized by the district that certain services and facilities should be open to all citizens free of charge. Therefore, it shall be the policy of the district to provide free of charge such services as neighborhood parks and certain facilities at community parks; non-designated picnic areas, bicycle trails, day use athletic fields, nature trails, play lot areas, fishing areas, playground apparatus, multiple use turf areas, passive areas with seats and benches, parking, designated open space and natural parks, restroom and other general landscaping facilities.

Special Programs, Facilities and Services - It is recognized by the district that all programs, facilities and services cannot be solely financed from tax funds. In an effort to provide comprehensive recreation and park services and programs, a fee for special programs, facilities and services will be charged. A reservation fee schedule shall be established and maintained to partially or totally offset costs incurred in the operation and maintenance of facilities. The total operation of the district's golf courses, swimming pools, recreation lighting, athletic facilities and other special use facilities shall be financed, insofar as possible, from the direct beneficiaries - the users. Such programs that require specialized leaders for special group instruction, pre-school programs, bus trips, athletic leagues, special events, sports, clinics, camps and tournaments and other programs for "special interest" users, shall be financed in part or total by a registration or admission fee.

Insuring Participation - For recreation to be public, it must be available to all citizens regardless of their financial limitations. Regardless of the amount of the fee charged, some families and/or individuals, due to their financial resources, may be prohibited from program participation. Therefore, it shall be the policy of the district to insure whenever possible, all of its citizens, regardless of their economic limitations, the opportunity to participate in basic recreation programs. Families or individuals judged to be financially deprived are eligible for reduced fees, or no fee.

Non-Resident Participation/Reservations - The programs, facilities and services offered by the district are financially supported basically by taxes paid by district residents. Therefore, district residents may be given preference over non-residents.

The district may, in certain programs, determine that it is in the district's best interest to establish a separate and higher non-resident fee. In the case of specialized instructional programs with limited enrollment, it shall be district policy to permit residents the first opportunity to register and to establish a non-resident's fee that will be 25% higher than the resident's fee, but never exceeding the actual cost of providing the program. However, non-residents participation may be desirable for certain programs where increased participation is required for the successful operation of a given program or facility. In such instances, the non-resident fee may be waived.

Priority reservation of certain district facilities, including pavilion(s)/picnic shelter areas, will be given to District residents who reserve the facility between the period of 180-120 days (4-6 months) prior to the date of use. Non-residents will be permitted to make reservations no more than 45 days prior to the date of use.

The District shall offer lower park use fees to Student Groups, Isla Vista Nonprofits and Isla Vista Residents. The lower fees for Student Groups, Isla Vista Nonprofits and Isla Vista Residents are a way in which the District can show indiscriminate support for all events organized by local groups. (Revised per Board Motion 050505-10, eff. 7/01/05 EO)

It is recognized that in certain district facilities, the use of either federal or state funds to acquire and/or develop sites and facilities, may limit the district from assessing rates based on resident, non-resident status. In those locations and facilities, nothing in district policy shall pre-empt these rules or regulations dictated by the acceptance of said funds.

Expendable or Consumable Materials - Many recreation programs utilize materials which are expendable and become the property of the participant. When these materials are provided by the district, it shall be the policy of the district to charge the participant for the cost of the materials. Examples of this policy would include materials for craft and nature craft, ceramics, flower displays and garden projects, materials and food beverages. The General Manager shall have the authority to establish service charges and charges for expendable and/or consumable materials, goods and supplies.

Services to Cooperative Programs - Pursuant to Policy No. 7020.002 (Cooperative Programs), supplies, reproduction services and other costs of providing cooperative programs to individuals, organizations, groups or businesses, shall be reimbursed in full to the district.

Service Charges - When a resident or participant receives exclusive use of special equipment or supplies, even though these items may be returned to and remain the property of the district, a service charge will be made to defray the cost of repairing or replacing the equipment, material or supplies.

Reports, Plans, Maps - The District will assess an appropriate fee to cover costs of providing persons copies of any district reports, plans, maps or other printed documents consistent with the Photocopying Policy of the District.

Transportation Costs - It shall be district policy, where possible, to recover total transportation costs for all programs requiring contracted bus service.

Pro-rating Administrative and Other General Costs - The operation of special programs, facilities and services, require additional involvement and participation on the part of administrative, supervisory, office and maintenance personnel. Therefore, it shall be district policy to identify these costs and include them as a part of the total fees charged for all special programs, facilities and services. These expenses shall include, but not be limited to, staff salaries, general office supplies, services, bookkeeping expenses, maintenance supplies, materials and equipment, utilities, insurance and professional services.

### **9000.31 Recycling and Trash Fee**

The District may charge a fee for recycling and trash bins, which shall be adjusted to cover actual District costs for providing two 4 X 4 yard bins, one for recyclables and the other for trash, at large events in Anisq'Oyo', Estero and Greek Parks, or at any park event with amplified sound and/or expected attendance of 300+ people, or as determined at the discretion of District Staff. In addition to a 4 X 4 recycling bin, the park user will be required to place individual recycling bins beside trash receptacles in the park. At smaller events where 4 X 4 bins are not required, park users will be required to separate and bag recyclables and haul them to a recycling center.

The recycling and trash fee covers part of the District's cost for trash cleanup and is consistent with the District's commitment to recycling, especially for large events where substantial amounts of recyclable materials are generated. (§9000.31 Adopted per Board Motion 050505-09, eff. 7/01/05 EO)

### **9000.32 Host Fee**

The District may charge a host fee, which would pay in part for a District Grounds member to be on hand the day of the event, to make sure District terms and conditions are being met and to assist with trash removal, restrooms, electricity, etc. Having District Staff on hand at events would insure that events run more smoothly, cut down on cleanup after events, and lower the District's liability for large events. This provision only applies to large events (with amplified sound and/or more than 300 people.) (§9000.32 Adopted per Board Motion 050505-09, eff. 7/01/05 EO)

### **9000.33 Electricity Fee**

The District may charge an electricity fee of \$15 for any event using District park electrical outlets. Events with stage lighting and bands or any kind of amplified sound, cause a spike on the District's electric bill. The fee would cover District costs for electricity at large events and cover administrative costs for park user orientation regarding use of electrical facilities, including the time it takes District Staff to orientate the park user and set the timer. (§9000.33 Adopted per Board Motion 050505-09, eff. 7/01/05 EO)

#### **9000.40 Fee Waivers**

(§9000.040 Removed per Board Motion 050505-09, eff. 7/01/05 EO)

#### **9000.50 FEES FOR PHOTO SHOOTS IN DISTRICT PARKS**

Fees may be charged to commercial photographers that use District Parks for Photo Shoots. It is recognized by the District that commercial photographers have an impact on the ability of park users to use the parks, and correspondingly should mitigate their impacts to the public and the District.

- 1) "Movie Feature Filming" shall be charged a fee of \$1,030 per day. Movie Feature Filming is defined as work on a major film that is developed for profit, which will have an extensive production. Filming that is produced for "student-film" purposes may not be charged at the discretion of the General Manager.
- 2) Television, Movie or Commercial Filming shall be charged a fee of \$1,030 per day. "Television, Movie or Commercial Filming" is defined as production for commercial use that is developed for profit, which will have local, regional or national media exposure. The same type of filming, when produced by "students", may not be charged at the discretion of the General Manager.
- 3) Commercial Still Photography for non-residents of Isla Vista shall be charged a fee of \$258 per day. "Commercial Still Photography" is defined as photography for commercial use, which is produced and developed for profit. Brooks or University of California Students shall not be charged at the discretion of the General Manager.
- 4) Other fees may be applied as determined by Staff and the nature of the request. All permits must have attached proof of \$1,000,000 in General Liability Insurance, and must identify the District as "Additionally-Insured", at the discretion of the General Manager.

**9000.60** The public is required to obtain a Park Use Permit for facility or park use when event(s) or park use constitute a serial use; when activities in the park may expose the District to significant liability; when the park user proposes the use of privately owned equipment that does not already exist in the park; when the event is of a size and scope that may affect the park or the public or increase liability; when the event must be customized; or, in the judgment of District Staff, a Park Use Permit should be required to mitigate the impacts to the parks or to the District.

**9000.61** "Serial use" of the parks, for the purposes of this policy, refers to multiple uses of District facilities or parks by a group or individual during the course of one month that impact the ability of other park users to reasonably use the park or facility. Serial use may also refer to a series of events scheduled over the course of a year that, in the judgment of District Staff, require special responsibility of the park user. The Park Permit serves to educate the park user and insure his/her understanding of responsibilities that go along with park use. The determination of what constitutes a "serial use" is at the discretion of District Staff.



**9000.62** “Significant liability” generally refers to park use that increases the liability to the District as a result of the park user’s activities. This may refer to use of equipment in the park, as defined in Section 9000.63. Any event where an Alcohol Permit is issued must have a signed Park Use Permit, naming a designated individual to take responsibility for the Alcohol Permit and crowd moderation. Any event where food is served and a health permits are required must also have a Park Use Permit. “Significant liability” can also refer to an event that attracts a large crowd of people, since the risk of personal injury and/or damage to the park is often greater at this type of events. District Staff may also conclude the need for a Park Use Permit based upon prior experience with a park user who may have acted irresponsibly. The determination of what constitutes a “significant liability” is at the discretion of District Staff.

**9000.63** “Use of equipment” refers to the public’s importation and use of personal, borrowed or rented equipment in the park, which may include, but is not limited to, bouncers (jumpers), personal barbeques, sales and/or informational booths, tables and chairs, temporary shade structures, port-a-potties, soccer goals and other sporting equipment and toys, sound equipment, lighting, motorized and/or mechanical machinery or other equipment determined by Staff to potentially affect public and/or park safety and the public’s ability to reasonably use the facility. “Use of equipment” may refer to equipment determined by Staff to impact District operations and/or expose park users and guests to injury, expose the parks to damage and/or expose the District to increased liability.

**9000.64** A “customized event” is defined as an event that requires Staff involvement with logistics, such as set-up of special equipment and electrical supply and other requests, including but not limited to, requests for consideration of variances to day and time, variances to the Noise Ordinance, fee waivers, alcohol permits, barbecue permits, health permits, unusual scheduling, unusual or serial usage, set-up time, parking, lighting, tables, use of equipment, receptacles for refuse/recycling, port-a-potties, etc. Rental fees associated with the Park Permit are meant to offset some of the administrative costs, the cost of providing extra facilities and the cost of electricity for these events. A park user may be required to provide extra facilities at his/her own expense.

**9000.65** “Size and scope” refers to any event with an expectation of numbers in excess of 50; any event with amplified sound or imported equipment as defined in Section 9000.63; any event which requires customization as defined in Section 9000.64; any event with a program that is determined by District Staff to create a liability for the District in terms of public safety or potential damage to the parks; or an event which may potentially create more work for District Staff in terms of clean-up, set-up, logistics or handling of public complaints due to noise and/or unruly behaviors. Public advertisement of the event may also affect size and scope.