



**TEHACHAPI VALLEY  
RECREATION AND PARKS DISTRICT  
490 WEST D STREET, TEHACHAPI, CA 93561**

**REGULAR BOARD MEETING  
TUESDAY, AUGUST 20, 2013, 5:00 P.M.**

**BOARD OF DIRECTORS**

GAYLE STEWART, CHAIRPERSON  
PAUL PRESS, VICE-CHAIRPERSON  
PAULETTE RUSH, SECRETARY  
NICK CYR, DIRECTOR  
BRIAN DUHART, DIRECTOR

**A G E N D A**

**1. FLAG SALUTE**

**2. ROLL CALL**

**3. CLOSED SESSION**

- a. District Manager performance evaluation per GOVERNMENT CODE SECTION 54957 (b)(1).

**4. PUBLIC COMMENTS**

*The Tehachapi Valley Recreation and Parks District Board of Directors welcome public comments on any items within the subject matter jurisdiction of the District. We respectfully request that this public forum be utilized in a positive and constructive manner. Items addressed during Public Comment section are generally matters not included on the posted agenda and therefore the Board will take no action at this meeting. Such items, however, may be added to future meeting's agenda. Speakers are limited to two (2) minutes. Please state your name or organization represented, if any, before making presentation. Thank you!*

**5. CONSENT CALENDAR**

*All items listed on the Consent Calendar shall be considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the Board or a member of the audience request specific items to be removed from the Consent Calendar for separate action.*

- A. Clerk Declaration of Posting of Agenda 72 Hours in Advance of Meeting (Page 3)
- B. Approval of Minutes from the Regular Board Meeting held July 16, 2013 (Pages 4-8)
- C. Approval of the Preliminary Financial Reports for July (Pages 9-17)

**6. MAINTENANCE FOREMAN REPORT** (Page 18)

**7. RECREATION SUPERVISOR REPORT** (Page 19)

**8. DISTRICT MANAGER REPORT** (Page 20)

**9. REPORTS OF STANDING COMMITTEES**

- A. Personnel and Personnel Policies
- B. Budget and Finance
- C. Program and Program Policy
- D. Park and Facility Improvement and Development

**10. AGENDA ITEMS**

- A. Approving Chapter 4: Personnel Policy and Procedure - Discussion/Approval, Resolution #32-13 (Pages 21-22)
- B. Approving Chapter 6: Finance - Discussion/Approval, Resolution #33-13 (Pages 23-24)
- C. Approving Chapter 7: Safety and Security - Discussion/Approval, Resolution #34-13 (Pages 25-26)
- D. Approving Chapter 9: Recreation and Parks - Discussion/Approval, Resolution #35-13 (Pages 27-28)
- E. Approving Amendment to Tehachapi Valley Recreation and Parks District Ordinance No. 01-10 – Discussion/Approval, Resolution #36-13 (Pages 29-40)

**11. BOARD OF DIRECTORS' TIME**

*Opportunity for the Board to comment on items not listed on the agenda.*

**12. OTHER BUSINESS**

**13. ADJOURNMENT**

*Adjourn to the next Regular Meeting of the Board of Directors of the Tehachapi Valley Recreation and Parks District scheduled on September 17, 2013.*



### **CERTIFICATE OF POSTING AGENDA**

I, the Clerk of the Tehachapi Valley Recreation and Parks District Board of Directors hereby certify that a copy of the August 20, 2013, Regular Board Meeting Agenda was posted at the following public places within the District on Friday, August 16, 2013, at 12:00 P.M. approximately:

- TVRPD District Office, 490 West D Street, Tehachapi, California 93561
- The TVRPD Web site at [www.tvrpd.org](http://www.tvrpd.org)

The agenda and related documents were also provided to the Tehachapi Valley Recreation and Parks District Board of directors on the 16<sup>th</sup> day of August 2013.

Dated this 16<sup>th</sup> day of August 2013

A handwritten signature in cursive script, reading "Carrie Champlin", is written over a horizontal line.

Carrie Champlin  
Clerk of the Board of Directors

**MINUTES OF THE REGULAR BOARD MEETING  
OF THE TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT  
490 WEST D STREET, TEHACHAPI, CALIFORNIA 93561  
TUESDAY JULY 16, 2013, 5:30 P.M.**

**CALL TO ORDER:** Board Meeting Convened By Chairperson Stewart at 5:30 P.M.

**BOARD MEMBERS:**

Gayle Stewart, Chairperson  
Paul Press, Vice-Chairperson  
Paulette Rush, Secretary  
Nick Cyr, Director  
Brian Duhart, Director

**ALSO PRESENT:**

Matt Young, TVRPD District Manager  
Mike Walsh, TVRPD Maintenance Foreman  
LeAnn Williams, TVRPD Recreation Supervisor  
Patrick Osborn, Clifford & Brown  
Laura Lynn Wyatt, GHCSO Board President  
Greg Garrett, City Manager  
Ida Perkins, Tehachapi Chamber President  
Glenn Baumann  
Susan Wiggins

1. **FLAG SALUTE:** Director Cyr led the Flag Salute.
2. **ROLL CALL:** Vice-Chairperson Press was absent.
3. **PUBLIC COMMENTS** - None

**4. CONSENT CALENDAR**

**A. Secretary Declaration of Posting of Agenda 72 hours in Advance of Meeting Held**

Declaration by the Clerk of the Board of Directors that the agenda was posted at least 72 hours in advance of meeting. BOARD APPROVED SECRETARY DECLARATION.

**Rush - Duhart : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**B. Approval of Minutes from the Regular Board Meeting held May 21, 2013.**

Request by Clerk of the Board of Directors to approve the minutes from the June 18, 2013 Regular Board Meeting. BOARD APPROVES MINUTES.

**Rush - Duhart : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**C. Approval of Financial Reports.**

Request by Clerk of the Board of Directors to approve the Financial Reports. BOARD APPROVED FINANCIAL REPORTS.

**Rush - Duhart : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

## **5. MAINTENANCE FOREMAN REPORT**

Maintenance Foreman Mike Walsh gave the report.

- Central Park: Restroom repair, BBQ replaced, Lights installed at Veteran's Memorial, Plaque replaced on Veteran's Memorial.
- West Park: Two valves replaced, toilet repair and mower maintenance.
- Skate Park: Rail repair.
- Brite Lake: Cable repair, water line repair.
- Meadowbrook: Music in the Park preparation
- Dye Natatorium: Removing contents, Dresser scheduled to start inside demolition and mold remediation July 17, 2013. Accepting bids for the rebuild of the inside of the Dye Natatorium.

## **6. RECREATION SUPERVISOR REPORT**

Recreation Supervisor LeAnn Williams gave the report.

- Williams thanked Walsh and his maintenance staff for all their hard work.
- Programs in progress: Women's Softball.
- New program: Play-Well TEKnologies LEGO Camp. Program sold out.
- Event Report: Movies in the Park will be at Meadowbrook Park July 27, 2013. First installment of Movies in the Park was a big success. Sponsorships are being accepted. Music in the Park will be July 21 & 28, 2013.
- Bun Run was a huge success with 210 registrations.
- Upcoming run events: Summer Fun Run, Tarmac 5K, and Kids Mile Run.
- Music in the Park on June 22, 2013 at Meadowbrook had approximately 700 in attendance with 71 cars in the car show. TVRPD worked with GHCSO to make this event happen. Laura Lynn Wyatt, Bill Fisher and Glenn Baumann were instrumental in making the event a success.

## **7. DISTRICT MANAGER REPORT**

District Manager Matt Young gave the report.

- Young thanked his staff and TVRPD's community partners.
- Veteran's Memorial: District Manager Young thanked the City of Tehachapi, Mercury Graphics, and everyone that contributed to the Veteran's Memorial.
- Policy Manual Update: Expects to have the manual ready for approval at the next meeting.
- Server upgrade was completed.
- Ready to launch a new website that will include online registration.
- SCE reclassification will save the district approximately \$21,000.00.
- Workers Compensation classification results in \$13,500.00. Implementation of a safety committee and plan dropped our modification rate 28%.
- Working with TCCWD and John Martin to reroute the Summer Fun Run over the dam.
- Building a technical committee for the refurbishment of Meadowbrook Park and meeting with a landscape architects.
- Professional development update: Maintenance Management School registration for Mike Walsh and Matt Young. Applying for scholarships to help cover cost. LeAnn Williams registered for Aquatic Management School.

*All Reports Received and Filed.*

## **8. REPORTS OF STANDING COMMITTEES**

Director Brian Duhart gave the report for the Budget and Finance Committee.

- Budget and Finance Committee met and talked about the budget for FY 2013/2014.
- Committee recommends that the board approve the tax advance in the amount of \$350,000.00.
- Committee recommends that the board approve the budget for FY 2013/2014.

## **9. AGENDA ITEMS**

### **A. Authorizing the Treasurer of the County of Kern to Transfer Funds in its Custody for Meeting the Obligations Incurred for the Maintenance and Operations of the District – Tehachapi Valley Recreation and Parks District is Requesting a Property Tax Advance in the Amount of \$350,000.00 - Resolution #26-13.**

District Manager Young gave a brief explanation of the tax advance process.

It was recommended that the board approve the property tax advance, Resolution #26-13.

BOARD AUTHORIZES THE TREASURER OF THE COUNTY OF KERN TO TRANSFER PROPERTY TAX FUNDS IN ITS CUSTODY FOR MEETING THE OBLIGATIONS INCURRED FOR THE MAINTENANCE AND OPERATIONS OF THE DISTRICT IN THE AMOUNT OF \$350,000.00, RESOLUTION #26-13.

**Duhart - Cyr : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

### **B. Adoption of Tehachapi Valley Recreation and Parks District FY 2013/2014 Final Budget – Resolution #27-13.**

District Manager Young gave an explanation of the operational reserve and the dedicated contingency reserve included in the budget and recommended that the board approve the final budget for FY 2013/2014, Resolution #27-13.

1. Public Hearing - The meeting was opened for public comment. There were no public comments.

BOARD ADOPTS TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT FY 2013/2014 FINAL BUDGET, RESOLUTION #27-13.

**Duhart - Rush : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

### **C. Approval of the 2013 Mountain Festival Contract Between Tehachapi Valley Recreation and Parks District and the Greater Tehachapi Chamber of Commerce For Use of Central Park, Resolution # 28-13.**

Ida Perkins thanked Matt Young for working with the Chamber. District Manager Matt Young thanked Ida Perkins and the Chamber for being one of TVRPD's community partners.

District Manager Matt Young recommended the board approve the 2013 Mountain Festival contract between Tehachapi Valley Recreation and Parks District and the Greater Tehachapi Chamber of Commerce, Resolution #28-13.

BOARD APPROVES THE 2013 MOUNTAIN FESTIVAL CONTRACT BETWEEN TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT AND THE GREATER TEHACHAPI CHAMBER OF COMMERCE, RESOLUTION #28-13.

**Cyr - Rush : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**D. Approval of Job Description for Recreation Coordinator, Resolution #29-13.**

District Manager Young gave an explanation of the entry level position of Recreation Coordinator and explained that this position will not be filled at this time but we will need an approved job description ready for when we are ready to hire for this position.

District Manager Matt Young recommended that the board approve the job description for the Recreation Coordinator position, Resolution #29-13.

BOARD APPROVES THE JOB DESCRIPTION FOR RECREATION COORDINATOR, RESOLUTION # 29-13.

**Rush - Cyr : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**E. Approval of Job Description for Custodian, Resolution # 30-13.**

District Manager Matt Young recommended that the board approve the job description for the Custodian position, Resolution #30-13.

Director Duhart suggested a pay range be added to the job description for custodian and motioned to approve the job description for custodian with the stipulation that a pay range of \$10.00 through \$12.00 per hour be added to the custodian job description.

BOARD APPROVES THE JOB DESCRIPTION FOR CUSTODIAN WITH THE PAY RANGE ADDITION OF \$10.00 THROUGH \$12.00 PER HOUR ADDED TO THE DESCRIPTION, RESOLUTION #30-13.

**Rush - Cyr : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**F. Adoption of a New Tehachapi Valley Recreation and Parks District Logo, Resolution #31-13.**

District Manager Matt Young explained the importance of the logo language matching the District's legal name. Legal Counsel Patrick Osborn also stated that it is better to be consistent with the language across the board and make everything the same. Mr. Osborn also said that the board should officially adopt the new logo with a resolution.

BOARD ADOPTS THE NEW TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT LOGO CONTAINING THE LEGAL NAME OF TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT, RESOLUTION #31-13.

**Rush - Cyr : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

**10. BOARD OF DIRECTORS TIME**

Chairperson Stewart thanked the members of the audience that regularly attend the board meetings

**11. OTHER BUSINESS:**

District Manager Young thanked all of TVRPD's community partners for their support and time that they dedicate to the District.

District Manager Young reported that the District received a State of California Senate Certificate of Recognition. Young also reported that the District received a Proclamation from the Tehachapi City Council recognizing the month of July as "Parks and Recreation Month".

**12. ADJOURNMENT**

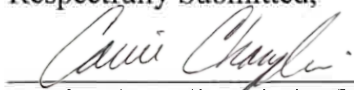
Having no further business the meeting was adjourned at 6:35 P.M. to the Regular Board meeting of the Directors of Tehachapi Valley Recreation and Parks District scheduled on August 20, 2013.

**Rush - Duhart : Ayes: Stewart; Rush; Cyr; Duhart.**

**Noes: None. Motion carried.**

**Absent: Vice-Chairperson Press.**

Respectfully Submitted,



Carrie Champlin, Clerk of the Board



Tehachapi Valley Recreation & Parks  
District  
**Financials**  
July 2013

Prepared without audit by Better Ledger Inc

## Tehachapi Valley Recreation and Park District Balance Sheet

As of July 31, 2013

	Total
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
1000 Cash in County Treasury Special Revenue Fund	
1001 Cash in County Treasury-General Fund	565,519.13
1003 Cash in County Treasury-Quimby	28,898.56
Total 1000 Cash in County Treasury Special Revenue Fund	<u>594,417.69</u>
1004 Check BOTS 4470	146,308.07
1005 County Treasury Capital Projects Fund	447,109.51
1050 Cash Box-Events	445.00
1051 Change Fund	900.00
1100 Petty Cash Fund	200.00
Total Bank Accounts	<u>\$1,189,380.27</u>
Accounts Receivable	
1200 Accounts Receivable	1,227.50
Total Accounts Receivable	<u>\$1,227.50</u>
Other current assets	
1070 Prepaid Expenses	19,310.49
1092 Credit Card Receivables	330.00
Total Other current assets	<u>\$19,640.49</u>
Total Current Assets	<u>\$1,210,248.26</u>
Fixed Assets	
1150 Land	166,734.75
1161 Building	556,453.52
1162 Improvements	1,446,433.41
1163 Equipment	536,231.22
1164 Swimming Pool & Building	265,383.67
1165 Lake	412,294.78
1170 Accumulated Depreciation	-2,325,382.00
Total Fixed Assets	<u>\$1,058,149.36</u>
<b>TOTAL ASSETS</b>	<u><u>\$2,268,397.62</u></u>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	25,537.53
Total Accounts Payable	<u>\$25,537.53</u>
Credit Cards	
2010 Cardmember Services Payable	7,119.39
2014 Home Depot Payable	152.12

	<b>Total</b>
<b>Total Credit Cards</b>	<b>\$7,271.51</b>
<b>Other Current Liabilities</b>	
2021 Accrued Salaries & Wages	15,935.72
2022 Accrued Employer PR Taxes	1,416.35
2024 Accrued Vacation, Sick, & Comp Time	0.00
2024.2 Accrued Vacation	5,206.34
2024.3 Accrued Sick Leave	7,671.69
2024.5 Accrued Comp Time	1,592.54
<b>Total 2024 Accrued Vacation, Sick, &amp; Comp Time</b>	<b>14,470.57</b>
2208 Kern County Loan Payable	350,000.00
2210 Payroll Liabilities	
2211 CalPERS Payable	-261.62
2231 Health Plan Payable	-2,154.58
2250 Payroll Tax Liabilities	788.13
<b>Total 2210 Payroll Liabilities</b>	<b>-1,628.07</b>
2260 Veterans Memorial Fund Payable	1,526.17
<b>Total Other Current Liabilities</b>	<b>\$381,720.74</b>
<b>Total Current Liabilities</b>	<b>\$414,529.78</b>
<b>Total Liabilities</b>	<b>\$414,529.78</b>
<b>Equity</b>	
3010 Net Investment In Capital Assets	
3012 Investment in Fixed Assets	1,132,680.57
<b>Total 3010 Net Investment In Capital Assets</b>	<b>1,132,680.57</b>
3020 Restricted Funds	
3022 Capital Projects	442,387.26
<b>Total 3020 Restricted Funds</b>	<b>442,387.26</b>
3030 Unrestricted Funds	408,173.22
3110 Retained Earnings	-90,470.14
Net Income	-38,903.07
<b>Total Equity</b>	<b>\$1,853,867.84</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$2,268,397.62</b>

Tuesday, Aug 13, 2013 06:22:45 AM PDT GMT-7 - Accrual Basis

## Tehachapi Valley Recreation and Park District Profit & Loss

July 2013

	Total	
	Jul 2013	Jul 2013 (PY)
<b>Income</b>		
4010 Property Taxes	3,472.93	3,472.93
4020 Interest Income	942.03	942.03
4030 Adult Program Revenues	1,950.00	1,950.00
4050 Facility Revenue	12,635.75	12,635.75
4200 Contracted Classes Revenues	4,480.00	4,480.00
4210 Events Revenues	8,343.00	8,343.00
4300 Youth Program Revenues	6,425.48	6,425.48
<b>Total Income</b>	<b>\$38,249.19</b>	<b>\$38,249.19</b>
<b>Cost of Goods Sold</b>		
5001 Adult Program Costs	20.48	20.48
5004 Contracted Classes Costs	4,188.20	4,188.20
5005 Events Costs	6,822.88	6,822.88
5008 Youth Program Costs	5,569.48	5,569.48
<b>Total Cost of Goods Sold</b>	<b>\$16,601.04</b>	<b>\$16,601.04</b>
<b>Gross Profit</b>	<b>\$21,648.15</b>	<b>\$21,648.15</b>
<b>Expenses</b>		
6000 Employee Costs	40,030.80	40,030.80
7010 Advertising & Marketing	963.03	963.03
7020 Bank Service Charges	403.41	403.41
7030 Dues & Subscriptions	150.00	150.00
7035 Equipment Rents & Leases	127.61	127.61
7050 Insurance	1,394.20	1,394.20
7060 Licenses & Fees	968.00	968.00
7070 Maintenance	2,801.88	2,801.88
7090 Office Supplies	528.41	528.41
7120 Professional Development	3,488.00	3,488.00
7150 Professional Fees	1,891.50	1,891.50
7180 Security	72.00	72.00
7210 Telephone	1,259.07	1,259.07
7230 Uniforms & Apparel	416.67	416.67
7250 Utilities	6,250.64	6,250.64
<b>Total Expenses</b>	<b>\$60,745.22</b>	<b>\$60,745.22</b>
<b>Net Operating Income</b>	<b>\$ -39,097.07</b>	<b>\$ -39,097.07</b>
<b>Other Income</b>		
8040 TVRPD Development Fee Revenues	4,274.00	4,274.00
<b>Total Other Income</b>	<b>\$4,274.00</b>	<b>\$4,274.00</b>
<b>Other Expenses</b>		
8505 Quimby Expense	4,080.00	4,080.00
<b>Total Other Expenses</b>	<b>\$4,080.00</b>	<b>\$4,080.00</b>

	Total	
	Jul 2013	Jul 2013 (PY)
Net Other Income	\$194.00	\$194.00
Net Income	\$ -38,903.07	\$ -38,903.07

Tuesday, Aug 13, 2013 06:23:54 AM PDT GMT-7 - Accrual Basis

## Tehachapi Valley Recreation and Park District Statement of Cash Flows

July 2013

	Total
<b>OPERATING ACTIVITIES</b>	
Net Income	-38,903.07
Adjustments to reconcile Net Income to Net Cash provided by operations:	
1200 Accounts Receivable	-227.50
1070 Prepaid Expenses	-16,398.21
1080 Accrued Employee PR Deductions	3,765.57
1092 Credit Card Receivables	800.00
2000 Accounts Payable	-9,919.55
2010 Cardmember Services Payable	4,521.88
2014 Home Depot Payable	-629.64
2021 Accrued Salaries & Wages	-1,150.09
2022 Accrued Employer PR Taxes	-3,034.85
2208 Kern County Loan Payable	350,000.00
2211 Payroll Liabilities:CalPERS Payable	-991.49
2221 Payroll Liabilities:Garnishment Payable	-134.68
2231 Payroll Liabilities:Health Plan Payable	-2,154.58
2250 Payroll Liabilities:Payroll Tax Liabilities	788.13
2260 Veterans Memorial Fund Payable	-328.78
Net cash provided by operating activities	<b>\$286,003.14</b>
Net cash increase for period	<b>\$286,003.14</b>
Cash at beginning of period	903,377.13
Cash at end of period	<b>\$1,189,380.27</b>

Tuesday, Aug 13, 2013 06:25:13 AM PDT GMT-7

## Tehachapi Valley Recreation and Park District Budget vs. Actuals: 2013-2014 TVRPD Budget - FY14 P&L

July 2013

	Total			
	Actual	Budget	Remaining	% of Budget
<b>Income</b>				
4010 Property Taxes	3,472.93	732,272.00	728,799.07	0.47 %
4020 Interest Income	942.03	1,500.00	557.97	62.80 %
4030 Adult Program Revenues	1,950.00	29,360.00	27,410.00	6.64 %
4050 Facility Revenue	12,635.75	98,705.00	86,069.25	12.80 %
4200 Contracted Classes Revenues	4,480.00	23,100.00	18,620.00	19.39 %
4210 Events Revenues	8,343.00	29,050.00	20,707.00	28.72 %
4300 Youth Program Revenues	6,425.48	102,940.00	96,514.52	6.24 %
<b>Total Income</b>	<b>\$38,249.19</b>	<b>\$1,016,927.00</b>	<b>\$978,677.81</b>	<b>3.76 %</b>
<b>Cost of Goods Sold</b>				
5001 Adult Program Costs	20.48	1,783.00	1,762.52	1.15 %
5004 Contracted Classes Costs	4,188.20	9,487.00	5,298.80	44.15 %
5005 Events Costs	6,822.88	22,319.00	15,496.12	30.57 %
5008 Youth Program Costs	5,569.48	30,400.00	24,830.52	18.32 %
<b>Total Cost of Goods Sold</b>	<b>\$16,601.04</b>	<b>\$63,989.00</b>	<b>\$47,387.96</b>	<b>25.94 %</b>
<b>Gross Profit</b>	<b>\$21,648.15</b>	<b>\$952,938.00</b>	<b>\$931,289.85</b>	<b>2.27 %</b>
<b>Expenses</b>				
<b>6000 Employee Costs</b>				
6010 Salaries & Wages				
6012 Administrative Wages	10,664.43	125,880.00	115,215.57	8.47 %
6013 Adult Program Wages	884.00	22,750.00	21,866.00	3.89 %
6014 Maintenance Wages	10,561.52	141,240.00	130,678.48	7.48 %
6015 Gym Supervisor	224.50	10,000.00	9,775.50	2.25 %
6016 Recreation Supervisor	3,680.00	50,840.00	47,160.00	7.24 %
6017 Recreation Coordinator	564.00	12,000.00	11,436.00	4.70 %
6018 Contracted Class Wages	1,080.10	8,288.00	7,207.90	13.03 %
6019 Youth Program Wages	5,344.75	66,195.00	60,850.25	8.07 %
6021 Event Wages	85.00	3,500.00	3,415.00	2.43 %
<b>Total 6010 Salaries &amp; Wages</b>	<b>33,088.30</b>	<b>440,693.00</b>	<b>407,604.70</b>	<b>7.51 %</b>
6050 Benefits				
6051 Employee Group Insurance (Med.)	984.82	34,400.00	33,415.18	2.86 %
6052 Employee Life Insurance		400.00	400.00	
6053 Employee Grp. Ins. (Vision)		1,000.00	1,000.00	
6055 Employee Retirement-PERS	1,366.32	57,000.00	55,633.68	2.40 %
6057 EPS & Dental	0.00	2,000.00	2,000.00	0.00 %
6058 Employer Tax Expense	3,127.09	45,000.00	41,872.91	6.95 %
6060 Reimbursed Employee Expenses	92.27	3,120.00	3,027.73	2.96 %
6090 Worker's Compensation Insurance	1,372.00	16,500.00	15,128.00	8.32 %
<b>Total 6050 Benefits</b>	<b>6,942.50</b>	<b>159,420.00</b>	<b>152,477.50</b>	<b>4.35 %</b>
<b>Total 6000 Employee Costs</b>	<b>40,030.80</b>	<b>600,113.00</b>	<b>560,082.20</b>	<b>6.67 %</b>

	Total			
	Actual	Budget	Remaining	% of Budget
7010 Advertising & Marketing	963.03	15,000.00	14,036.97	6.42 %
7020 Bank Service Charges	403.41	2,700.00	2,296.59	14.94 %
7030 Dues & Subscriptions	150.00	2,200.00	2,050.00	6.82 %
7035 Equipment Rents & Leases	127.61	3,700.00	3,572.39	3.45 %
7050 Insurance		18,000.00	18,000.00	
7051 Auto Insurance	251.92		-251.92	
7052 HUB Insurance	-0.16		0.16	
7053 Property Insurance	685.83		-685.83	
7055 Liability Insurance	456.61		-456.61	
Total 7050 Insurance	<b>1,394.20</b>	<b>18,000.00</b>	<b>16,605.80</b>	<b>7.75 %</b>
7060 Licenses & Fees	968.00	2,500.00	1,532.00	38.72 %
7070 Maintenance				
7072 Building Maintenance		11,000.00	11,000.00	
7074 Equipment Maintenance	86.62	6,150.00	6,063.38	1.41 %
7075 Fuel	1,182.98	15,000.00	13,817.02	7.89 %
7076 Janitorial Supplies	1,223.89	8,100.00	6,876.11	15.11 %
7078 Materials & Supplies	308.39	52,060.00	51,751.61	0.59 %
Total 7070 Maintenance	<b>2,801.88</b>	<b>92,310.00</b>	<b>89,508.12</b>	<b>3.04 %</b>
7090 Office Supplies	528.41	13,000.00	12,471.59	4.06 %
7120 Professional Development	3,488.00	10,000.00	6,512.00	34.88 %
7150 Professional Fees		0.00	0.00	
7151 Annual Audit		13,000.00	13,000.00	
7152 Accounting	1,875.00	12,500.00	10,625.00	15.00 %
7155 Legal	-227.50	22,000.00	22,227.50	-1.03 %
7156 Payroll Preparation Service	244.00	4,200.00	3,956.00	5.81 %
Total 7150 Professional Fees	<b>1,891.50</b>	<b>51,700.00</b>	<b>49,808.50</b>	<b>3.66 %</b>
7160 Property Tax Collection Fee		7,500.00	7,500.00	
7170 Publications & Legal		1,000.00	1,000.00	
7180 Security	72.00	1,390.00	1,318.00	5.18 %
7210 Telephone	1,259.07	16,270.00	15,010.93	7.74 %
7230 Uniforms & Apparel	416.67		-416.67	
7250 Utilities				
7252 Electric Service	5,128.86	52,920.00	47,791.14	9.69 %
7254 Gas Service	11.57	21,200.00	21,188.43	0.05 %
7256 Sanitation Services	1,105.71		-1,105.71	
7258 Water Service	4.50	15,685.00	15,680.50	0.03 %
Total 7250 Utilities	<b>6,250.64</b>	<b>89,805.00</b>	<b>83,554.36</b>	<b>6.96 %</b>
Total Expenses	<b>\$60,745.22</b>	<b>\$927,188.00</b>	<b>\$866,442.78</b>	<b>6.55 %</b>
Net Operating Income	<b>\$ -39,097.07</b>	<b>\$25,750.00</b>	<b>\$64,847.07</b>	<b>-151.83 %</b>
Other Income				
8040 TVRPD Development Fee Revenues	4,274.00		-4,274.00	
Total Other Income	<b>\$4,274.00</b>	<b>\$0.00</b>	<b>\$ -4,274.00</b>	<b>0.00%</b>
Other Expenses				
8505 Quimby Expense	4,080.00	19,698.00	15,618.00	20.71 %
Total Other Expenses	<b>\$4,080.00</b>	<b>\$19,698.00</b>	<b>\$15,618.00</b>	<b>20.71 %</b>



	Total			
	Actual	Budget	Remaining	% of Budget
Net Other Income	\$194.00	\$ -19,698.00	\$ -19,892.00	-0.98 %
Net Income	\$ -38,903.07	\$6,052.00	\$44,955.07	-642.81 %

Tuesday, Aug 13, 2013 06:21:26 AM PDT GMT-7 - Accrual Basis



## AGENDA ITEM 6

TVRPD Board Meeting  
490 West D Street  
Tehachapi, CA 93561

August 20, 2013

### **Maintenance Foreman Report**

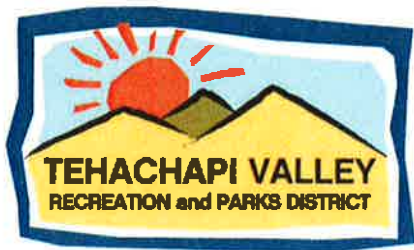
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Staff update

Event preparation/set-up

Facilities report

1. Central Park
  - Replace two sprinkler valves
2. West Park/West Park Activity Center
  - Remove fencing and poles next to restroom
  - Replace sprinkler valve
3. Ollie Mountain Skate Park
  - Repair ramp
4. Brite Lake
  - Install thru-wall a/c unit at entrance station
  - Restroom fixtures repaired
  - Brush fires
5. Meadowbrook/Meadowbrook Dog Park
6. Dye Natatorium
  - Mold remediation/repairs update



## AGENDA ITEM 7

TVRPD Board Meeting  
490 West D Street  
Tehachapi, CA 93561

August 20, 2013

### **Recreation Supervisor Report**

---

- Programs in progress
  - Women's softball
    - Ends August 27th
- Upcoming events/programs
  - Tarmac 5K and Kids 1 Mile Runway Run
    - September 28<sup>th</sup>, 2013 @ Tehachapi Airport
- Recap of programs
  - Summer Fun Run
    - # finished, # registered
  - Music in the Park
    - Ended August 11<sup>th</sup>
  - Movies in the Park
    - 600+ attended Goonies
    - 500-600 attended The Lorax
    - Concession stand, pizza, free popcorn and free snow cones (Snow Orthodontics) huge success
- Looking ahead
  - Youth Basketball sign-ups September/October
  - Planning Spring/Summer Programs and Events
  - Ed 2 Go
- Professional Development
  - CPRS Aquatics Management School



AGENDA ITEM 8

TVRPD Board Meeting  
490 West D Street  
Tehachapi, CA 93561

August 20, 2013

**District Manager Report**

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- Master Plan Update
- Formation of the Meadowbrook Conceptual Site Plan Committee
- Audit Update- Fisher, Keathly & Ross
- Bright House Service and District Savings
- TVRPD Website Update
- Eagle Scout Projects

**THE BOARD OF DIRECTORS OF THE  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT**

IN THE MATTER OF

**REVISING TVRPD POLICY MANUAL  
CHAPTER 4: PERSONNEL POLICY AND PROCEDURE**

---

I, Carrie Champlin, Clerk of the Board of Directors of the Tehachapi Valley Recreation and Parks District, of the County of Kern, State of California, so hereby certify that the following resolution proposed by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ was duly passed and adopted by said Board of Directors at an official meeting thereof this 20<sup>th</sup> day of August 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Clerk of the Board of Directors  
of the Tehachapi Valley Recreation  
and Parks District

---

**RESOLUTION NO. 32-13**

**WHEREAS**, the Tehachapi Valley Recreation and Parks District (TVRPD) has a Policy Manual; and

**WHEREAS**, said Policy Manual has not been updated since 2007; and

**WHEREAS**, a revised chapter, Chapter 4: Personnel Policy and Procedure, has been provided for consideration to replace the existing 2007 Policy Manual Chapter 7, Article 5 – Personnel Rules, Regulations, and Policies; and

**WHEREAS**, the board desires to adopt said revised Policy Manual Chapter 4: Personnel Policy and Procedure;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Directors approve a revised Chapter 4: Personnel Policy and Procedure;; and

**BE IT FINALLY RESOLVED** that all policies therein will be exercised and honored immediately.

**THE BOARD OF DIRECTORS OF THE  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT**

IN THE MATTER OF

**REVISING TVRPD POLICY MANUAL  
CHAPTER 6: FINANCE**

---

I, Carrie Champlin, Clerk of the Board of Directors of the Tehachapi Valley Recreation and Parks District, of the County of Kern, State of California, so hereby certify that the following resolution proposed by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ was duly passed and adopted by said Board of Directors at an official meeting thereof this 20<sup>th</sup> day of August 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Clerk of the Board of Directors  
of the Tehachapi Valley Recreation  
and Parks District

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**RESOLUTION NO. 33-13**

**WHEREAS**, the Tehachapi Valley Recreation and Parks District (TVRPD) has a Policy Manual; and

**WHEREAS**, said Policy Manual has not been updated since 2007; and

**WHEREAS**, a revised chapter, Chapter 6: Finance, has been provided for consideration to replace the existing 2007 Policy Manual Chapter 5, Article 3 – Policies for Budget and Finance and Chapter 6, Article 4 – Purchasing Policies; and

**WHEREAS**, the board desires to adopt said revised Policy Manual Chapter 6: Finance.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Directors approve a revised Chapter 7: Safety and Security; and

**BE IT FINALLY RESOLVED** that all policies therein will be exercised and honored immediately.



**THE BOARD OF DIRECTORS OF THE  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT**

IN THE MATTER OF

**REVISING TVRPD POLICY MANUAL  
CHAPTER 7: SAFTY AND SECURITY**

---

I, Carrie Champlin, Clerk of the Board of Directors of the Tehachapi Valley Recreation and Parks District, of the County of Kern, State of California, so hereby certify that the following resolution proposed by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ was duly passed and adopted by said Board of Directors at an official meeting thereof this 20<sup>th</sup> day of August 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Clerk of the Board of Directors  
of the Tehachapi Valley Recreation  
and Parks District

---

**RESOLUTION NO. 34-13**

**WHEREAS**, the Tehachapi Valley Recreation and Parks District (TVRPD) has a Policy Manual; and

**WHEREAS**, said Policy Manual has not been updated since 2007; and

**WHEREAS**, a revised chapter, Chapter 7: Safety and Security, has been provided for consideration to replace the existing 2007 Policy Manual Chapter 10, Article 8 – Injury and Illness Prevention Program; and

**WHEREAS**, the board desires to adopt said revised Policy Manual Chapter 7: Safety and Security.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Directors approve a revised Chapter 7: Safety and Security; and

**BE IT FINALLY RESOLVED** that all policies therein will be exercised and honored immediately.

**THE BOARD OF DIRECTORS OF THE  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT**

IN THE MATTER OF

**REVISING TVRPD POLICY MANUAL  
CHAPTER 9: RECREATION AND PARKS**

---

I, Carrie Champlin, Clerk of the Board of Directors of the Tehachapi Valley Recreation and Parks District, of the County of Kern, State of California, so hereby certify that the following resolution proposed by Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ was duly passed and adopted by said Board of Directors at an official meeting thereof this 20<sup>th</sup> day of August 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Clerk of the Board of Directors  
of the Tehachapi Valley Recreation  
and Parks District

---

**RESOLUTION NO. 35-13**

**WHEREAS**, the Tehachapi Valley Recreation and Parks District (TVRPD) has a Policy Manual; and

**WHEREAS**, said Policy Manual has not been updated since 2007; and

**WHEREAS**, a revised chapter, Chapter 9: Recreation and Parks, has been provided for consideration to replace the existing 2007 Policy Manual Chapter 8, Article 6 – Policies Governing the Use of Facilities and Equipment and Chapter 9, Article 7 – Program, Park and Planning Procedures; and

**WHEREAS**, the board desires to adopt said revised Policy Manual Chapter 7: Recreation and Parks.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Directors approve a revised Chapter 9: Recreation and Parks; and

**BE IT FINALLY RESOLVED** that all policies therein will be exercised and honored immediately.

**RESOLUTION NO. 36-13**

**BOARD OF DIRECTORS  
OF THE  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT**

**A RESOLUTION APPROVING AMENDMENT TO  
TEHACHAPI VALLEY RECREATION AND PARK DISTRICT  
ORDINANCE NO. 01-10**

WHEREAS the Tehachapi Valley Recreation and Parks District (the "District") adopted Ordinance No. 01-10 entitled "An Ordinance of the Tehachapi Valley Recreation and Parks District Establishing Rules and Regulations Governing Use of Tehachapi Valley Recreation and Parks District Parks and Facilities";

WHEREAS, the District's Board of Directors believes it is in the District's best interest to amend Section 8(v) of Ordinance No. 01-10 to read as follows:

v. Tobacco Products.

The possession and consumption of tobacco products in the District's Parks and Facilities are governed by the laws of the City of Tehachapi, County of Kern and the State of California.

WHEREAS, the District's Board of Directors believes it is in the District's best interest to authorize the Tehachapi Police Department and the Kern County Sheriff's Department to enforce the prohibitions set forth in Ordinance No. 01-10;

NOW THEREFORE, the Board of Directors of the Tehachapi Valley Recreation and Parks District resolves as follows:

RESOLVED, that the above-stated Amendment to Ordinance No. 01-10 is hereby approved;

RESOLVED FURTHER, that the Board of Directors hereby authorize the Tehachapi Police Department and the Kern County Sheriff's Department to enforce the prohibitions set forth in Ordinance No. 01-10, as amended, and the District's Directors and District Manager are hereby authorized to enter into negotiations with the Tehachapi Police Department and Kern County Sheriff's Department for the enforcement of Ordinance No. 01-10, as amended;

RESOLVED FURTHER, amended Ordinance No. 01-10 shall take effect thirty (30) days after the date of its adoption by the Board of Directors;

RESOLVED FURTHER, within fifteen (15) days of the adoption of this resolution, the Clerk of the Board of Directors shall cause notice of the Amendment to be published once, with the names of those members of the Board of Directors voting for and against the Amendment, in a newspaper of general circulation published within the District's boundaries; and,

RESOLVED FURTHER, that the District's Directors and District Manager are hereby authorized to take all necessary actions to perform the obligations of the District under Ordinance No. 01-10, as amended.

This Resolution shall take effect from and after its adoption and approval.

PASSED AND ADOPTED by the Board of Directors of the Tehachapi Valley Recreation and Parks District, State of California, this twentieth day of August, 2013, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Gayle Stewart, Chairman

Attest:

\_\_\_\_\_  
\_\_\_\_\_,  
Clerk of the Board of Directors

ORDINANCE NO. 01-10 (Amended)

AN ORDINANCE OF THE TEHACHAPI VALLEY  
RECREATION AND PARKS DISTRICT ESTABLISHING  
RULES AND REGULATIONS GOVERNING USE OF  
TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT  
PARKS AND FACILITIES

Ordinance No. 01-10 is an ordinance of the Tehachapi Valley Recreation and Parks District Board of Directors establishing rules and regulations governing use of Tehachapi Valley Recreation and Parks District parks and facilities. The Tehachapi Valley Recreation and Parks District Board of Directors ordains as follows:

**SECTION 1. PURPOSE AND AUTHORITY.**

The purpose of this ordinance is to establish rules and regulations for the use of Tehachapi Valley Recreation and Parks District parks and facilities in order to ensure that all persons receive maximum benefit and enjoyment from such use. All sections of this Ordinance are adopted pursuant to Section 5780. *et seq.*, of the California Public Resources Code and apply to all District Parks and Facilities.

**SECTION 2. APPLICABILITY.**

The rules and regulations stated herein apply to all Persons. Notwithstanding the foregoing, these rules and regulations shall not apply to District directors, employees or volunteers or law enforcement, fire and/or rescue personnel acting within the scope of their official duties.

Any Person who causes damages to any Park or Facility shall be held responsible to District for all costs incurred in connection with the restoration of such Park or Facility to its original condition. Any Person who causes such damage shall be subject to revocation of his/her/its right to use the Parks and Facilities in the future.

Parents will be held responsible for the acts of their minor children. Damage to any District Park or Facility will be imputed to parents having custody or control of the minor as set forth in Section 1714.1 of the California Civil Code.

**SECTION 3. ABIDING BY REGULATIONS AND LAWS.**

Persons entering property owned by District may remain as long as they abide by these rules and regulations, all federal, state and local laws and regulations, all posted rules, and lawful instructions of law enforcement officers and District employees. Failure to leave property of

District when requested to do so by a law enforcement officer or District employee shall be a violation of these rules and regulations.

#### **SECTION 4. AUTHORIZED ENFORCEMENT.**

District or its authorized representatives will diligently enforce the provisions of these rules and regulations and may withdraw or revoke the privilege of access to District Parks and Facilities for reason of safety, security or resource protection, or from any person or group violating any provision of these regulations or any other law or ordinance.

In accordance with California Public Resources Code Section 5786.17 and to protect District Parks and Facilities, the Board of Directors and local law enforcement have the authority to issue citations for misdemeanor and infraction violations of state law, city or county ordinances or District rules, regulations, or ordinances when a violation is committed in or upon any Park or Facility.

#### **SECTION 5. VIOLATION OF ORDINANCE.**

A violation of any rule, regulation, or ordinance adopted by the Board of Directors is a misdemeanor punishable by such maximum fine or by such maximum imprisonment in the County Jail of the County of Kern, State of California, or by both such fine and imprisonment, as set forth in California Public Resources Code Section 5786.1, as it may be amended from time to time.

Any citation issued for a violation of a rule, regulation, or ordinance adopted by the Board of Directors may be processed as an infraction punishable by a fine not exceeding two hundred fifty dollars and no cents (\$250.00), except in cases where a different punishment is prescribed by state law or city or county ordinance.

#### **SECTION 6. DEFINITIONS.**

- a. Alcoholic Beverage – Alcohol, spirits, liquor, wine, beer, as well as any liquid or solid containing one-half of one percent (0.5%) or more of alcohol by volume.
- b. Amplified Sound – Music, human speech or other sound projected and transmitted by electronic equipment, including amplifiers, the total output of which amplifiers, including the sum of wattage of each channel, exceeds 10 watts.
- c. Board of Directors - The duly constituted Board of Directors of Tehachapi Valley Recreation and Parks District.



- d. District - Tehachapi Valley Recreation and Parks District, a political subdivision of the State of California, pursuant to California Public Resources Code, Chapter 4, commencing with Section 5780.
- e. District Manager – The duly appointed manager of the District or his authorized representative.
- f. Parks and Facilities – Any and all grounds, buildings, structures, equipment, machinery, or other appurtenances owned, managed, controlled or operated by the District. Parks and Facilities presently include the following: Brite Lake, Central Park, Dye Natatorium, Meadowbrook Park, Morris Park, West Park and the District office building.
- g. Permission or authorization – Shall be construed to mean in writing, unless otherwise specified herein.
- h. Permit – A written authorization to conduct specified activities in or upon a Park or Facility that is issued by the District Manager pursuant to such procedures and subject to terms and conditions as may be established, amended, and modified by the District from time to time.
- i. Person – Natural persons, business, government, social and/or non-profit entities or all types, and/or any combination thereof, and the officers, directors, employees, agents, contractors, representatives, and volunteers thereof.
- j. Playground – A park or recreational area specifically designed to be used by children and that has play equipment installed.

## **SECTION 7. GENERAL USE OF PARKS AND FACILITIES.**

Use of District Parks and Facilities, or any portion thereof, shall be on a first-come-first-serve basis, unless a Permit for such Park or Facility, or portion thereof, has been issued by the District Manager. Any use of a Park or Facility, or portion thereof, shall terminate, and all Persons participating such use shall vacate such Park or Facility, or portion thereof, upon the commencement of an activity for which a Permit has been issued for said Park or Facility, or portion thereof.

## **SECTION 8. RULES AND CONDITIONS FOR USE OF ANY TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT PARKS OR FACILITIES.**

The following rules and regulations will be applicable to the use of any Tehachapi Valley Recreation and Parks District Park or Facility:

a. Hours of Operation.

It shall be unlawful for any Person to enter, loiter, remain in or upon, or to refuse to leave any Park or Facility after said Park or Facility is closed for public use, between the hours of 10:00 p.m. and 5:00 a.m., except as otherwise provided below.

Notwithstanding the foregoing, overnight camping shall be permitted at Brite Lake upon obtaining a Permit.

Also notwithstanding the foregoing, when it is determined that an emergency exists or that other special circumstances justify the use of any Park or Facility during normal closed hours, the District Manager may authorize temporary use of such Park or Facility between the hours of 10:00 p.m. and 5:00 a.m. during the continuance of such emergency or special circumstance.

b. Damage to Parks or Facilities.

Unless prior authorization is obtained from the District Manager, it shall be unlawful for any Person to:

- Cut, remove, burn, deface, injure, mutilate, pluck, take or otherwise destroy any tree, shrub, bush, flower, plant, wood, turf, soil, rock, sand or gravel located in or upon any Park or Facility; or,
- Cut, break, injure, deface, disturb, remove or otherwise destroy any bench, table, apparatus, equipment, building, structure, monument, sign, fence or other property located in or upon any Park or Facility; or,
- Move or relocate any table, bench, cooking facility, or other equipment or fixture located in or upon any Park or Facility; or,
- Hunt, pursue, annoy, disturb, injure or harm in any manner, any animal or bird located in or upon any Park or Facility; or,
- Construct or erect any permanent or temporary building or structure of any kind in or upon any Park or Facility; or,
- Open, expose or interfere with any water or gas pipeline, electrical outlet, hydrant, sewer, basin, or other fixture or improvement in or upon any Park or Facility; or,
- Alter the grade or surface level of the ground by any cut, excavation or fill in or upon any Park or Facility; or,
- Any other act of vandalism not specified above.

c. Refuse, Trash and Litter.

It shall be unlawful for any Person to dispose of any garbage, refuse, rubbish, waste or litter in or upon any Park or Facility except in receptacles provided for such purpose.

d. Fires.

It shall be unlawful for any Person to build, light, or maintain any open outdoor fire in or upon any Park or Facility except in devices and at locations provided and specifically designed for that purpose.

e. Use of Cooking Facilities.

It shall be unlawful for any Person to relocate cooking facilities installed in any Park or Facility or to use cooking facilities or tables not already located within a Park or Facility without a Permit.

f. Automobiles and other Conveyances.

It shall be unlawful for any Person to operate any motorized vehicle, motorcycle, off-highway motor vehicle, motor-driven cycle, motorized bicycle, motorized scooter, or any other motorized means of transportation in any area other than as may be designated and posted for such use within any Park or Facility, except in the case of:

- Any public emergency vehicle while operated by law enforcement, fire, and/or rescue personnel in the performance of their duties; or,
- Any director, officer, employee or agent of the District while engaged in District business.

g. Speed Limit at District Parks and Facilities.

It shall be unlawful for any Person to operate any motorized vehicle, motorcycle, off-highway motor vehicle, motor-driven cycle, motorized bicycle, motorized scooter, or any other motorized means of transportation in or upon any Park or Facility at a speed greater than fifteen miles per hour (15 mph) miles per hour unless otherwise posted.

h. Firearms and Weapons.

It shall be unlawful for any Person to take into or display any firearm or weapon, including, but not limited to any bow and arrow, spear, spear gun, harpoon, sling shot, BB gun, air or gas weapon, or any device capable of injuring or killing a person or animal, or damaging or destroying any public or private property, in or upon any Park or Facility or to discharge or propel any such firearm or weapon, across, in, or into any Park or Facility unless prior authorization is obtained from the District Manager, or, with regard to a bow and arrow, within areas specifically designed and posted for such use.

i. Model Airplanes.

It shall be unlawful for any person to operate motor driven model aircraft in any Park or Facility except in areas specifically designed and posted for such use.

j. Interference.

It shall be unlawful for any Person to use or attempt to use or to interfere with the use of any Park or Facility, or portion thereof, which at the time has been reserved for other persons under any contract, facility reservation or Permit, or to disturb in any manner any picnic, meeting, service, concert, exercise, activity, exhibition, or gathering located in or upon any Park or Facility or portion thereof.

k. Public Addresses.

It shall be unlawful for any Person to deliver, announce, or advertise the delivery of any public address, sermon, oration or speech without a Permit.

l. Noise Regulation.

It shall be unlawful for any Person to operate any radio, tape player, tape recorder, record player, television, CD player, DVD player, or any similar electronic device, on or in any Park or Facility, or from any vehicle parked within or immediately adjacent to any Park or Facility, at such volume as to be audible to any person of normal hearing sensitivity fifty feet from the use or operation of any such device.

It shall also be unlawful for any Person to use Amplified Sound within or immediately adjacent to any Park or Facility, without a Permit.

m. Trespassing.

It shall be unlawful for any Person to enter in or upon any District property which is closed, fenced, or otherwise secured and which has been posted with signs stating that trespassing is forbidden by law, except that District directors, employees, or volunteers, or law enforcement, fire and/or rescue personnel acting within their official duties may enter and remain within the posted boundaries of such areas.

Also, it shall be unlawful and deemed trespassing if any Person whose privilege of access to District Parks and Facilities has been revoked or withdrawn by the District refuses to leave any Park or Facility.

n. Open Pathways.

It shall be unlawful for any Persons to assemble, collect or gather together in any walkway, path, passage, or similar right of way, or to occupy the same so as to prevent free passage or use thereof.

o. Overnight Parking.

It shall be unlawful for any Person to park, abandon, or otherwise allow to remain, automobiles and other conveyances in or upon any District property between the hours of 10:00 p.m. and 6:00 a.m., except in connection with overnight camping at Brite Lake as provided in Section 8(a).

p. Activities Open to Public.

It shall be unlawful for any Person to conduct any activity which is open to the public, or any activity where a fee to participate will be charged or collected or where a donation to participate will be requested, in any Park or Facility without a Permit.

q. Large Group Activities.

It shall be unlawful for any Person to conduct any activity in or upon any Park or Facility for which it is estimated that more than twenty-five (25) persons will attend or participate without a Permit.

r. Concessions.

It shall be unlawful for any Person to operate any concession stand, wagon, push cart, or other mobile equipment for the sale of foods or beverages within or upon any Park or Facility without a Permit.

s. Posting of Signs.

It shall be unlawful for any Person to erect or post any billboard, sign, placard or advertisement of any kind in or upon any Park or Facility without a Permit.

t. Glass Containers.

It shall be unlawful for any Person to take into, exhibit, cause to be brought in to, or otherwise cause any bottle, other glass beverage container, or any other container made of glass, into or upon any Park or Facility without a Permit.

u. Alcoholic Beverages.

The possession and consumption of alcoholic beverages in the District's Parks and Facilities are governed by the laws of the City of Tehachapi, County of Kern and the State of California.

v. Tobacco Products.

The possession and consumption of tobacco products in the District's Parks and Facilities are governed by the laws of the City of Tehachapi, County of Kern and the State of California.

w. Skateboarding and In-line Skating.

It shall be unlawful for any person to operate, ride, or propel any skateboard or skates in or upon any Park or Facility, except in areas that may be specifically designated and posted for such use.

x. Golfing.

It shall be unlawful for any Person to drive, putt, or in any other fashion play or practice golf or use golf balls or golf clubs in or upon any Park or Facility, except in areas specifically designed and posted for such use.

y. Animals within Parks.

It shall be unlawful for any Person to do any of the following:

- Lead, ride, or have in his or her possession a horse, pony, mulc, cow, bull, or other such animal in or upon any Park of Facility, except within designated areas or upon designated riding trails, or for such use as permitted by Chapter 6.04 of the Tehachapi Municipal Code.
- Allow any dog to run loose or on a chain or leash longer than six (6) feet in or upon any Park or Facility, except in areas that may be specifically designed and posted for such use.
- Fail to remove the fecal matter of any animal of which a Person has control from any Park or Facility, including, but not limited to, any parking area, roadway, sidewalk, playing field, or grounds.

z. Abusive Language and Disorderly Behavior.

It shall be unlawful for any Person to disturb the peace and quiet of any Park or Facility by using loud and unusual noise, or by using vulgar, profane, abusive or indecent language, or by engaging in any disorderly conduct or behavior or by participating in any fighting or challenging others to fight, or by entering or remaining in a Park or Facility while under the influence of alcohol or any controlled substance.

aa. Sale of Goods, Wares, Merchandise or Services.

Except as authorized by a Permit or provided in Section 8(r), it shall be unlawful for any Person to sell or offer for sale any goods, wares, merchandise or services in or upon any Park or Facility. Except as provided in Section 8(r), Permits for the sale of goods, wares,

merchandise or services shall be issued only if such activity is sponsored by a California governmental entity or by any organization recognized by the Internal Revenue Service and California Franchise Tax Board as a non-profit organization organized for charitable, religious, or educational purposes under Internal Revenue Code Section 501(c)(3) and California Revenue and Taxation Code Section 23701(d).

#### **SECTION 9. SEVERABILITY AND RELATED PROVISIONS.**

If any provision of this Ordinance is deemed to be invalid, such invalidity shall not affect any other provision, clause or section of this Ordinance and this Ordinance shall remain in full force and effect as if said invalid provision had not been included herein.

Headings and divisions within this Ordinance are for convenience only and shall not be considered in the interpretation of this Ordinance or in any way affect the conduct of activities covered in other sections of this Ordinance.

Nothing in this Ordinance shall be deemed to modify, abrogate, change or affect any state law or city or county ordinance regulating any subject matter which is contained in any of the rules and regulations established herein.

#### **SECTION 10. EFFECTIVE DATE.**

This Ordinance shall take effect thirty (30) days after the date of its adoption by the Board of Directors.

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**SECTION 11. PUBLICATION OF ORDINANCE.**

Within fifteen (15) days of the adoption of this Ordinance, the Clerk of the Board of Directors shall cause this Ordinance to be published once, with the names of those members of the Board of Directors voting for and against the Ordinance, in a newspaper of general circulation published within the District.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the TEHACHAPI VALLEY RECREATION AND PARKS DISTRICT held on the TWENTITH day of AUGUST, 2013, by the following vote:

Directors

AYES:

NOES:

ABSTAIN:

ABSENT:

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President of the Board of Directors

ATTEST:

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Clerk of the Board of Directors