

AUG 16 2012



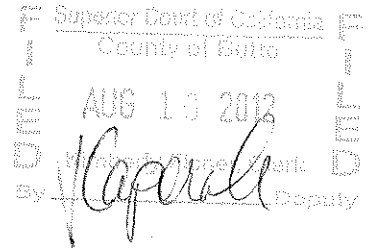
An Independent Special District Serving Your Community

Enhancing the Quality of Life  
Through People, Parks, and Recreation

Mike Trinca  
District Manager

August 15, 2012

Hon. Stephen E. Benson, Presiding Judge  
c/o Court Administration  
Superior Court of California, County of Butte  
One Court Street  
Oroville, CA 95965



Subject: Response to the 2011-2012 Butte County Grand Jury Report

Dear Judge Benson,

In response to the 2011-2012 Butte County Grand Jury Report, pursuant to Penal Code sections 933 and 933.05, the Paradise Recreation and Park District Board of Directors offers the following:

The Paradise Recreation and Park District Board of Directors, at their regularly scheduled Board meeting on July 10, 2012, concurred to receive the 2011-2012 Butte County Grand Jury Report as presented. See attached July 10, 2012 minute, tracking number 004063, item 5 of the Manager's Report.

Further, the Paradise Recreation and Park District Board of Directors at their regularly scheduled Board meeting on July 10, 2012 accepted the recommendations put forth by the 2011-2012 Butte County Grand Jury and took action to adopt policies that "all employees, volunteers, and Board Members be fingerprinted and background checked" as indicated in Resolution #12-07-1-387 and Resolution #12-07-2-388 (attached).

In closing, the Paradise Recreation and Park District Board of Directors appreciates and thanks the 2011-2012 Butte County Grand Jury for its service to our community.

Sincerely,

A handwritten signature in cursive that reads "Albert M. Grechan".

Albert McGreehan  
Board of Directors Chairperson

/cc  
Attachments (3)

6626 Skyway • Paradise, CA 95969

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4. *Ice Rink Status Report*

Referencing the written report presented to the Board, District Manager Trinca stated that due to the inability to confirm a timeline to complete the installation of the additional electrical service to operate the ice rink chiller, staff is recommending that the program be postponed until the 2013-14 season.

The Board concurred with staff's recommendation and requested that staff continue to provide monthly updates to the Board.

5. *Final Report of the 2011-2012 Butte County Grand Jury*

Referencing the written report prepared by the Butte County Grand Jury dated June 18, 2012, District Manager Trinca stated that the Grand Jury was recommending that PRPD adopt a policy that all employees, volunteers and Board members be fingerprinted and background checked.

Further, District Manager Trinca stated that staff has prepared two action items regarding this recommendation for Board consideration and that these items will be addressed during New Business, items 1 and 2 in this evening's agenda.

The Board commended staff for doing a good job as it is reflected in the report and concurred to receive this report as presented.

6. *The August 14, 2012 regularly scheduled PRPD Board of Directors meeting will be held in Magalia. Details to follow.*

District Manager Trinca stated that it is staff's intention to have the August Board meeting in Magalia, either at the Magalia Pines Baptist Church or Cedarwood Elementary School and will provide the Board with additional information once a venue is confirmed.

**CLOSED SESSION:**

*The PRPD Board of Directors will meet in Closed Session under California Government Code Section 54956.8 concerning a possible real estate transaction between the Paradise Recreation and Park District and Hasak Revocable Inter Vivos for property known as 1.2 acres of vacant land on Lakeridge Circle, Magalia, CA. APN 066-340-003.*

Chairperson McGreehan directed the Board to Closed Session at 7:04 p.m.

**CONSIDERATION OF ITEMS DISCUSSED IN CLOSED SESSION:**

*The PRPD Board of Directors will consider approving a possible real estate transaction between the Paradise Recreation and Park District and Hasak Revocable Inter Vivos for property known as 1.2 acres of vacant land on Lakeridge Circle, Magalia, CA. APN 066-340-003.*

Chairperson McGreehan reconvened the public meeting at 7:16 p.m. and stated he would entertain a motion.

**MOTION:**

Secretary Rodowick moved to reject the counter-offer as presented from the Hasak Revocable Inter Vivos for property known as 1.2 acres of vacant land on Lakeridge Circle, Magalia, CA. APN 066-340-003 and requested that staff maintain open communication with the property owner for possible future



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**RESOLUTION #12-07-1-387**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PARADISE RECREATION AND PARK DISTRICT AMENDING THE PARADISE RECREATION AND PARK DISTRICT PERSONNEL RULES**

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District desires to revise the current District Personnel Rules; and

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District opts to amend the text in Rule 9.07, Screening and Background Check, as presented in the attached Exhibit A; and

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District desires to make these text amendments effective September 4, 2012.

**NOW, THEREFORE BE IT RESOLVED**, the Paradise Recreation and Park District Board of Directors revised the current District Personnel Rules and amended the text in Rule 9.07, Screening and Background Check, as presented in the attached Exhibit A.

**FURTHERMORE BE IT RESOLVED**, that the Paradise Recreation and Park District Board of Directors desires to make these text amendments effective September 4, 2012.

**PASSED AND ADOPTED** by the Paradise Recreation and Park District Board of Directors on the 10<sup>th</sup> day of July, 2012 by the following vote:

AYES: 4      NOES: 0      ABSTAIN: 0      ABSENT: 1

  
Al McGreehan, Board Chairperson

  
Steve Rodowick, Board Secretary

## PRPD Personnel Rules Manual

### 9.07 Screening and Background Check

It shall be the policy of the Paradise Recreation and Park District that the District not hire for employment or as a volunteer any person ~~in a position having supervisory or disciplinary authority over any minor~~; if the person has been convicted of any offense specified in Paragraph (1) or Paragraph (3) of Subsection (g) of Section 11105.3 of the Penal Code, as specified in Section 5164 of the Public Resource Code. The District will screen ~~any such~~ all prospective employees or volunteers for his/her criminal background.

The screening process shall include the following procedures:

1. All prospective employees or volunteers shall complete a Background Questionnaire under penalty of perjury stating if they have been convicted of any criminal activity involving child molestation.
2. The District shall, when appropriate, verify through the Department of Justice 900 number, if said prospective employee or volunteer is a registered sex offender. The 900 number should be used for employees and volunteers identified by the District as having occasional or indirect supervisory or disciplinary authority over minors.
3. All prospective employees or volunteers ~~having supervisory or disciplinary authority over minors~~ shall be fingerprinted for a complete background check through the State Department of Justice.



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**RESOLUTION #12-07-2-388**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PARADISE RECREATION AND PARK DISTRICT AMENDING THE PARADISE RECREATION AND PARK DISTRICT BOARD OF DIRECTORS AND ADMINISTRATIVE BY-LAWS**

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District desires to revise the current Board of Directors and Administrative By-Laws; and

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District opts to amend the text in Section 9, Codes of Conduct, as presented in the attached Exhibit A; and

**WHEREAS**, the Board of Directors of the Paradise Recreation and Park District desires to make these text amendments effective September 4, 2012.


**NOW, THEREFORE BE IT RESOLVED**, the Paradise Recreation and Park District Board of Directors revised the current Board of Directors and Administrative By-Laws and amended the text in Section 9, Codes of Conduct, as presented in the attached Exhibit A.

**FURTHERMORE BE IT RESOLVED**, that the Paradise Recreation and Park District Board of Directors desires to make these text amendments effective September 4, 2012.

**PASSED AND ADOPTED** by the Paradise Recreation and Park District Board of Directors on the 10<sup>th</sup> day of July, 2012 by the following vote:

AYES: 4      NOES: 0      ABSTAIN: 0      ABSENT: 1

  
Al McGreehan, Board Chairperson

  
Steve Rodowick, Board Secretary



# Paradise Recreation & Park District

## Board of Directors and Administrative By-Laws

Resolution  
#12-07-2-388

### Section 8

EXHIBIT A

#### **Powers of the Board of Directors:**

The Board of Directors shall have and may exercise such powers as are bestowed upon them by the present Public Resources Code, Section 5780 and following any amendments and additions thereto, and any and all other laws of the State of California including, but not limited to, the following:

- Make and enforce all regulations necessary for the administration and government of the District and for the acquisition, improvement, and maintenance of parks and recreation facilities within the District. It may appoint agents and employees sufficient to maintain and operate the parks and recreation facilities for the benefit of the District, and it may construct all needed structures and perform all other acts necessary to accomplish the purpose of this article.

### Section 9

#### **Codes of Conduct:**

The Paradise Recreation and Park District requires that all prospective Board Members and Administrators complete all of the following Codes of Conduct requirements as indicated prior to taking office or beginning employment.

#### **CONFLICT OF INTEREST CODE:**

The Political Reform Act, Government Code Sections 81000 et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a resolution, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms



# Paradise Recreation & Park District

## Board of Directors and Administrative By-Laws

of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, the following officials and employees are designated and disclosure categories are defined.

Pursuant to Section 4(A) of the Standard Code, designated employees shall file statements of Economic Interests with the agency. Upon receipt of the statements of the designated officials and employees, the agency shall make and retain a copy and forward the original of these statements to the Butte County Board of Supervisors.

### Designations:

The positions of Members of the Governing Board, District Manager, Park Superintendent, and Consultants have been designated as those positions subject to the provisions of the Conflict of Interest Code in that those positions are the only positions having any substantial responsibility relative to the Paradise Recreation and Park District decision making process or policy.

### Disclosure Responsibilities:

The categories relative to the types of interests that must be disclosed are based upon the types of financial interests relevant to District business which is confined to providing various recreational services and facilities to the community.

### CODE OF ETHICS:

California State Assembly Bill 1234 requires all Paradise Recreation and Park District Board Members, the District Manager, and the Park Superintendent receive ethics training every two years. Every ethics training session will cover general ethics principles and ethics laws related to public service.

As a Paradise Recreation and Park District Board of Director, representing all of the residents, I recognize that:

1. I have been entrusted to provide park and recreation services to my community.
2. These services should be available to all residents regardless of age, sex, race, religion, national origin, physical or mental limitation.
3. While honest differences of opinion may develop, I will work harmoniously with other Board Members to assure residents the services they require.



# Paradise Recreation & Park District Board of Directors and Administrative By-Laws

4. I will invite all residents to express their opinions so I may be properly informed prior to making my decisions. I will make them solely upon the facts available to me. I will support the final decision of the Board.
5. I must devote the time, study, and thought necessary to carry out my duties.
6. The Board Members establish the policy and the staff is responsible for administering the policies of the Board.
7. I have no authority outside of the proper meetings of the Board.
8. All Board meetings should be open to the public except as provided by law.

## STATEMENT OF ECONOMIC INTEREST:

Each year the Paradise Recreation and Park District Board Members, the District Manager, and the Park Superintendent must complete a statement of Economic Interest as required by the State of California. This public document is required for board members and administrators of public agencies to help prevent a conflict of interest concerning financial matters.

## SEXUAL HARASSMENT TRAINING:

California State Assembly Bill 1825 requires that all supervisory employees be given a minimum of two (2) hours of classroom or other effective interactive training once every two years. At this time Paradise Recreation and Park District Board of Directors are not required to take this training, but are strongly recommended to do so.

## FINGERPRINTING:

It shall be the policy of the Paradise Recreation and Park District that no one can serve on the Board of Directors if the person has been convicted of any offense specified in Paragraph (1) or Paragraph (3) of Subsection (g) of Section 11105.3 of the Penal Code, as specified in Section 5164 of the Public Resources Code. The District will require all prospective Board Members to be fingerprinted for a complete background check through the State Department of Justice prior to taking office.





# Paradise Recreation & Park District

## Board of Directors and Administrative By-Laws

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All prospective employees or volunteers shall be fingerprinted for a complete background check through the State Department of Justice prior to employment.

### Section 10

#### **Regular Meetings of the Board of Directors:**

Regular meetings of the Board of Directors shall be held on the second Tuesday of each month at 7:00 p.m. at the Terry Ashe Recreation Center, 6626 Skyway, Paradise, California; provided, however, any other time and place within the District for a regular meeting of the Board may be designated which meets with the approval of the majority of the Board; it shall be the duty of the District Manager to deliver an agenda 72 hours before each regular meeting to each Director, provided, however, all business transacted at a regular meeting at which there is a constituted quorum of Directors shall be valid and binding, whether or not said District Manager delivers said agenda; should any scheduled meeting fall upon a legal holiday, then said meeting shall be held at the same time and place on the next day thereafter ensuring which is not a legal holiday. All regular meetings must comply with the Ralph M. Brown Act.

A quorum of the Directors may adjourn any Director's meeting to meet again at a stated day and hour; provided, however, that in the absence of a quorum, a majority of the Directors present at any Directors' meeting, either regular or special, may adjourn the meeting. The Chairperson cannot adjourn the meeting. If a majority vote cannot be reached to adjourn a meeting with the absence of a quorum, the meeting will adjourn 30 minutes after the scheduled start of the meeting at which time the meeting will be rescheduled.

### Section 11

#### **Special Meetings of the Board of Directors:**

The Chairperson or a majority of the Board may call a special meeting at any time provided it meets all Ralph M. Brown Act requirements. Special meetings should be conducted at the Terry Ashe Recreation Center but may be scheduled at another location within the District boundaries if the majority of the Directors concur. It shall be the District Manager's duty to deliver an agenda to each Director 24 hours before each special meeting.