

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Parks and Recreation

BOARD AGENDA # 9:05 a.m. (c)

Urgent

Routine

AGENDA DATE April 24, 2012

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Public Hearing to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

STAFF RECOMMENDATIONS:

Conduct a public hearing to introduce and waive the first reading of an ordinance to establish new and amend existing fees for the Department of Parks and Recreation.

FISCAL IMPACT:

The Department of Parks and Recreation receives its revenue from entrance, use, and privilege/service fees along with various grants. The proposed fee schedule will allow the recovery of operations and maintenance costs of the regional park facilities. If a fee adjustment is approved, the increase in annual revenue is estimated at \$60,000. Fee adjustments which were approved in April 2011, to date have increased revenues approximately \$350,000 of which, \$100,000 is obligated to cover costs associated with Sheriff's Deputy Patrol onsite.

(Continued on next page)

BOARD ACTION AS FOLLOWS:

No. 2012-197

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-P-3

Public Hearing to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation

FISCAL IMPACT (Continued):

This additional revenue is part of the Department's budget balancing strategy, and is needed to cover increasing costs in general liability insurance, utilities, and retirement expenses.

DISCUSSION:

The Stanislaus County Department of Parks and Recreation (Department) operates four (4) regional parks which charge entrance, use, and privilege/service fees, as follows: Frank Raines, La Grange, Modesto Reservoir, and Woodward Reservoir. The revenue collected, along with various grant funding, pays for the operations and maintenance of these facilities. In addition, the Frank Raines and La Grange Off-Highway Vehicle Parks receive State grants for operations and maintenance as well as special projects.

Annually, in preparation for the Proposed Budget, the Department evaluates the cost of services provided and the fees associated with these regional parks. This process includes the consideration of new or additional fees, where appropriate, as well as modifications to existing fees in order to cover the cost of operations and maintenance at these sites in their entirety. The evaluation prepared for the 2012-2013 Proposed Budget, indicates there is a need to increase revenue to cover the rising costs associated with workers' compensation insurance and retirement expenses. Changes in the fee structure are also proposed that will allow the staff to operate more efficiently, specifically, combining the fee categories for Disabled Persons, Prisoner's of War, and Seniors into one, and changing fee categories for having a second vehicle at a campsite from a 50% discount to a flat \$10 fee.

Other proposed fee increases include the categories of annual passes for vehicles/vessels, waterfowl blind permits, off-highway vehicle annual day use passes, and daily horse fees. New fee categories include the following: annual deer/wild pig and specialty hunting permits, a late exit fee (after 10 p.m.), a mooring fee, a dry storage fee, refundable recreational hall and key deposits, and field hunt competition fees. The proposed fee changes are found in Attachment A.

On February 23, 2012, the Department held a workshop (see Attachment B) to discuss the proposed fee changes with public customers. Information about the workshops was disseminated through email to parties affected by the fees including waterfowl hunters, off-highway vehicle enthusiasts, the Stanislaus County Fish and Wildlife Committee and the Stanislaus County Parks and Recreation Commission. In addition, information regarding the proposed fees is posted on the Department's Internet site.

During the fee workshop, the Department received feedback from the public who were concerned that waterfowl fees had been increased two years in a row. The Department's strategy was to increase fees incrementally for two years in a row, rather than implementing a single, larger increase in 2011. The Department is also committed to keeping the waterfowl fees stable for 2013 and 2014 without additional increase. The Department also recently conducted a fee survey of similar facilities in surrounding areas and found the proposed fees to

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be comparable. The Stanislaus County Parks and Recreation Commission considered the proposed fees at their meeting on March 8, 2012, and recommended no changes.

Proposition 26

As the Board of Supervisors is aware, Proposition 26 was approved by California voters on the November 2010 ballot. Its passage amends sections of the California Constitution to define many fees as taxes, stipulating that they can no longer be levied or increased unless passed by not less than a two-thirds majority vote. The Proposition, however, exempts specific types of fees from this requirement as follows: 1) charges imposed for entrance to or use of local government property; and 2) charges for a specific benefit, privilege, or governmental service granted directly to the payor.

County Counsel has opined that Parks and Recreation fees are exempt from Proposition 26, but did clarify that benefit, privilege, and service fees such as hunting permits and reservation fees cannot be discounted. In these fee categories, all customers must be charged equally and the amounts charged cannot exceed the reasonable cost to provide the benefit/privilege/service. The Department is not proposing to discount any benefit/privilege/service fees and the fees within these categories reflect only the cost of providing these services.

Public Hearing

Prior to levying a new fee or increasing an existing fee, the County is required by Government Code Section 54985 *et seq.* to hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors. At that time, the Board may introduce and waive the first reading of an ordinance to establish new and amend the existing fees of the Department of Parks and Recreation. If approved, these fee increases will become effective on June 7, 2012.

POLICY ISSUES:

An ordinance of the Board of Supervisors is required to increase or establish fees for the Department of Parks and Recreation. Approval of this agenda item to establish new and amend existing Department fees is consistent with the Board's priorities of A Safe Community, A Healthy Community, A Well Planned Infrastructure System, and the Efficient Delivery of Public Services. By making funds available and consolidating fees allows the Department to operate more efficiently and effectively assists in promoting a safe and healthy environment and improving the quality of life in Stanislaus County.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Sonya K. Harrigfeld, Director of Parks and Recreation Telephone: 209-525-6770

AN ORDINANCE TO ESTABLISH NEW AND AMEND EXISTING FEES COLLECTED BY THE DEPARTMENT OF PARKS AND RECREATION

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Fees to be collected by the Department of Parks and Recreation are adopted and amended as set forth in the "Fee Schedule for the Stanislaus County Department of Parks and Recreation" attached hereto as Attachment A and incorporated by reference, a copy of which is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act.

Section 2. This ordinance shall take effect June 7, 2012 and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2012, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

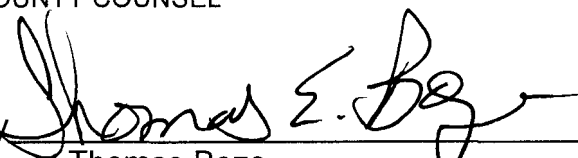
ABSENT: Supervisors:

Chairman of the Board of Supervisors
County of Stanislaus, State of California

ATTEST:
CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By _____
Deputy

APPROVED AS TO FORM:
John P. Doering
COUNTY COUNSEL

By 
Thomas Boze
Deputy County Counsel

PARKS AND RECREATION PROPOSED FEE CHANGES 2012

		OLD	NEW	PER
DAY USE FEES				
Vehicle		\$10.00	no change	vehicle
Vessel		\$7.00	no change	vessel
Disabled/POW/Senior-Vehicle/Vessel		\$5.00	no change	vehicle/vessel
ANNUAL PASSES				
Annual Pass-Vehicle/Vessel		\$75.00	\$80.00	vehicle/vessel
Annual Pass-2nd Vehicle/Vessel		\$25.00	\$40.00	vehicle/vessel
Annual Pass-Disabled/POW/Senior-Vehicle/Vessel		\$25.00	\$40.00	vehicle/vessel
CAMPING FEES				
		OLD	NEW	
Vehicle at campsite		\$20.00	no change	vehicle
Vehicle at hookup campsite		\$25.00	no change	vehicle
2nd Vehicle at campsite	Maximum vehicles per campsite is 2	50% off	\$10.00	one allowed
Disabled/POW/Senior Vehicle		\$10.00	no change	vehicle
Disabled/POW/Senior Vehicle (hookup)		\$15.00	no change	vehicle
Group Camping		\$60.00	no change	group
HUNTING FEES				
		OLD	NEW	
Deer/Wild Pig Hunting Permit		\$15.00	no change	species
Annual Deer/Wild Pig Hunting Permit		new	\$100.00	species
Waterfowl Draw Registration Fee		\$45.00	no change	registration
Waterfowl Blind Permit Fee		\$300.00	\$400.00	permit
Waterfowl Blind Deposit	Refundable	\$300.00	no change	blind
Special Hunt Permit		new	\$100.00	day
OHV FEES				
		OLD	NEW	
OHV Day Use		\$5.00	no change	vehicle
OHV Annual Day Use Pass		\$75.00	\$80.00	vehicle
OHV Camping		\$15.00	no change	vehicle
OHV Camping (hookup)		\$25.00	no change	vehicle
OHV 2nd Vehicle at Campsite	Maximum Vehicles allowed at campsite is 2	50% off	\$10.00	one allowed
OTHER FEES				
		OLD	NEW	
Holiday Day Use (additional charge)	Except when Fireworks show is charged	\$5.00	no change	day
Holiday Weekend (additional charge)		\$5.00	no change	night/wknd
Fireworks Show	Day use fee	\$20.00	no change	vehicle/day
Late Exit Fee	Vehicles exiting after 10:00p.m.	new	\$10.00	exit
Mooring Fee		new	\$100.00	month
Dry Storage		new	\$35.00	month
Picnic Shelter	Reservoirs Only	\$60.00	no change	day
Recreation Hall	Frank Raines Regional Park	\$75.00	no change	day
Recreation Hall Deposit	Refundable	new	\$100.00	use
Key Deposit	Refundable	new	\$30.00	use
Courthouse Lawn Use		\$35.00	no change	day
Exclusive Use		\$90.00	no change	day
Reservation Fee	Full fee required within 7 days	\$10.00	no change	day
Reservation Change		\$15.00	no change	change
Reservation Cancellation		\$15.00	no change	cancellation
Field Hunt Competition	(1-50) complete entry fee	new	\$200.00	competition
Field Hunt Competition	(51+) complete entry fee	new	\$300.00	competition
Dog Field Trial Training-Commercial	Camping fees are extra	\$75.00	no change	training
Dog Field Trial Training-Private	Camping fees are extra	\$50.00	no change	training
Dog/Horse	Only at Woodward Reservoir	3.00/2.00	\$3.00	dog/horse/day/night
Annual Pass-Horse		\$40.00	no change	horse
Annual Pass-Additional Horse		\$20.00	no change	horse
Annual Pass Replacement Fee		\$10.00	no change	replacement
LINE ITEMS TO BE ELIMINATED				
		OLD	NEW	
Day Use - Bus (12-24 Passengers)		\$8.00	eliminate	
Day Use - Bus (25+ Passengers)		\$10.00	eliminate	
100% Permanently Disabled Veteran/P.O.W.		50% off	eliminate	
Permanently Disabled Individuals		50% off	eliminate	
Youth Group/Foster Parents Camping		\$10.00	eliminate	
Horse	Merging with Dog fee	\$2.00	eliminate	
Annual Pass-Disabled/POW/Senior 2nd Vehicle		\$25.00	eliminate	
Annual Pass-Disabled/POW/Senior 2nd Vessel		\$25.00	eliminate	



Department of Parks and Recreation
3800 Cornucopia Way, Suite C
Modesto, CA 95358-9492
Phone: 209.525.6750 Fax: 209.525.6774

WORKSHOP
for
PROPOSED FEE INCREASE 2012

THURSDAY, FEBRUARY 23RD, 2012
5:30 PM - 6:30 PM
AGRICULTURE CENTER, Harvest Hall
3800 CORNUCOPIA WAY
MODESTO, CA 95358

This notice is an invitation to attend a public meeting to discuss proposed revisions to the Stanislaus County Master Schedule of Fees for the Parks and Recreation department. To achieve and maintain an appropriate level of service, our department is recommending fee increases and would like feedback from our customers. Your input and experience are valuable to help us in our decision-making process.

This workshop is being conducted prior to the Board of Supervisors approval of the fee proposal.

Please join our staff to discuss the newly proposed fee schedule.

If you have questions, please feel free to call (209) 525-6750. Your feedback is important to us. If you are not able to attend, you may submit any comments in writing to the attention of Mae Song at the above listed address, or e-mail your comments to msong@parksrec.org.

See back side for proposed fee changes.

ATTACHMENT B

Department of Parks and Recreation:

New and Amended Fees

Proposed New and Amended Existing Fees

- Four Regional Parks: Frank Raines, La Grange, Modesto and Woodward Reservoirs
- Annually, revenue is approximately \$2 M which pays for O&M
- In addition, Frank Raines and La Grange receive State OHV grants which off-set O&M costs and pay for special projects

Proposed New and Amended Existing Fees, Cont'd.

- In preparation for Proposed Budget each year, the Dept. evaluates the cost of services provided and the associated fees
- The evaluation for the 2012-13 Fiscal Year indicates a need to increase revenue by \$60,000 to maintain a balanced budget

Proposed New and Amended Existing Fees, Cont'd.

- Due to rising cost of general liability insurance and retirement expenses
- Fees were last raised in 2011, however, only waterfowl fees are being increased for the second year in a row. This was done to avoid a single, larger increase. Other fee changes are: new categories or merged for consistency/consolidation

Proposed New and Amended Existing Fees, Cont'd.

- The proposed fee structure continues to offer discounted entrance fees to Disabled Persons, former Prisoners of War, and Seniors

Annual Passes

- Current Fees

- Annual Pass -
Vehicle/Vessel: \$75
- Annual Pass – 2nd
Vehicle/Vessel: \$25
- Annual Pass –
Disabled/POW/Sr:
\$25

- Proposed Fees

- Annual Pass -
Vehicle/Vessel: \$80
- Annual Pass – 2nd
Vehicle/Vessel: \$40
- Annual Pass –
Disabled/POW/Sr:
\$40

Camping Fees

- Current Fees

- 2nd Vehicle at Campsite: 50% of fee

- Proposed Fees

- 2nd Vehicle at Campsite: \$10

Hunting Fees

- Current Fees

- Annual Deer/Wild Pig

Permit: New fee

- Waterfowl Blind

Permit: \$300

- Special Hunt Permit:

New fee

- Proposed Fees

- Annual Deer/Wild Pig

Permit: \$100

- Waterfowl Blind

Permit: \$400

- Special Hunting

Permit: \$100/day

Off-Highway Vehicle Fees

- Current Fees

- Annual Day Use Pass: \$75
- 2nd Vehicle at Campsite: 50% of fee

- Proposed Fees

- Annual Day Use Pass: \$80*
- 2nd Vehicle at Campsite: \$10*

* For consistency with Reservoirs

Other Fees

- Current Fees

- Dog (per day/night):
\$3

- Horse (per day/night):
\$2

- Proposed Fees

- Dog/Horse (per
day/night): \$3

Other Fees, Cont'd.

- New Fees
- Late Exit fee: \$10
- Mooring fee:
\$100/month
- Dry Storage:
\$35/month
- Rec. Hall Deposit:
\$100/use
- New Fees, Cont'd.
- Rec. Hall Key
Deposit: \$30/use
- Field Hunt
Competition (1-50):
\$200/competition
- Field Hunt
Competition (51+):
\$300/competition

Proposed Deleted Fees

- Day Use – Bus (12-24 Passengers): \$8
- Day Use – Bus (25+ Passengers): \$10
- 100% Permanently Disabled Veteran/POW:
50% off
- Permanently Disabled Individuals: 50% off
- Youth Group/Foster Parents Camping: \$10

Proposed Deleted Fees, Cont'd.

- Horse: \$2 day/night
- Annual Pass – disabled/POW/Senior 2nd
Vehicle: \$25
- Annual Pass – disabled/POW/Senior 2nd
Vessel: \$25

Proposed New and Amended Existing Fees, Cont'd.

- Stakeholder meetings conducted on Feb. 23, 2012
- No changes were made based on comments received
- Stanislaus County Parks & Recreation Commission moved to support the proposed fees at their meeting on March 8, 2012

Proposed New and Amended Existing Fees, Cont'd.

- Public notices were printed in the Modesto Bee on April 13 and April 19, 2012
- Proposed fees were also posted on the Dept's website on February 16, 2012

Staff Recommendation:

- Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Dept. of Parks and Recreation
- If approved: Effective June 8, 2012

Questions?

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

May 01, 2012

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

May 2nd, 2012

(By Electronic Facsimile Signature)



**STANISLAUS COUNTY
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that on May 8, 2012, at 9:00 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider the adoption and the waiving of the second reading of the following ordinances:

A. Ordinance C.S. 1114 amends existing fees and adopts new National Pollutant Discharge Elimination System (NPDES) Fees for the Department of Public Works - Engineering Division. For further information, contact Diane Haugh at (209) 525-4100 or at 1716 Morgan Road, Modesto, CA.

B. Ordinance C.S. 1115 amends the existing Fink Road Landfill fees to eliminate the stand-alone fee categories for small dead animals and adds new fees which include the following: a) charging a separate handling fee for specified appliances and mattresses; b) charging a fee for loader-sized tires; c) charging a fee for dead horses; and d) offering a discounted waste-to-energy tipping fee during diversions for in-county jurisdictions (only) that have a Disposal Agreement with the County. Lastly, modifications to existing fees include increasing the "Price by Load" for passenger cars/station-wagons/SUVs/mini-vans, the ash tipping fee, small dead animal fees, and the fees for various tire sizes. For further information, contact Jami Aggers at (209) 525-6768, jaggers@envres.org or at 3800 Comucopia Way, Suite C, Modesto, CA.

C. Ordinance C.S. 1118 amends the existing Regional Park fees at Frank Raines, La Grange, Modesto Reservoir, and Woodward Reservoir to eliminate the day use fees for buses and horses (to be combined with the fees for dogs), the camping fee for youth groups/foster parents (to be combined with general group camping), the 50% discount to 100% permanently disabled veterans/P.O.W. and permanently disabled individuals (to be replaced with a set fee), the annual pass fee for disabled/P.O.W./seniors for a second vehicle or vessel (to be combined with a general second vehicle/vessel category), and adds new fees which include the following: a) annual deer/wild pig hunting permit; b) special hunt permits; c) a late exit fee; d) mooring and dry storage fees; e) recreation hall and key deposit fees; and f) field hunt competition fees. Lastly, modifications to existing fees include increasing annual pass, horse, and watertowl blind permit fees, and modifying the fee for a second vehicle at campsites. For further information, contact Jami Aggers at (209) 525-6768, jaggers@envres.org or at 3800 Comucopia Way, Suite C, Modesto, CA.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules are available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: April 24, 2012. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Asst Clerk. Pub Dates May 1, 2012