



CARPD COMMUNICATOR

August 2022

PRESIDENT'S MESSAGE

The Sweet Sounds of Summer Are Back!

As I sit in my office listening to the cheerful exuberance of children playing, I can't help but think that "WE'RE BACK." The sounds floating from the park into my office are one of the signs that after two quiet summers we can finally enjoy the sounds of play that tell the tale that we make a difference in our communities, families, and individuals. When we were together in May at the Conference in Lake Tahoe many of you shared your plans for return to play and I know that we were all secretly holding our breath that we could implement the programs, events, and services that our community needed. Too many times over the past two summers plans were made and cancelled due to changing health directives, so we grew weary and protective of our hope to hear those sounds of summer in 2022.

What is the one activity, event or program that is finally returning to your district this summer? For us here in Pleasant Hill it is our annual Blues & Brews Festival. This is our biggest event of the year and after two summers has finally made its triumphant return.



Did you know that CARPD schedules regular roundtable remote meetings for General Managers and Board Members? These meetings are an opportunity for members to share successes, solve problems, and build each other up as we move into our next season when the sounds change from summer to fall. I invite you to check out the calendar of upcoming roundtable discussions and plan to join the call to ask a question, share a success or favorite sound of summer. You can find the calendar here <https://www.caparkdistricts.org/calendar>.

CARPD continues to expand its membership and I would like to welcome El Dorado Hills Community Services District and Feather River Recreation and Park District. New members bring a new energy, perspective, and opportunity for us to be better together. I am looking forward to meeting board members and staff from our newest members at upcoming events and meetings.

I'm looking forward to working with the CARPD Board of Directors and staff to expand our membership and provide valuable resources to help our members thrive as we continue to make our triumphant return as the heart of our communities.

Sincerely,

Michelle Lacy,
Pleasant Hill Recreation and Park District

President, CARPD



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CARPD STAFF:

Executive Director:

Matthew Duarte
mduarte@capri-jpa.org

Administrative Analyst:

Monica Breck
mbreck@capri-jpa.org

Safety Analyst:

Kirk Andre
kandre@capri-jpa.org

Administrative Assistant:

Emma Breck
ebreck@capri-jpa.org

BOARD OF DIRECTORS:

President:

Michelle Lacy

President-Elect:

Doug Nickles

Secretary:

Brian Danzl

CFO:

Al McGrechan

Past President:

Nick Schouten

Directors:

Michael Seaman
Jesus G. Perez
Dennis Waespi
Dean Wetter
Colin Miller
Rick Sloan

THE BROWN ACT & SOCIAL MEDIA: WHAT TO KNOW

By Matthew Duarte

It is an election year and we expect social media to again play a significant role in campaign efforts for 2022 candidates. But before you send that tweet or like that post, California public officials should be cognizant of the potential Brown Act implications of their communications on Internet-based social media platforms.

Whether it be Twitter, Facebook, YouTube, Instagram, or Tik Tok, the public forum has gone digital. And while the actual names and platforms may come and go (e.g. myspace.com (R.I.P)), the consensus is that social media is here to stay and our public institutions and laws have to adapt to the changing world.

That includes, of course, the Ralph M. Brown Act of 1953. For nearly seventy years, the Brown Act has articulated the ground rules for public official communications in order to ensure the meetings of California's legislative bodies are open and public. The Act pursued this end by prohibiting communications that allow the majority of the body to "discuss, deliberate or take action" on a matter "within the subject matter of the legislative body." But as our modes of communication changed, it became clear that the Brown Act also needed to adapt in order to reflect the public's growing reliance on social media forums.

Last year, Assembly Bill 992 became law as the California Legislature acknowledged and attempted to respond to the digital communication revolution. AB 992 amended Government Code section 54952.2 to attempt to clarify which online communications involving a legislative body's members do and do not constitute public meetings.

Permissible Communications. A public official subject to the Brown Act (such as a City Council member or Park District Board Member) may use social media to engage in *separate* communications in order to:

- Answer questions from the public (but not from other council or board members);
- Provide information to the public; and
- Solicit information from the public regarding a matter that is within the legislative body's subject matter jurisdiction.

Prohibited Communications. While affording officials a forum to communicate with their constituents, AB 992 also placed significant constraints on officials' ability to communicate with their colleagues on social media platforms. Government Code section 54952.2(b)(3)(A) now specifically prohibits:

- Direct responses to any communication on an internet-based social media platform regarding a matter that is within the legislative body's subject matter jurisdiction that is made, posted, or shared by any other member of the legislative body.

Effectively, the Brown Act now prohibits Board Members from responding to social media posts by their fellow Board Members that may concern District business. The prohibition includes comments or the use of "digital icons" (e.g., Facebook's like, love, haha, wow, sad, and angry reactions) to express a reaction to a communication from another member of that legislative body. Interestingly, because this amendment applies specifically to social media platforms, public officials can continue to engage in individual contacts with the public and their colleagues without violating the Act — just not via social media. One errant click can find a public official afoul of the law, so CARPD Members should be mindful of these Brown Act revisions as campaign season heats up. And good luck to all those on the ballot this election year!

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Regional Park District

Healthy Parks Healthy People

CARPD CONFERENCE 2022 IN REVIEW

Tahoe is always a treat!

THANK YOU to our Conference Committee for their guidance, to the CARPD Board, and to all CARPD Members in attendance for your participation. And a HUGE THANK YOU to our Conference Sponsors who help us make it all happen!

Take a look at more 2022 CARPD Conference photos at caparkdistricts.org/2022-carpd-conference-in-review.



CARPD AWARD WINNERS

The Awards of Distinction winners were announced at the CARPD Conference on May 19, 2022, in South Lake Tahoe, CA. Thank you to all that took the time to send in their nominations. It was a very competitive year!

DISTRICT AWARDS

Outstanding New Facility:

East Bay Regional Park District - Dumbarton Quarry Campground on the Bay

Outstanding Renovated Facility:

Cordova Recreation and Park District - Cordova Community Pool

Environmental Excellence Award:

Livermore Area Recreation and Park District - Energy Efficiency/Solar Energy Project

Outstanding Activity/Program/Special Event:

Pleasant Hill Recreation and Park District - Tinkers & Thinkers Virtual Innovation Faire

Outstanding Innovation:

Southgate Recreation and Park District - Southgate Chronicles



INDIVIDUAL AWARDS

Outstanding District Employee:

Jill Nunes - Cordova Recreation and Park District

Outstanding General Manager:

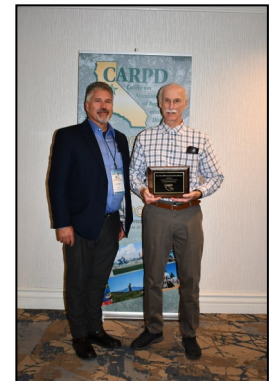
Duane Burk - Beaumont-Cherry Valley Recreation and Park District

Outstanding Board Member:

Ayn Wieskamp - East Bay Regional Park District

Jim Meredith Award of Excellence:

Al McGreehan - Paradise Recreation and Park District



COMMUNITY AWARDS

Outstanding Community Organization/Partner:

Open Heart Kitchen - supporting Livermore Area Recreation and Park District

Music Freqs - supporting Pleasant Valley Recreation and Park District

Team Rubicon - supporting Silverado-Modjeska Recreation and Park District

Outstanding Volunteer:

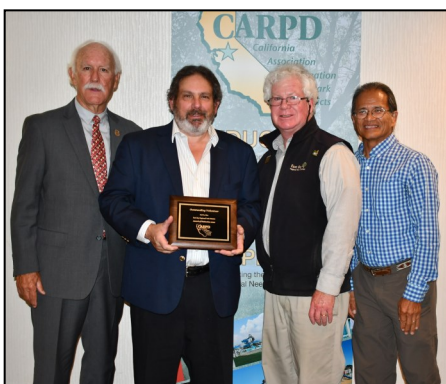
Ned MacKay & Carl La Rue - East Bay Regional Park District

Matthew Scoles - Fulton - El Camino Recreation and Park District

Gary "Griz" Drylie - Hesperia Recreation and Park District

Fabian Peregrina - Jurupa Community Services District

Don Starkey - Valley-Wide Recreation and Park District



CONGRATULATIONS TO ALL!



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UMPQUA BANK

CARPD BOARD ELECTION

The CARPD Board of Directors Election took place on May 19, 2022, during the CARPD General Membership Meeting, at the Conference in South Lake Tahoe, CA. Thank you to all of the candidates and everyone that participated. Here are the results:

2022 CARPD Board Elections

President – Elect

Doug Nickles, Conejo Recreation & Park District

Chief Financial Officer

Al McGreehan, Paradise Recreation & Park District

Director-at-Large

Two Positions:

(Even Year)

Dennis Waespi, East Bay Regional Park District

Rick Sloan, Cordova Recreation & Park District

Administrator Rep

One Administrator Position:

(Even Year)

Dean Wetter, Valley-Wide Recreation & Park District

The CARPD Board of Directors consist of eleven elected representatives of the CARPD Membership. In this volunteer positions, the Board provides policy direction for the organization in order to fulfill its mission to advocate, educate, and support California's recreation and park districts. Thank you to all, past and present, that have served our organization!



Pictured (left to right): President-Elect Doug Nickles, Board Member Dean Wetter, Board Member Dennis Waespi, CFO Al McGreehan, President Michelle Lacy. Inset Photo: Executive Director Matthew Duarte and Board Member Rick Sloan

CONGRATULATIONS AND WELCOME

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W A L S H & ASSOCIATES, A P C

A T T O R N E Y S A T L A W

AGGRESSIVE DEFENSE PRACTICAL ADVICE PERSONAL ATTENTION

We had a great Conference in South Lake Tahoe this year!
CARPD Sponsors are integral to ensuring our member agencies
are able to network and learn at our CARPD Annual Conference.

We thank them for their generous support over the years!

LEGISLATIVE UPDATE

By Russ Noack
Public Policy Advocates, LLC

The California Legislature has adjourned for their annual Summer Recess after finishing the policy committee deadline, passing a \$308 billion State Budget and a welter of trailer bills that Governor Newsom quickly signed into law. The State Budget established a new mark as being the largest in the history of the United States. The Legislature will return to the State Capitol on August 1 to complete their work, including fleshing out some of the programs receiving allocations in the Budget, before bringing the second year of the Session to an end on August 31.

The Budget package is contained in Senate Bill 154 (Skinner) and was modified by Assembly Bill 178 (Ting), known as the "Budget Jr. bill" after final negotiations between the Governor and legislative leaders. The Budget accomplished the Governor's three highest priorities of providing a tax rebate to citizens, Medi-Cal reform to allow for direct state contracting with Kaiser Permanente and the creation of a CARE Court to assist the mentally ill portion of the homelessness population. Like last year, since the state continues to experience a large surplus of funds, many legislators were able to secure funding for specific recreation and park projects in their area of the state. I have placed a link in this article to the lengthy list of items slated to be allocated that were included in the Budget Bill Jr. ([Link](#), beginning at page 355). The list once again underscores how valuable it is to establish and maintain a close working relationship with your own state legislators to provide access for state funding for local programs when the state has excessive financial resources.

A few Budget highlights include \$7,200,000 in recreation grant opportunities, \$6,674,000 allocation to the Department of Park and Recreation and \$3,783,000 for special districts that suffered losses from 2021 wildfires. The Budget also notes that the following items will receive additional allocations to be worked out during the last four weeks of the Session:

Wildfire: \$320 million
Drought: \$116.2 million
Extreme Heat: \$150 million
Nature-Based Solution: \$594 million.

In addition to the ongoing budget-related work, the CARPD Legislative Committee has been actively involved on a number of measures during this year's legislative process. [Assembly Bill 1737](#) by Chris Holden, as introduced, would have created substantial burdensome regulatory and inspection requirements for day camps. After a series of meetings with our members, the author and staff addressed our concerns and modified the bill to remove our opposition. In a similar vein, [Assembly Bill 2186](#) by Tim Grayson, relating to impact fee reimbursements, was amended to remove our objections. [Senate Bill 938](#) by Bob Hertzberg has been amended to enact the Little Hoover Commission recommendation on LAFCO reform by setting a 25% rather than a 10% voter protest threshold.

Other bills of relevance that remain alive and active this Session include [Assembly Bill 30](#) by Ash Kalra to establish a state policy to ensure that all Californians have safe and affordable access to nature and outdoor activities, [Assembly Bill 1789](#) by Steve Bennett that would create a Recreational Trails Fund to promote investment and grant opportunities for trail improvements and [Assembly Bill 1643](#) by Robert Rivas to create an Extreme Heat Advisory Committee to promote training and planning for local agencies.

The Legislative Committee has also been keeping a close watch on the Business Roundtable sponsored Initiative entitled the "[Taxpayer Protection and Government Accountability Initiative](#)" designed to diminish the ability for public agencies to pass revenue enhancement measures through the local initiative process. The Initiative has engendered the opposition of hundreds of local government organizations. Although the proponents are continuing the signature gathering process, they are no longer planning to qualify it for the 2022 Ballot and are now focusing on placing it on the November 2024 Ballot.

August will be a busy month in Sacramento as legislators work at a fever pitch to conclude their business before diving full bore into November election campaign activities.



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VERDE DESIGN

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CAPRI

California Special Districts Alliance



**California Special
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Special District Risk Management Authority



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