



PARKS & RECREATION ADVISORY COMMITTEE MEETING

Tuesday, May 1, 2018 at 5:30 p.m.
Los Osos Community Services District Office
2122 9th Street, Suite 106, Los Osos, CA

COMMITTEE MEMBERS

Lou Tornatzky, Chairperson
Marshall Ochylski, Alternate Chairperson
Alissa Feldman, Member
William Fitzgerald, Member
Jennifer Foronjy, Member
Andrea Lueker, Member
Shaunna Sullivan, Member

STAFF

Renee Osborne, Manager
Ann Kudart, Administrative Services Manager

AGENDA

1. **Opening at 5:30 p.m. – Call To Order; Flag Salute; and Roll Call**
2. **Welcome 2018 Committee Members and Review Brown Act Guidelines**
Presented By: Chairperson Tornatzky and Director Ochylski
3. **Approval of Parks and Recreation Committee Meeting Minutes of April 3, 2018**
(Committee Approval)
Presented By: Administrative Services Manager Kudart
4. **Review of Draft Fiscal Year 2018/2019 Fund 900 Parks Budget**
(Committee Review and Discussion)
(Presented By: General Manager Osborne)
5. **a. Dog Park Lease Review**
(Discussion and Recommendations to the Board)
(Presented By: General Manager Osborne)
- b. Dog Park Status**
(Update, no action necessary)
(Presented By: General Manager Osborne)
6. **Discussion Regarding Recycled Tire Material at Los Osos Community Park**
(Discussion and Possible Recommendations to the Board)
(Presented By: General Manager Osborne)
7. **Public Comments on Items NOT on this Agenda:** At this time, the public may comment on items not on this agenda. Each commenter is limited to 3 minutes and shall address the Chairperson.
8. **Schedule Next Parks and Recreation Committee Meeting**
9. **Closing Comments by Parks and Recreation Committee Members**
10. **Adjournment**

ITEM 2

**REVIEW OF BROWN ACT GUIDELINES
AND
SECTION 11 OF THE BOARD BYLAWS**

2018 BOARD OF DIRECTORS BYLAWS AND RULES OF DECORUM

Amended February 1, 2018

11. COMMITTEES

11.1 Standing Committees.

The Board of Directors may create and abolish Standing Committees at its discretion. Standing Committees shall be advisory committees to the Board of Directors and shall not commit the District to any policy, act or expenditure. Each Standing Committee shall consider District related issues assigned to it by the Board of Directors.

(a) Standing Committees shall conduct business at all times in a manner consistent with these Bylaws, applicable laws, and Board Policy.

(b) The General Manager, in cooperation with the Committee Chairperson, shall prepare the agenda for each Standing Committee meeting. Nothing may be placed on the agenda of any Committee that is not included in that Standing Committee's Work Plan or in other separate direction from the Board of Directors. Consideration of any other matters are *ultra vires* and void acts.

(c) Each Standing Committee shall meet at most monthly as determined by the Committee Chairperson, provided there is pending consideration of something within the Committee's Work Plan or specific direction from the Board of Directors. There are no quorum requirements for Standing Committee meetings. Recommendations to the Board of Directors shall include all opinions of members of the Standing Committee on each issue raised for their recommendation and shall include the number of members concurring in each opinion. The opinion receiving the most concurrence is the majority report. Other opinions are minority reports.

(d) Subject to the availability of public membership, Standing Committees shall be comprised of up to five public members, none of whom shall be Directors; and one Director appointed by the Board President as the non-voting Chairperson and one Director appointed by the Board President as Alternate. The Alternate only needs to attend if the Chairperson is unable to attend. In the absence of both Chairperson and Alternate, the Board President may assign a Board Member to temporarily act as the Committee Chairperson in order that the Standing Committee may meet as established by the previously adopted schedule.

Depending on the number of applications, the Board of Directors retains the discretion to alter Standing Committee membership on a case-by-case basis.

(e) The General Manager shall be an ex-officio member of all Standing Committees. The Committee Chairperson and Committee Alternate are non-voting members appointed for the sole purpose of conducting the meeting, enabling conversation, facilitating discussions, and forwarding recommendations to the Board of Directors.

(f) Each Director shall appoint one voting member to each Standing Committee. The appointee shall serve at the pleasure of the Director who appointed them. The Board of Directors may also remove any Standing Committee member with or without cause.

(g) On or before January 31st or as otherwise established by the Board of Directors of each year, members of the public who reside within the boundaries of the District are invited to apply for specific Standing Committee assignments by completing an application. Members of the public shall be eligible to serve on only one Standing Committee at a time. Members of the public who reside within the boundaries of County Service Area No. 9, Zone I are eligible to apply to the Emergency Services Advisory Committee (ESAC) only.

The General Manager shall prepare an appointments list of all Standing Committees. This list shall be known as the local appointment list and will be provided to the Board of Directors at the first meeting in February or other date established by the Board of Directors.

(h) The local appointment list shall be made available to the members of the public and shall be posted at the District office and the District's web site.

(i) Whenever an unscheduled vacancy occurs on a Standing Committee, a special vacancy notice shall be posted at the District office, the public library, the District's web site, and other places as directed by the Board of Directors, not earlier than twenty days before, or not later than twenty days after the vacancy occurs inviting the public to apply for appointment as a committee member.

Final appointment of Standing Committee members shall not be made by the Board of Directors for at least ten working days after the posting of the Notice at the District's office.

(j) Notwithstanding Section 11.1(g), above, the Board of Directors may, if it finds an emergency exists, fill the unscheduled vacancy immediately. The person appointed to fill the vacancy shall serve only on an acting basis until final appointment is made pursuant to Sections 11.1(f) and (g), above.

(k) A Standing Committee member will automatically be removed if he/she has three unexcused absences or misses four meetings in one calendar year.

(l) All Standing Committee members will receive Brown Act training and all meetings shall be conducted as public meetings in accordance with the Brown Act. Summary notes for each meeting of each Standing Committee shall be forwarded to the Board of Directors as a public record.

(m) The Board President may appoint persons to a subcommittee to assist a Standing Committee in making recommendations to the Board of Directors. The duties of the subcommittee shall be outlined at the time of appointment and the subcommittee shall be considered dissolved when its final report has been made to the Standing Committee.

11.2 Ad Hoc Committees. The Board President shall appoint such *ad hoc* committees comprised of two or less Directors as may be deemed necessary or advisable by himself/herself and/or the Board of Directors. The duties of the *ad hoc* committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made. *Ad hoc* committees shall timely provide the District General Manager with their recommendations and/or reports.

Understanding Brown Act Open Meeting Requirements

Purpose

Establishes the procedural framework for members of local governmental decision-making bodies to openly meet, debate, and act.

Provides the means for the public to be informed about the views, discussions and actions of its locally elected and appointed government representatives.

Overview

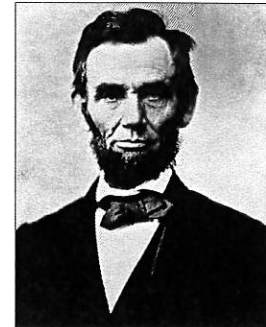
Government officials are elected by the people, represent the people, and govern on behalf of the people.

The public needs to observe, monitor, and evaluate its elected representatives.

The Brown Act is designed to encourage public participation in local government.

*“...government of the
people, by the people,
for the people.”*

*Abraham Lincoln,
Gettysburg Address
November 19, 1863*



History

Introduced by Modesto Assemblyman Ralph M. Brown more than 50 years ago.

The Legislature has frequently added to the requirements of the Act over the years.

Requirements are detailed, comprehensive, and complex.

Legislature's Intent

The Brown Act embodies the philosophy that public agencies exist for the purpose of conducting public business, and the public has the right to know how its "collaborative decisions" are being made.

The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.

California Government Code § 54950

Openness

All meetings of government bodies must be fully open and accessible to the public.

Boards must discuss, deliberate and act on the public's business.

Exceptions to the rule of openness are few and narrowly.

Subject Organizations

All governing boards of local government agencies.

The advisory and standing sub-committees created by such governing boards.

All boards, committees and bodies created by federal or state law.

Meetings

A meeting is any gathering of a majority of board members at the same time and place that involves any aspect of the decision-making process.

There are three types of meetings:

- Regular Meetings.
- Special Meetings to discuss a specific issue.
- Emergency Meetings to deal with a specific emergency situation.

Exceptions

Conferences, training, workshops.

Community forums, and meetings of other governmental bodies.

Social or ceremonial occasions.

Within these exceptions, the board members must avoid talking about any board business while they are at all such events.

Location of Meetings

A majority of the board must meet within the boundaries or jurisdiction of the board with only specific exceptions, including the inspection of real property, or meeting with federal/state officials to discuss legislative or regulatory issues.

If a board member participates by teleconferencing, the location that member is calling from must be Noticed, with and Agenda posted, and accessible to the public.

Prohibited Activities

Any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body is prohibited.

Prohibited Activities (continued)

A Serial or “Daisy Chain” meeting which is a series of meetings to develop a consensus, with each meeting involving less than a majority of members, but which taken together involve a majority of board members.

A Hub and Spoke meeting which is when a single board member acts as a contact point for all other board members and communicates to each of them the other board members positions in order to reach a consensus

Use of E-Mail

Board members cannot:

- Use e-mail to develop a collective consensus, agreement, or decision; or
- Exchange information in e-mail about their views or positions on public business.

Noticing Requirements

Notice and agenda for regular meetings must be posted in an accessible location 72 hours in advance; and mailed to all those who request a Notice.

Special meetings may be called by posting Notice and agenda at least 24 hours before the meeting.

Agenda Requirements

Agendas must contain a brief description of every item to be discussed, including closed session items.

Descriptions must be clear enough to be understood by members of the public.

Agendas for regular meetings must include a time for public comment.

Public's Rights

Members of the public have the right to:

- Address the board on both agenda and non-agenda items.
- Be accommodated, if disabled, so they can access and participate in the meeting.
- Receive copies of written materials distributed to the board, except privileged items.

Closed Session

Closed sessions are narrowly authorized for specific matters and discussions must not go beyond that limited scope.

Special disclosures have to be made by the board before and after holding a closed session.

Closed Session Procedure

Agenda must include a brief description of the nature of the closed session.

The board must disclose, in open session, the items to be discussed in closed session.

The board must make a public report of certain actions taken in closed session.

Closed Session – Confidentiality

Except for reporting-out requirements, confidentiality of closed session matters must be preserved.

Violation can result in a lawsuit to enforce confidentiality, disciplinary action against an employee, or referring the matter to the grand jury.

***Closed Session –
Personnel***

To consider the employment, evaluation of performance, discipline or dismissal of a public employee.

To hear complaints or charges against an employee by another person.

***Closed Session –
Labor Negotiations***

To meet with bargaining representatives to review the board's negotiating position and instruct its representatives regarding represented or unrepresented employees.

***Closed Session –
Pending Litigation***

To consult with or receive advice from legal counsel concerning pending litigation when a public discussion of such matters could prejudice the position of the board in the litigation.

***Closed Session –
Real Property***

To grant authority to the board's negotiator regarding price and terms of payment prior to the purchase, sale, exchange, or lease of real property.

A discussion of potential sites is not authorized.

Enforcement

Civil Remedies:

- Compliance with the Brown Act can be enforced by civil lawsuit.
- A court can declare board actions void that are not in compliance with the Act, if not cured.
- The board can be liable for significant costs and attorneys fees.

Enforcement (continued)

Criminal Penalties:

- A violation of the Brown Act may be a misdemeanor if a member participates in board action with the “wrongful intent to deprive the public of information.”

True or False Quiz

1. A meeting as defined in the Brown Act occurs only when some action is taken.
2. Board members may poll each other by e-mail on any issues which may come before the board.
3. A telephone conference between two members of a five-member board is a meeting under the Brown Act if they discuss district business.

4. The board may take a vote by secret ballot in open session. In closed session.
5. Any person may record an open meeting of the board via audio or video tape recordings.
6. A member of the public may address the board at a regular meeting on any item of interest to the public provided the matter is within the jurisdiction of the board.

7. The board may limit the amount of time members of the public are allowed to speak on matters of public interest.
8. The board is not required to announce in open session the items to be discussed in closed session.
9. When considering the discipline of employees, the board must provide the employee 24 hours notice of his/her right to request a public session.

10. In general, reportable action taken in closed session must be reported out in open session at the same meeting.
11. The board may hold its meetings at any location it chooses within the county provided the public is notified, even if the board is not countywide.
12. A board member may divulge closed session information provided that he/she so advises the board before adjournment.

Conclusion

Board members are representatives of the people whom the people entrust to manage government affairs.

The Brown Act is for the benefit of the public that board members represent.

The Brown Act must be taken seriously, failure to do so can result not only in legal penalties but a loss of public trust.

ITEM 3

**APPROVAL OF PARKS AND RECREATION
COMMITTEE MEETING MINUTES OF
APRIL 3, 2018**

**This item was unavailable at the time
of publication and will be posted to
the website upon receipt**

ITEM 4

**DRAFT PARKS AND RECREATION
BUDGET FOR 2018/2019**



April 25, 2018

TO: Parks and Recreation Advisory Committee

FROM: Renee Osborne, General Manager

SUBJECT: Item 4 – Draft Parks and Recreation Budget for 2018-2019

President

Vicki L. Milledge

Vice President

Marshall E. Ochylski

Directors

Charles L. Cesena
Louis G. Tornatzky
Christine M. Womack

General Manager

Renee Osborne

District Accountant

Robert Stilts, CPA

Unit Chief

Scott M. Jalbert

Battalion Chief

Greg Alex

DISCUSSION

Per the 2016-2017 Audit, the Parks and Recreation Reserve has \$295,252. Attached is the proposed Parks and Recreation budget for the 2018-2019 year.

Staff would like any recommendations from this committee on possible/future expenditures.

Attachments

Mailing Address:

P.O. Box 6064
Los Osos, CA 93412

Offices:

2122 9th Street, Suite 102
Los Osos, CA 93402

Phone: 805/528-9370

FAX: 805/528-9377

www.losososcsd.org

900 PARKS AND RECREATION

		YTD FEB 2018	CURRENT BUDGET 2017/2018	PROPOSED 2018/2019 BUDGET	NOTES
Revenues					
Use of Money & Property					
4510	Investment Income on funds	\$1,607.78	\$900.00	\$1,607.78	
	Total Use of Money & Property	\$1,607.78	\$900.00	\$1,607.78	
	Total Revenues	\$1,607.78	\$900.00	\$1,607.78	
Expenditures					
Services & Supplies					
Legal & Professional					
7320	Professional & Consulting Services	\$0.00	\$1,500.00	\$1,500.00	
7326	Legal Services	\$595.00	\$2,500.00	\$2,500.00	
	Total Legal & Professional	\$595.00	\$4,000.00	\$4,000.00	
Office/Operations					
7140	General Supplies & Minor Equipment	\$0.00	\$100.00	\$100.00	
	Total Office/Operations	\$0.00	\$100.00	\$100.00	
	Total Services & Supplies	\$595.00	\$4,100.00	\$4,100.00	
Transfers					
9511	Interfund Transfer Out	\$2,521.54	\$5,397.30	\$5,468.22	
	Total Transfers	\$2,521.54	\$5,397.30	\$5,468.22	
	Total Expenditures	\$3,116.54	\$9,497.30	\$9,568.22	
	Net Revenues over Expenditures	-\$1,508.76	-\$8,597.30	-\$7,960.44	

**MID YEAR ADJUSTED
COST ALLOCATION PLAN
FISCAL-YEAR 17-18**

Actual
\$539,730.00

TOTAL PROJECTED GENERAL FUND/ADMINISTRATION COSTS

	FIRE	WATER	PARK & REC	DRAINAGE	BAYRIDGE	VISTA DE ORO	WASTE WATER	TOTALS
Allocation Per Cent	10.00%	85.50%	1.00%	2.00%	0.50%	0.50%	0.50%	100.00%
AMOUNT ALLOCATED	\$53,973.00	\$461,469.15	\$5,397.30	\$10,794.60	\$2,698.65	\$2,698.65	\$2,698.65	\$539,730.00
Bi-Annual Interfund Transfer	\$25,215.40	\$215,591.70	\$2,521.54	\$5,043.08	\$1,260.77	\$1,260.77	\$1,260.77	\$252,154.03

ITEM 5

UPDATES REGARDING DOG PARK



April 25, 2018

TO: Parks and Recreation Advisory Committee

FROM: Renee Osborne, General Manager

SUBJECT: Item 5 – Update regarding Dog Park

President
Vicki L. Milledge

Vice President
Marshall E. Ochylski

Directors
Charles L. Cesena
Louis G. Tornatzky
Christine M. Womack

General Manager
Renee Osborne

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
Greg Alex

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Offices:
2122 9th Street, Suite 102
Los Osos, CA 93402

Phone: 805/528-9370
FAX: 805/528-9377

www.losososcsd.org

SUMMARY

Below are items for discussion which affect the progress of the dog park. The County has provided us with guidance on next steps.

Habitat Conservation Plan:

Attached is a flow chart created by the County regarding the Habitat Conservation Plan (HCP) path. Once the County submits the plan (within 3 to 4 months) it will be in the hands of the Fish and Wildlife Office (FWO). Once the HCP is in FWO hands, the process could take from 6 months to a year possibly. Because of Fire Safety related issues, the FWO has been put under pressure to complete the HCP as soon as possible. The County has been working on this plan for over 20 years, they feel that this is the closest they have ever been to its completion/adoption.

Dog Park Lease:

While we wait for the HCP process, the County has suggested that we continue with the lease so that we can start on the County's next step. The completed lease would allow us to start the process in changing the current Community Plan which has designated the property to be tennis courts, to a requested dog park.

As per the request for the County to pay for HCP/permitting costs, the County will not be able to assist the District with Dog Park costs in any way. Per the attached email, the County does not have the funds to assist us, but will continue to guide us and help us through the process. They support our request of a dog park.

Once the Community Plan has been officially changed, the District can put out a request for proposal (RFP) for the non-profit dog park operations group. Part of the group's goal could be to raise money for permitting as well as purchase of equipment.

Staff recommends turning in the lease as previously submitted, so we can start the process on changing the Community Plan.

Attachments

"Package" Submittal

Implementing Agreement (IA)

Environmental Assessment (EA)

Habitat Conservation Plan (HCP)



Ventura Fish and Wildlife Office Review

Conducts a Biological Opinion

Conducts a "Maximum Extent Practicable" Analysis



Regional Fish and Wildlife Office Review

Submits to Federal Registry



Secretary of Interior Review

Package becomes Public Draft



Public Draft

1) Public review period

2) County response period

3) Final Draft



Public Hearings

1) Planning Commission

2) Board of Supervisor's approval of final draft

Renee Osborne

From: Nick Franco <nfranco@co.slo.ca.us>
Sent: Wednesday, April 18, 2018 4:02 PM
To: Renee Osborne
Subject: Proposed Dog Park Lease

Follow Up Flag: Follow up
Flag Status: Flagged

Renee,

Following up on our meeting and discussions about County Parks availability to assist with the dog park, I'm summarizing where we can and can't assist.

County Parks is able to devote staff time as available to assist with CSD submittals to the Department of Building and Planning for the necessary permits. This includes assisting with updating the Master Plan for the park as well as assisting with meetings with Planning staff. We don't have any influence over the progression of the HCP, but we are willing to join any meetings where we can be of assistance.

County Parks is not able to assist with direct funding of any portion of design, construction or maintenance of the dog park. We are currently underfunded in our ability to achieve our current priority projects and have significant deferred maintenance in parks, so no ability to absorb additional operational costs into our budget.

Let me know if you have any questions.

Thanks,
Nick

Nick Franco
Director of Parks and Recreation
(p) 805-781-5204
(f) 805-781-1102
nfranco@co.slo.ca.us



COUNTY OF SAN LUIS OBISPO
PARKS AND RECREATION DEPARTMENT

1144 Monterey Street
San Luis Obispo, CA 93408
www.slocountyparks.org

www.slocounty.ca.gov
Follow us on Facebook

ITEM 6

**DISCUSSION REGARDING RECYCLED
TIRE MATERIAL AT LOS OSOS
COMMUNITY PARK**



April 25, 2018

TO: Parks and Recreation Advisory Committee

FROM: Renee Osborne, General Manager

SUBJECT: Item 6 – Discussion Regarding Recycled Tire Material at the Los Osos Community Park

President
Vicki L. Milledge

Vice President
Marshall E. Ochylski

Directors
Charles L. Cesena
Louis G. Tornatzky
Christine M. Womack

General Manager
Renee Osborne

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
Greg Alex

SUMMARY

Attached are several emails from SLO County Parks Department regarding the recycled tire material at the Los Osos Community Park.

Per the County, the recycled tire material meets the current safety standards and the County will not be spending funds to replace that material until its useful life is up.

The County has no problem with Los Osos paying for the removal and replacement of the material. What we would be allowed to replace it with is "Fibar Playground Mulch" with an approximate costs for replacement is \$20,000.

DISCUSSION

The Parks and Rec Committee can discuss and recommend to the Board any suggestions on replacement of the recycled rubber chip material.

Attachments

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Offices:
2122 9th Street, Suite 102
Los Osos, CA 93402

Phone: 805/528-9370
FAX: 805/528-9377

www.losososcsd.org

Renee Osborne

From: Nick Franco <nfranco@co.slo.ca.us>
Sent: Thursday, October 5, 2017 4:05 PM
To: Renee Osborne
Subject: RE: Play yard

Hi Renee,

Yes, we've had the complaint as well. The rubber tire material does meet the current safety and fall standards, so we can't justify spending funding to replace a functional material (it is unpleasant, but not dangerous). It probably has 5 to 10 more years of useful life, so replacement wouldn't be imminent. However, if you wanted to fund the replacement with CSD Parks funding, we could certainly do that. We have been using Fibar wood products for playground surfaces and that seems to be working well. We can't use grass because it doesn't meet the fall safety standards (very different than when we were all kids!). The total cost to remove the current rubber material and replace it with Fibar playground mulch is around \$20,000. If that's in the ballpark of feasible for you, then we can dial in an estimate more precisely.

Thanks,
Nick

From: Renee Osborne [mailto:rosborne@lososocsd.org]
Sent: Thursday, October 05, 2017 3:28 PM
To: Nick Franco
Subject: Play yard

Hello Nick,

I hope all is going well. A comment came up regarding the reused tire/rubber that is currently at the play yard at the Los Osos Community Park. We have had several requests to have it removed. What would the process be to remove it with the latest and greatest playground material? What would the costs be? What if we did it all with some of our Parks Money? How come we don't just use grass since the recycled water will soon be available?

Thanks for your help.

Renee Osborne
LOS OSOS CSD, General Manager
Grace Environmental Services
805-528-9379 Direct Line

Renee Osborne

From: Nick Franco <nfranco@co.slo.ca.us>
Sent: Wednesday, February 28, 2018 4:59 PM
To: Daniel Clancy; Pandora_PandoraAndCompany.com
Cc: Board; Larry laquinto; Lou Tornatzky; Renee Osborne
Subject: RE: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Dan,

The playground project was a refurbishment and improvement of the playground and surrounding areas to meet Americans with Disabilities Act (ADA) standards, including path of travel from the parking lot. The project was completed in 2013. The project went through the normal capital project process including design and RFP for construction. There were three primary funding sources: \$46,999 from Cal Recycle's Tire Derived Product Grant Program; \$155,150 from the Land and Water Conservation Fund; and \$153,174 from County Wide ADA Funds. Tire fill was a preferred product at the time due to its ability to meet ADA standards, efforts to promote tire recycling and the ability to meet fall safety standards. The product selected by the contractor was Rubber Bark by Ag Link, the same product recommended by Cal Recycle and used for the Ronald McDonald House playground at Stanford's Children's Hospital around the same time.

Regarding the CPSC link: While one feature at the Los Osos playground is for ages 2-5, the rest of the playground is an age 5-12 design and so falls in that category of play structure and not a playground intended for toddlers. Loose fill is appropriate for that type of design. Additionally, the Q and A sheet in an earlier section states that there are no specific chemical hazards from recycled tires in playground surfacing that are known by the CPSC at this time.

Thanks,
Nick

From: Daniel Clancy [mailto:dclancy1830@gmail.com]
Sent: Wednesday, February 28, 2018 11:16 AM
To: Pandora_PandoraAndCompany.com <Pandora@PandoraAndCompany.com>
Cc: board_losososcsd.org <board@losososcsd.org>; Larry laquinto <liaquinto@co.slo.ca.us>; Lou Tornatzky <ltornatzky@losososcsd.org>; Nick Franco <nfranco@co.slo.ca.us>; Renee Osborne <rosborne@losososcsd.org>
Subject: Re: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Thanks.

Crowdfunding is a great idea as part of an overall solution.

I have concerns asking for money from taxpayers who have already funded the tire fill through their county taxes.

Before the meeting, it would be helpful to know:

1. What date was the fill installed in the park;
2. What was the process behind deciding on the tire fill? Was there an RFP? Bids? How was the fill paid for;
3. Who is the seller of the fill, the specific brand, and the products material safety data sheet.

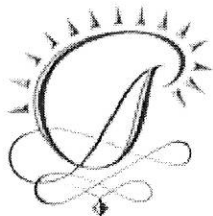
Thanks,

Dan

On Tue, Feb 27, 2018 at 1:13 PM Pandora Nash-Karner <[Pandora@pandoraandcompany.com](mailto: Pandora@pandoraandcompany.com)> wrote:

A perfect opportunity for a possible crowd fund raiser.

Pandora



Pandora Nash-Karner

350 Mitchell Drive
Los Osos, California 93402

P/F: 805/528-7014

E: [Pandora@PandoraAndCompany.com](mailto: Pandora@PandoraAndCompany.com)

W: <http://www.PandoraAndCompany.com>

On Feb 27, 2018, at 10:29 AM, Daniel Clancy <[dclancy1830@gmail.com](mailto: dclancy1830@gmail.com)> wrote:

Renee,

Below is the recommendation of the CPSC regarding loose-fill tire rubber, the kind of surface at the Los Osos playground.

“The Public Playground Safety Handbook notes that loose-fill systems should be avoided for playgrounds intended for toddlers”

<https://www.cpsc.gov/content/status-report-on-tire-crumb-rubber-full-questions-and-answers>

Thanks,

Dan

On Mon, Feb 26, 2018 at 8:45 PM, Daniel Clancy <[dclancy1830@gmail.com](mailto: dclancy1830@gmail.com)> wrote:

Thanks, Renee. I plan to attend.

On Mon, Feb 26, 2018 at 1:26 PM Renee Osborne <[rosborne@losososcsd.org](mailto: rosborne@losososcsd.org)> wrote:

As previously mentioned Dan, we will be discussing this at the Parks and Recs meeting on March 6th. We will come up with solutions then.

Hope to see you there.

Renee Osborne

LOS OSOS CSD, General Manager

Grace Environmental Services

805-528-9379 Direct Line

From: Daniel Clancy [mailto:dclancy1830@gmail.com]

Sent: Monday, February 26, 2018 12:10 PM

To: Renee Osborne <rosborne@losososcscsd.org>

Cc: Nick Franco <nfranco@co.slo.ca.us>; Pandora_PandoraAndCompany.com <Pandora@pandoraandcompany.com>; Board <Board@losososcscsd.org>; Larry Iaquinto <liaquinto@co.slo.ca.us>

Subject: Re: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Nick,

Thank you for responding.

You write the fill meets safety standards for health; there no health standards to meet.

In the 2010 CPSC Handbook, the [tire rubber] safety standard was *"solely focused on the impact attenuation to minimize serious head injuries and not on other aspects that may pose other risks, such as chemical exposure or ingestion."*

The CPSC and EPA, are not the best sources for information. The CPSC, in particular, was lobbied by the tire industry which makes the fill to exclude language to child health standards as applied to crumb rubber. I realize you're awaiting the new study from the EPA, it's been repeatedly delayed since 2016, and they are not the best most impartial source.

I appreciate you are moving to a different fill, but given the known risks already established, waiting five more years is not worth the risk to the children who use these parks to save money.

Is it possible to move up the replacement date given the health risks? Is there anything I can do to help in some way? Contact a Senator, etc.?

Regards,

Dan

On Mon, Feb 26, 2018 at 10:15 AM, Renee Osborne <rosborne@losososcscsd.org> wrote:

Thank you Nick.

Renee Osborne

LOS OSOS CSD, General Manager

Grace Environmental Services

805-528-9379 Direct Line

From: Nick Franco [mailto:nfranco@co.slo.ca.us]

Sent: Monday, February 26, 2018 9:43 AM

To: Daniel Clancy <dclancy1830@gmail.com>; Renee Osborne <rosborne@losososcsd.org>; Pandora_PandoraAndCompany.com <Pandora@PandoraAndCompany.com>; Board <Board@losososcsd.org>
Cc: Larry Iaquinto <liaquinto@co.slo.ca.us>
Subject: RE: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Dan,

We are no longer using the recycled tire rubber infill for playgrounds when we replace the surfacing, but instead have switched to Fibar, an engineered “wood chip” type product. I am certainly aware of the concerns and testimony that has been delivered at various times over the last few years. We stay up to date on the latest information through our affiliation with the National Recreation and Parks Association. Despite the testimony to the Consumer Product Safety Commission (CPSC), the tire infill does still meet the safety standards established by the CPSC and the Environmental Protection Agency (EPA) to meet ASTM International safety standards both for fall protection as well as health practices. However, it certainly is dirtier than Fibar and can get hot in the sun and unpleasant smelling. The CPSC and the EPA are re-evaluating both the crumb rubber used for infill on sports turf and the recycled tires used at playgrounds. That report is expected to be completed within the next year. Once that is released, we will review it for any applicability to our playgrounds and other recreational facilities. We have to base our current decisions and prioritization of funding on the best available information. As of today, the current best available information from the CPSC and the EPA is that while the rubber tire infill may be unpleasant, it is not considered dangerous or hazardous and does meet the ASTM standards for playground safety. The cost to replace the tire infill with Fibar is between \$16,000 and \$20,000. We intend to replace the tire infill with Fibar when the material has reached the end of its useable life to meet fall standards; probably around five more years at Los Osos. We also have the tire infill at Cuesta Park and Santa Margarita Park and they are on a similar schedule for replacement when they reach the end of their useable life.

Thanks,
Nick

Nick Franco

Director of Parks and Recreation

(p) 805-781-5204

(f) 805-781-1102

nfranco@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO

PARKS AND RECREATION DEPARTMENT

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www.slocounty.ca.gov

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From: Daniel Clancy [<mailto:dclancy1830@gmail.com>]

Sent: Friday, February 23, 2018 6:02 PM

To: Renee Osborne <rosborne@losososcsd.org>; Pandora_PandoraAndCompany.com <Pandora@PandoraAndCompany.com>; Nick Franco <nfranco@co.slo.ca.us>; [board losososcsd.org](mailto:board@losososcsd.org) <board@losososcsd.org>

Subject: Fwd: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Dear Nick, Renee, Pandora,

Thank you all for responding so fast.

Nick, I reached out to the County Parks Dept. today and the LOCSD regarding the tire infill at the Los Osos Community Park and was given your contact information.

I'm willing to help out any way I can to change the fill, etc. I wrote the letter to point out my concerns, but I want to help out, not simply point out the problem. I will pitch in any way I can to help everyone.

Thanks,

Dan

----- Forwarded message -----

From: **Renee Osborne** <rosborne@losososcsd.org>

Date: Fri, Feb 23, 2018 at 5:12 PM

Subject: Re: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

To: Pandora Nash-Karner <[Pandora@pandoraandcompany.com](mailto: Pandora@pandoraandcompany.com)>, Daniel Clancy <dclancy1830@gmail.com>

Cc: Board <Board@losososcsd.org>

Yes, I spoke to Nick. He gave me direction.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Pandora Nash-Karner <[Pandora@PandoraAndCompany.com](mailto: Pandora@PandoraAndCompany.com)>

Date: 2/23/18 3:36 PM (GMT-08:00)

To: Daniel Clancy <dclancy1830@gmail.com>

Cc: Renee Osborne <rosborne@losososcsd.org>, Board <Board@losososcsd.org>

Subject: Re: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Hello all ~

Please check with Nick Franco. I think the County has plans to change out the footing.
nfranco@co.slo.ca.us<<mailto:nfranco@co.slo.ca.us>>

Thanks,
Pandora

[cid:3311098525_37239380]

Pandora Nash-Karner

350 Mitchell Drive
Los Osos, California 93402

P/F: 805/528-7014

E: [Pandora@PandoraAndCompany.com](mailto: Pandora@PandoraAndCompany.com)<<mailto: Pandora@PandoraAndCompany.com>>

W: <http://www.PandoraAndCompany.com>

On Feb 23, 2018, at 2:53 PM, Daniel Clancy
<dclancy1830@gmail.com<<mailto:dclancy1830@gmail.com>>> wrote:

Renee,

Thank you, I will plan to attend the meeting.

Regards,

Dan

On Fri, Feb 23, 2018 at 11:29 AM, Renee Osborne
<rosborne@losososcsd.org<<mailto:rosborne@losososcsd.org>>> wrote:

Dear Mr. Clancy,

This is an item that the Parks and Recreation Committee will be discussing at a future Committee meeting. I have spoken to Nick Franco (County Parks) about this community concern.

We will be discussing solutions to this concern at the March 6th Parks and Rec committee meeting. I invite you to join us.

Los Osos CSD Board Room
2122 9th Street, Suite 102

Renee Osborne
LOS OSOS CSD, General Manager
Grace Environmental Services
[805-528-9379](tel:(805)20528-9379)<[tel:\(805\)20528-9379](tel:(805)20528-9379)> Direct Line

From: Daniel Clancy [<mailto:dclancy1830@gmail.com><<mailto:dclancy1830@gmail.com>>]
Sent: Friday, February 23, 2018 11:16 AM
To: pandora@pandoraandcompany.com<<mailto:pandora@pandoraandcompany.com>>;
Board <Board@losososcsd.org<<mailto:Board@losososcsd.org>>>

Subject: Los Osos Community Playground - Crumb Tire Rubber Fill Surface Health Concerns

Dear Los Osos Community Board, and Pandora Nash-Karner,

I've attached a letter, plus 2 exhibits, regarding my concerns over the health issues of using recycled tire crumb rubber on the playground surface of the Los Osos Community Playground.

I'm free to discuss this matter at your convenience.

Regards,

Dan Clancy