

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

DEPT: Parks and Recreation

BOARD AGENDA: 7.B.6
AGENDA DATE: April 17, 2018

SUBJECT:

Approval to Set a Public Hearing on May 15, 2018 at the 6:30 p.m. meeting to Introduce and Waive the First Reading of an Ordinance to Amend and Eliminate Existing Fees for the Department of Parks and Recreation

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0155

On motion of Supervisor Withrow , Seconded by Supervisor Chiesa
and approved by the following vote.

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

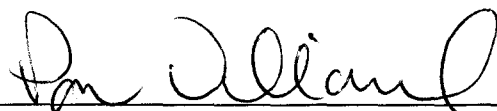
2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:



PAM VILLARREAL, Assistant Clerk

File No. ORD-56-C-2

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Parks and Recreation

BOARD AGENDA:7.B.6
AGENDA DATE: April 17, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Set a Public Hearing on May 15, 2018 at the 6:30 p.m. meeting to Introduce and Waive the First Reading of an Ordinance to Amend and Eliminate Existing Fees for the Department of Parks and Recreation

STAFF RECOMMENDATION:

1. Set a Public Hearing on May 15, 2018 at the 6:30 p.m. meeting to introduce and waive the first reading of an ordinance to amend and eliminate existing fees for the Department of Parks and Recreation.
2. Authorize the Clerk of the Board to publish notice as required by law.

DISCUSSION:

Stanislaus County Department of Parks and Recreation (Department) operates four regional parks that charge entrance, use, and privilege/service fees: Frank Raines Off-Highway Vehicle Park, La Grange Off-Highway Vehicle Park, Modesto Reservoir, and Woodward Reservoir. The revenue collected from these fees 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 the 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. The evaluation process includes the consideration of new fees, where appropriate, as well as modifications to existing fees in order to cover the cost of operations and maintenance at these sites (Attachment 1). The proposed fee changes include the elimination of the Stanislaus County Resident Day Use Discount and include increases in camping and camping discounted fees. The Day Use Discount is proposed to be eliminated because verifying residency negatively impacts the wait times in line at the entrance stations.

The recently conducted fee survey of similar facilities in the surrounding areas found that the proposed camping fees are comparable to other parks with the exception of the Day Use Fee, which will be slightly higher. The staff proposal is that the Day Use fee for all visitors will increase from \$10 to \$15. The current \$10 Day Use fee for Stanislaus County Residents has not been raised since 2011. The proposed Day Use fee is slightly higher than the neighboring Turlock Lake Day Use fee, however the amenities provided at both Modesto and Woodward Regional Parks are much greater than those provided at Turlock Lake. Both Regional Parks provide larger facilities and include Sheriff

Deputy patrols throughout the year. Additionally, the Department has completed many recent projects that have improved the facilities such as resurfaced parking areas, improved and added restrooms, picnic shelter roof replacements, added concrete tables, ash receptacles and barbecue pits, and is currently in the process of upgrading the Modesto Reservoir Fuel Pumps that will allow for improved customer service by upgrading 1970's-era fuel pumps to pumps that allow for the purchase of fuel with a credit card swipe.

In a regularly scheduled meeting on February 8, 2018, the Parks Commission reviewed and recommended to support the proposed fees.

On February 15, 2018, the Department held a workshop (Attachment 2) to review and discuss the proposed fee changes with the public. Information about the workshop was disseminated through the Department's normal process via e-mail to parties affected by the fees, including over 10,000 regular users of the parks and members of the public who requested to be placed on a notification list. Information regarding the proposed fees was also posted on the Department's Internet site, Facebook page, and information was posted in the Modesto Bee on February 10 and 11, 2018, in the legal and public notices section. Approximately sixteen people from the public attended the workshop and no questions or comments were received on the recommended fee changes.

Proposition 26

Proposition 26 was approved by California voters on the November 2010 ballot. Its passage amended 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 payer.

County Counsel has opined that Parks and Recreation fees are not a tax under Proposition 26, but did clarify that benefit, privilege, and service fees such as hunting permits and reservation fees cannot be discounted if subsidized by other full fee payors. 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.

POLICY ISSUE:

Prior to levying a new fee or amending an existing fee, the County is required by Government Code Section 54985 et seq., to hold a scheduled public hearing as part of a regularly scheduled meeting of the Board of Supervisors. At that time the Board of Supervisors may introduce and waive the first reading of an ordinance to establish new and amend existing fees of the Department of Parks and Recreation. If approved, these fee changes will become effective on June 22, 2018.

FISCAL IMPACT:

If the proposed fee adjustments are approved, the increase in revenue for the Department of Parks and Recreation is estimated to be \$500,000 in Budget Year 2018-

2019. If the anticipated revenue materializes, the Department will request to increase Park Maintenance staff in order to perform a higher level of maintenance at Woodward and Modesto Reservoirs where the maintenance needs of the facilities have increased substantially due to the increased visitation.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Boards' priority of Delivering Efficient Public Services and Community Infrastructure by making funds available to the Department of Parks and Recreation to continue to operate efficiently and effectively, and improving the quality of life in Stanislaus County.

STAFFING IMPACT:

Existing staff will support these recommended actions.

CONTACT PERSON:

Jami Aggers, Director of Parks and Recreation
Merry Mayhew, Assistant Director

Telephone: 209-525-6770
209-525-6760

ATTACHMENT(S):

1. 2018 Parks Proposed Fees
2. Parks Proposed Fee Workshop Flyer
3. Notice of Public Hearing
4. Ordinance

PARKS AND RECREATION FULL FEE SCHEDULE
~ PROPOSED 2018 ~

STANDARD FEES		2016	PER	CHANGE
DAY USE	6:00AM TO 10:00PM			Proposed
Vehicle		\$15	vehicle	
Vessel		\$10	vessel	
Holiday Day Use Fee	Applies to Memorial Day, Independence Day, & Labor Day	\$5	vehicle	
DAY USE DISCOUNTS	6:00AM TO 10:00PM			
Stanislaus County Resident	except on Fireworks Show days	\$10		Delete
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$5	vehicle	
Senior/Disabled Vessel	Seniors must be 62 years and over	\$5	vessel	
Veteran Vehicle	Free on Veteran's Day and Memorial Day each year	\$5	vehicle	
Veteran Vessel	Free on Veteran's Day and Memorial Day each year	\$5	vessel	
CAMPING	PER NIGHT			
Vehicle at campsite		\$25	vehicle	\$30
Vehicle at hookup campsite	Includes A-D loop Mod Res	\$30	vehicle	\$35
2nd Vehicle at campsite	Max vehicle per campsite is 2	\$25	one allowed	\$30
Designated Group Campsite Fee	Additional camping vehicle fees apply (Modesto Reservoir Only)	\$90	night	
Holiday Weekend Fee	Applies to 3 weekend-nights during Memorial/Independence/Labor Day Holiday	\$5	night/vehicle	
CAMPING DISCOUNTS	PER NIGHT			
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$10	vehicle	\$15
Senior/Disabled Vehicle (hookup)	includes A-D loop Mod Res; Seniors must be 62 years and over	\$15	vehicle	\$20
Veteran Vehicle* camping	From Nov. 1st through 14th, \$5/night for one vehicle ONLY	\$10	vehicle	\$15
Veteran Vehicle (hookup)	Includes A-D loop Mod Res; From Nov. 1st through 14th, \$5/night for one vehicle ONLY	\$15	vehicle	\$20
ANNUAL PASSES (CALENDAR YR)	Rule: Only one discount is allowed per customer, see rules and regs for details			
Annual Pass-Vehicle		\$100	vehicle	
Annual Pass-2nd Vehicle		\$50	vehicle	
Annual Pass-Vessel		\$100	vessel	
Annual Pass-2nd Vessel		\$50	vessel	
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$50	vehicle	
Senior/Disabled Vessel		\$50	vessel	
Veteran Vehicle*		\$50	vehicle	
Veteran Vessel*		\$50	vessel	
OHV FEES				
OHV Day Use	OHV day use hours are from dawn to dusk	\$5	vehicle	
OHV Veteran Day Use	\$1.00 net discount	\$4	vehicle	
OHV Senior/Disabled Day Use	\$1.00 net discount	\$4	vehicle	
OHV Annual Day Use Pass		\$100	vehicle	
OHV Camping FR	Additional \$5 day use fee for use of OHV site	\$15	vehicle	
OHV Camping (hookup) FR		\$25	vehicle	\$30
OHV 2nd Vehicle at Campsite	2 Max. veh. per site, unless authorized (Frank Raines ONLY)	\$10	one allowed	
ANNUAL PASS (CALENDAR YR)	APPLIES TO DAY USE ONLY			
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$50	vehicle	
Senior/Disabled Vessel	Seniors must be 62 years and over	\$50	vessel	
Veteran Vehicle		\$50	vehicle	
Veteran Vessel		\$50	vessel	
CAMPING DISCOUNTS	PER NIGHT			
Senior/Disabled Vehicle	Seniors must be 62 years and over	\$10	vehicle	
Senior/Disabled Vehicle (hookup)	Seniors must be 62 years and over	\$15	vehicle	
Veteran Vehicle	From Nov. 1st through 14th, \$5/night for one vehicle ONLY	\$10	vehicle	
Veteran Vehicle (hookup)	From Nov. 1st through 14th, \$5/night for one vehicle ONLY	\$15	vehicle	
HUNTING FEES				
Deer/Rabbit/Pig Hunting Permit		\$15	week/weekend	
Annual Deer/Rabbit/Pig Hunting Permit (valid July through June per rules and regulations)		\$100	fiscal year	
Waterfowl Draw Registration Fee		\$45	registration	
Waterfowl Blind Permit Fee		\$400	permit	
Waterfowl Blind Deposit (Refundable)		\$300	registration	
OTHER FEES	RULES (See complete Rules and Regulations)			
Exclusive Use		\$90	day	
	Deposit for large events - Refundable if conditions are met. May be required for events over 5,000 people.	\$10,000	one time	

**PARKS AND RECREATION FULL FEE SCHEDULE
~ PROPOSED 2018 ~**

Event Fee	Add'l charge if OHV entrance station fees are collected for event.	\$5	vehicle	
Key Deposit	Refundable	\$30	event	
Reservation Fee (nonrefundable)	Full fee required within 7 days	\$10	day	
Reservation Change/Cancellation		\$15	change/canc	
Concession Registration/App. Fee	Once annually (Change fees are additional)	\$100	application	
Concession License Fee	Day use fees apply	\$25	day	
Pool Rental, unheated	Minimum 2 hours required; additional lifeguard costs apply	\$60	hour	
Pool Rental, heated	Additional charge for each day it takes to bring pool to temp.	\$60	day	
Pool Deposit (Refundable)		\$250	reservation	
Courthouse Lawn Use		\$35	day	
Late Exit Fee	Vehicles exiting after 10:00p.m.	\$15	exit	
Fireworks Show	All discounts will be void	\$25	vehicle	
Mooring Fee	Free annual pass w/ 3 mos paid (max boat length allowed 20 ft)	\$100	month	
Dry Storage		\$35	month	
Picnic Shelter	Reservoirs Only	\$90	day	
Recreation Hall	Frank Raines Regional Park	\$75	day	
Recreation Hall Deposit (Refundable)		\$100	use	
Field Trial Competition	(1-50) complete entry fee	\$200	competition	
Field Trial Competition	(51+) complete entry fee	\$300	competition	
Dog Field Trial Training-Commercial	Camping fees are extra	\$100	annual	
Dog Field Trial Training-Private	Camping fees are extra	\$75	annual	
Dog/Horse	No animals allowed at Modesto Reservoir	\$3	dog/horse/day	
Annual Pass-Horse		\$50	horse	
Annual Pass-Additional Horse		\$25	horse	
Annual Pass Replacement Fee		\$10	replacement	

***Veteran must be present and proof of veteran's status must be presented with a valid government issued photo ID if the proof itself has no photos. Accepted forms of proof are: Distinguished Veteran Pass, DD-214 Certificate, valid Military ID, or Department of Veterans Affairs ID, and other IDs approved by Dept.**



Jami Aggers
Director

Merry Mayhew
Assistant Director

**WORKSHOP
For
PROPOSED PARKS FEE
INCREASES
AND
STATE OFF-HIGHWAY VEHICLE
GRANTS PUBLIC MEETING**

**STANISLAUS COUNTY AGRICULTURAL CENTER HARVEST HALL (ABC)
THURSDAY, FEBRUARY 15, 2018
6:00 PM
3800 CORNUCOPIA
WAY
MODESTO, CA 95358**

This notice is an invitation to attend a public meeting to discuss proposed fee increases for the Department of Parks and Recreation and gain public input for Parks Off-Highway Vehicle Grants for Frank Raines and La Grange OHV parks.

The mission of Parks is to implement the policies established by the Board of Supervisors pertaining to parks, which includes acquiring, developing, and maintaining recreation areas serving every segment of society, including the disabled and economically disadvantaged and to provide the leadership necessary to develop and manage parks and recreation facilities in ways that will provide the best possible experience for people to enjoy the outdoors at the most reasonable costs.

This workshop is being conducted prior to the Board of Supervisors' approval of the fee proposal. The proposed fees will be available online by the date of the workshop, at www.stancounty.com/parks/index.shtm.

Please join our staff to discuss the proposed fee increases and OHV State grants for parks. If the fee increases are approved, they will become effective 30 days after passage, on June 22, 2018.

If you have questions, please feel free to call Parks and Recreation at: (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 Julie Mendoza at the above listed address, or e-mail your comments to: jmendoza@envres.org.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on May 15, 2018 at 6:30 p.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 an ordinance to amend and eliminate existing fees for the Department of Parks and Recreation. The proposed fee adjustments would consist of:

- Elimination of the Stanislaus County Resident Day Use Discount Fee
- Increase in Camping Fees and Camping Discounted Fees

ADDITIONAL NOTICE IS GIVEN that the Department of Parks and Recreation 2018 Fee Schedule will be available for review on April 27, 2018, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above ordinance is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors. For further information, contact Julie Mendoza at (209) 525-6700, jmendoza@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 17, 2018

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY: _____
Pam Villarreal, Assistant Clerk

ORDINANCE NO. C.S. _____

**AN ORDINANCE AMENDING AND ELIMINATING
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 amended and eliminated as set forth in the Department of Parks and Recreation Fee Schedule attached hereto as Attachment 1 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 30 days from and after the date of its passage 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 _____, 2018, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

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

ATTEST:

ELIZABETH A. KING,
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By _____
Deputy Clerk

APPROVED AS TO FORM:

JOHN P. DOERING
COUNTY COUNSEL

By  _____
Amanda M. DeHart
Deputy County Counsel

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that on May 15, 2018, at 6:30 p.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 introduction and waiving of the first reading of the following proposed ordinances:

- A.** An Ordinance to establish new and amend existing fees for the Department of Environmental Resources. The proposed new fees and fee adjustments would consist of:

- Increased Weighted Labor Rate of the Department
- Public Water Systems Penalty Fee
- Hazardous Materials CUPA Program Penalty Fees
- Changes in the Landfill Fees: Elimination of the Solid Material (Inert) Fee, Increase in Ash Tipping Fee, and Hard-to-Handle Description Clarification

For further information, contact Julie Mendoza at (209) 525-6700, jmendoza@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA.

- B.** An Ordinance to amend and eliminate existing fees for the Department of Parks and Recreation. The proposed fee adjustments would consist of:

- Elimination of the Stanislaus County Resident Day Use Discount Fee
- Increase in Camping Fees and Camping Discounted Fees

For further information, contact Julie Mendoza at (209) 525-6700, jmendoza@envres.org or at 3800 Cornucopia Way, Suite C, Modesto, CA.

- C.** An Ordinance to establish new fees and amend existing fees for Planning Services. For further information, contact Angela Freitas, Director of Planning and Community Development at (209) 525-6330, planning@stancounty.com or at 1010 10th Street, Suite 3400, Modesto, CA.

- D.** An Ordinance to establish new fees and amend or eliminate existing fees for the Public Works Department. The proposed new fees and fee adjustments would consist of:

- Erosion and Sediment Control Plan-Plan Review Fee for Construction Permits
- Erosion and Sediment Control Plan-Construction Field Inspection Fee for Construction Permits
- Erosion and Sediment Control Plan-Plan Review for Building Permits
- Erosion and Sediment Control Plan-Construction Field Inspection Fee for Building Permits

For further information, contact Frederic Clark at (209) 525-4302, clarkf@stancounty.com or at 1010 10th Street, Suite 4204, Modesto, CA.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on May 4, 2018, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

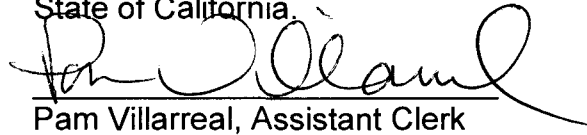
NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to one or more of the above items is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 24, 2018

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY:


Pam Villarreal, Assistant Clerk

**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 04, 2018, May 10, 2018

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 10th, 2018

(By Electronic Facsimile Signature)

Cynthia A. Villalobos

STANISLAUS COUNTY
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- Increased Weighted Labor Rate of the Department
- Public Water Systems Penalty Fee
- Hazardous Materials CUPA Program Penalty Fees
- Changes in the Landfill Fees: Elimination of the Solid Material (Inert) Fee, Increase in Ash Tipping Fee, and Hard-to-Handle Description Clarification

For further information, contact Julie Mendoza at (209) 525-6700, jmendoza@envres.org or at 3800 Comucopia Way, Suite C, Modesto, CA.

B. An Ordinance to amend and eliminate existing fees for the Department of Parks and Recreation. The proposed fee adjustments would consist of:

- Elimination of the Stanislaus County Resident Day Use Discount Fee
- Increase in Camping Fees and Camping Discounted Fees

For further information, contact Julie Mendoza at (209) 525-6700, jmendoza@envres.org or at 3800 Comucopia Way, Suite C, Modesto, CA.

C. An Ordinance to establish new fees and amend existing fees for Planning Services. For further information, contact Angela Freitas, Director of Planning and Community Development at (209) 525-6330, planning@stancounty.com or at 1010 10th Street, Suite 3400, Modesto, CA.

D. An Ordinance to establish new fees and amend or eliminate existing fees for the Public Works Department. The proposed new fees and fee adjustments would consist of:

- Erosion and Sediment Control Plan-Plan Review Fee for Construction Permits
- Erosion and Sediment Control Plan-Construction Field Inspection Fee for Construction Permits
- Erosion and Sediment Control Plan-Plan Review for Building Permits
- Erosion and Sediment Control Plan-Construction Field Inspection Fee for Building Permits

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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: April 24, 2018. ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk. Pub Dates May 4,10, 2018