



## **AGENDA**

**Thursday, July 11, 2013 at 5:00 p.m.**

Department of Parks and Recreation  
3800 Cornucopia Way  
2<sup>nd</sup> Floor Conference Room  
Modesto, CA

### **Call Meeting to Order:**

The *Stanislaus County Park Commission* encourages public participation and welcomes the public's interest.

Members of the public may be heard on any item of the *Stanislaus County Park Commission's* agenda. A person addressing the Commission will be limited to five (5) minutes, unless the Chairperson of the commission grants a longer period of time. The Commission will allow comments by members of the public on an agenda item only during consideration of the item.

### **Agenda Items:**

- |    |   |               |
|----|---|---------------|
| 1. | Call to Order                                 | Chair         |
| 2. | Roll Call and Excused Absences                |               |
| 3. | Introduction(s)                               |               |
| 4. | Public Comment(s)                             |               |
| 5. | Approval of Minutes for June 13, 2013 Meeting | Commissioners |
| 6. | Staff Report                                  |               |
|    | a. July Park Commission Staff Report          |               |
| 7. | Old Business                                  |               |
|    | a. Fairview Park                              |               |
|    | b. Mural Policy                               |               |
| 8. | Commission Comment(s)                         |               |
| 9. | Adjournment, the next meeting will be on:     |               |

August 8, 2013 at 5:00 p.m.  
Department of Parks and Recreation  
3800 Cornucopia Way  
2<sup>nd</sup> Floor Conference Room  
Modesto, CA

*Please notify the Department of Parks and Recreation at 525-6723 to let us know if you **will** be attending this meeting and/or require special accommodation for access or transportation to the meeting.*

Agendas can also be found online at <http://www.stancounty.com/er/parks/parks-recreation-commission.shtm> subject to staff's ability to post prior to the meeting. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours at the main office of the Department of Parks and Recreation, 3800 Cornucopia Way, Suite C, Modesto, CA 95358.



**PARK COMMISSION**  
*Chad Kennedy, Chair*  
*Judy Loretelli, Vice Chair*  
*Jami Aggers, Director, Parks and Recreation*  
*Merry Rorabaugh, Assistant Director, Parks and Recreation*

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# MINUTES

## June 13, 2013, at 5:00 p.m.

3800 Cornucopia Way, Suite C  
Modesto, CA 95358

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### MEMBERS PRESENT:

Ron West, D4  
Chad Kennedy, ATL  
Betty Parker, D1  
Brent Bohlender, D2

### PARKS & RECREATION STAFF PRESENT:

Mae Song  
Jami Aggers  
Merry Rorabaugh

### MEMBER ABSENT:

Judith Loretelli, ATL  
Vacant, D3  
Vacant, D5

### GUESTS PRESENT:

### A. CALL TO ORDER & INTRODUCTIONS

1. The meeting was called to order. Those in attendance introduced themselves.
2. An excused absence was received for Judy Loretelli.

#### ACTIONS

*Chad Kennedy*

### B. PUBLIC COMMENTS

No public comment was received.

#### ACTIONS & REPORTER

### C. APPROVAL OF MINUTES

Minutes for the May 9, 2013, meeting was approved upon motion and second as written.

#### ACTIONS

*West, Parker, unanimous approval*

### D. STAFF REPORTS

A question was raised whether the Department has received reimbursement for the San Joaquin Valley Lawn Garden Program. The reimbursement was received as indicated on the July Park Commission Staff Report.

#### ACTIONS & REPORTER

*Chad Kennedy*

### E. OLD BUSINESS

1. The Department was able to add the Riverdale Park Fishing Access project to the proposed CIP as discussed in the last meeting. The next step will be for the CEO to approve the proposed plan. The proposed budget for this project is set at \$250,000. A note was made that the project will remain under the unfunded category until available funding is identified.
2. An agenda item was submitted for the June 18<sup>th</sup> Board meeting requesting for the Board's approval to accept donations for the Fairview Park Renovation Project. A hold harmless agreement, a liability waiver, was attached to the agenda item for volunteers to sign.
3. A clarification was made on the Board's concerns regarding the mural policy. One concern of the Board was what if the design excludes others from feeling welcome even if it was unintentional? Determining in advance neutral themes to allow may be a potential solution. Themes can be along the line of nature, agricultural, parks, or landscape. The Commission asked whether having a Community theme would also be acceptable. A clarification was asked whether the Board had a concern on leaving someone out or not including them. The Board had addressed

#### ACTIONS & REPORTER

*Merry Rorabaugh*

that the mural should be unbiased. The Commission suggested this unbiased verbiage be placed in the mural policy. Additional concerns included graffiti, deterioration, and maintenance. The Board also asked for additional information to include a flowchart of the process, background research of other similar mural projects and their policy implementation process, and details on a diverse review process of the mural. The current mural policy did have a diverse review process of where the mural would go through the Commission, Planning, and the Department. Some languages will be changed such as instead of the Commission approving the mural, the mural will be brought to the Board for approval, and the Commission will instead make a recommendation. The Department will re-draft the mural policy and re-present it at the next meeting.

4. The fundraising event for the Empire Pool approximated at \$16,000 with 385 tickets sold. Betty Parker shared her sous-chef experience at the event--all food preparations were prepared with the utmost care and precision. Although, the volunteers had to endure the extremely warm weather during the weekend event, the event was a success. A wonderful addition to the event was a few planes on display. The flower decorations and leftover food were donated after the event.
5. Additional funding plans for the pool is to obtain five organizations to donate a minimum of \$5,000 per organization each year for the next five years; PAL has committed as one of the donating organization. The County will also be pledging \$100,000 from the community development fund. The food store at the pool will be open this summer.

## F. ADJOURNMENT & NEXT MEETING

There being no further discussion, the meeting was adjourned. The next regular meeting of the Parks Commission will be held on:

**Thursday, July 11, 2013, at 5:00 p.m.**  
3800 Cornucopia Way, Suite C  
Modesto, CA 95358

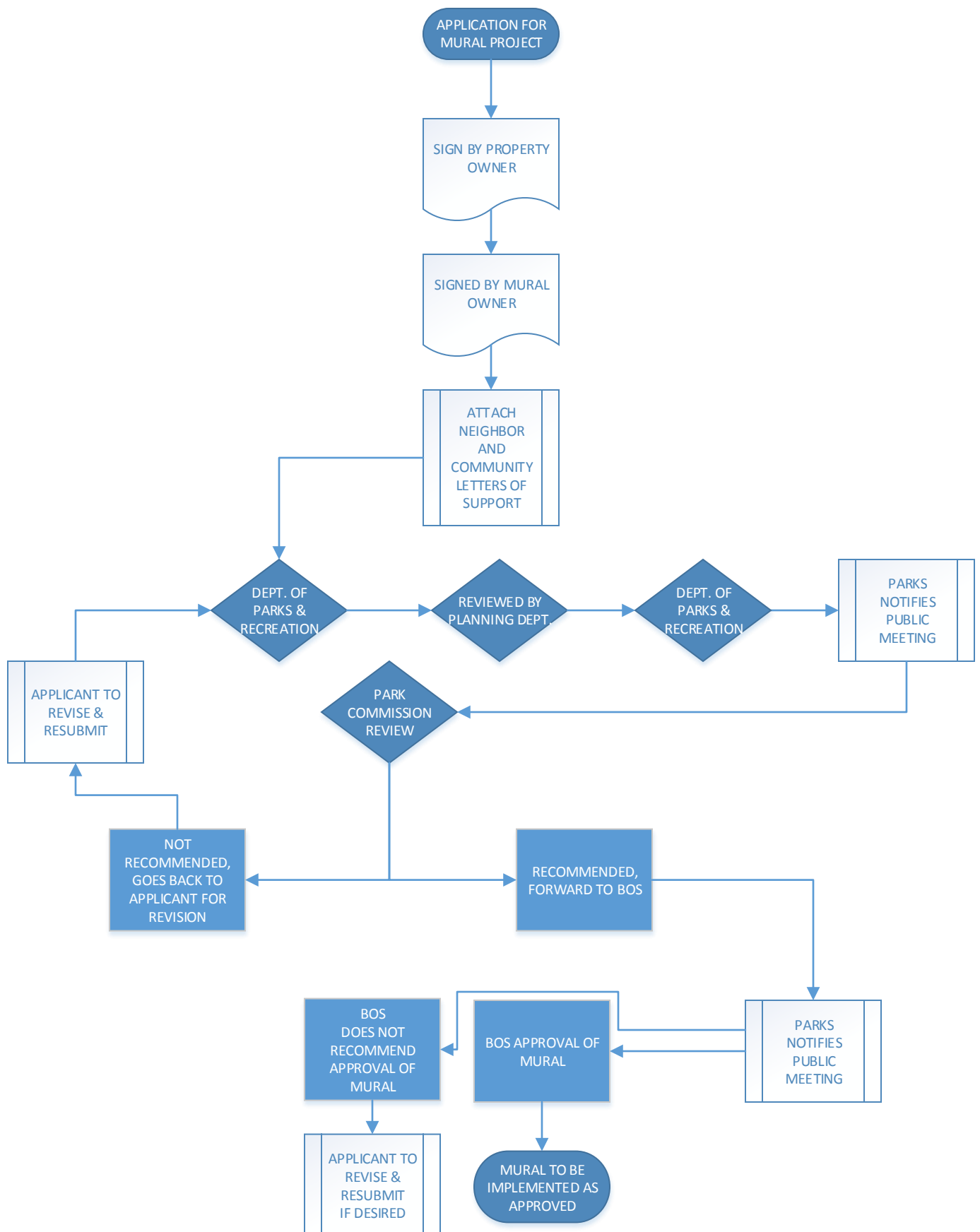
PREPARED BY: *Mae Song, Confidential Assistant III* (209) 525-6723

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## July 2013 Park Commission Staff Report

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1. The Laird Park project is moving forward. There are a few minor details with the contract that are being worked through.
2. July 4<sup>th</sup> Celebration is July 6<sup>th</sup>, 2013 at 9:30pm.
3. Frank Raines Park has received a brand new John Deere 410K Backhoe paid for by last year's Off-Highway Vehicle Grant.
4. The 30-day appeal for the new 2013-2014 Off-Highway Vehicle grants will end on July 3, 2013. The final awards will be posted on July 5, 2013.
5. Community Parks/County Centers: Staff is not currently involved in any projects. We are in full summer swing and have been focused on mowing, weeding and irrigation repairs. There have been no major vandalism incidents since last month's report. On July 1, 2013, a Park employee was confronted by a drunken individual at Oregon Drive Park. The person was physically and verbally abusive towards the employee. While he did not actually strike him, he was shaking his fist in the employees face and he punched the door of the County vehicle, denting it. Law enforcement was called but as far as we know the responsible person was not apprehended. Staff services at Oregon Drive Park have been suspended until further notice. The department safety rep. and the Park Manager are attempting to find out from law enforcement if there have been other reported acts of violence at the park. An increase of gang presence has been noted lately and staff has been apprehensive about performing their tasks at the park.
6. Fairview Park: Gophers continue to be trapped but the numbers remain small. Weeds are taking over since the area has been tilled. Before any grass seed is planted, the weeds will need to be addressed. Once we have the situation under control, we should be able to seed by late summer or early fall.
7. Frank Raines OHV: The new backhoe has been delivered. Staff will be utilizing it for trail maintenance, fencing projects, trenching, and various other projects as needed. A gas powered T-Post driver has been purchased for the OHV Park. Staff was previously using a manual driver that was cumbersome, time consuming and had resulted in several injuries. The gas powered driver will increase productivity in the rough terrain area and reduce the risk of injuries.
8. The Waterfowl Hunting Program registration period is open for July 1<sup>st</sup> through July 31<sup>st</sup>. The draw will be held on August 10<sup>th</sup> at 10:00 a.m. The Permittee Post Draw meeting will be held August 28<sup>th</sup> at 5:30 p.m.



~~April~~ July 2013

## Stanislaus County Parks and Recreation Department

### Mural Review Policy and Application

The Stanislaus County Department of Parks and Recreation and the Parks and Recreation Commission support artistic activities within the County and recognizes the aesthetic value of placing murals in public areas.

Artists, property owners, and community residents and organizations are encouraged to work together to create new murals and when necessary to save existing murals for the enjoyment of citizens. It is known and accepted that Public Art Murals do much to beautify the urban environment and promote community pride.

Any group or individual that wishes to paint or create a mural must obtain permission from the property owner whether it is a private individual or public agency. Painting murals on public or private property without permission of the owner is illegal and punishable by law. Stanislaus County does not condone any type of illegal graffiti murals or art, irrespective of artistic content.

All murals on or adjacent to County property must ~~follow the process of~~ be approved by the Parks and Recreation Commission and reviewed by the Planning Department to ensure conformance with all applicable land use regulations and/or entitlements, review and recommendation by the Parks and Recreation Commission, and approval of the Stanislaus County Board of Supervisors. In addition, murals must meet the following Criteria, which are also outlined on the application:

1. Mural completed by an artist with prior experience. Murals should be signed and dated. Painting of the mural shall be supervised by the artist. Community projects must be undertaken under the direction of an experienced artist.
2. Review of mural design and location by the Director of Planning.
3. Prior recommendation of mural design and location by the Parks and Recreation Dept, the Parks and Recreation Commission and approval by the Stanislaus County Board of Supervisors, before work commences.
4. Consultation and approval with local business association, neighbors and neighboring businesses. Parks and Recreation Commission can make recommendations regarding this requirement. Adjacent property owners and neighbors' letters of support must be submitted.
5. Color: consistent with the surrounding area.
6. Materials: durable, graffiti resistant and weather resistant materials.
7. Workmanship: any support/attachments must be approved by a professional structural engineer: work on site must be supervised and approved by artist.

8. Themes: consistent with surrounding area. Consideration will be given to themes that are of heritage and artistic expression. Themes such as nature, landscapes, or agriculture are encouraged.
9. Murals shall not serve as an advertisement sign in violation of County Code.
10. Mural permit or approval does not warrant or guarantee that, after installation, the mural will be preserved or remain intact for the expected life span of the mural. If parties want to preserve the mural, it is their responsibility to reach an agreement regarding maintenance, and preservation with the property/building owner. Approval by the Stanislaus County Board of Supervisors does not constitute an indication or promise of any conservation or restoration funds from the County of Stanislaus.
11. PROPERTY AND BUILDING OWNERS: Murals are protected under the California Art Preservation Act of 1980 (Civil Code Section 980 ET seq.). Prior to altering, painting over or removing a mural, the property/building owner must give appropriate notice of the intent to do so. The parties are responsible for compliance with these and all other applicable laws.
12. It is the responsibility of the designated mural project manager or owner of the facility on which the mural is executed to create and maintain the mural. The County assumes that the mural will be kept in good repair with periodic maintenance to be performed by the project manager/artists/owner as needed. By submitting the application both the mural owner and property owner agree that should the mural be defaced and not maintained in good repair, the County has the authority to paint over the mural.
13. If vandalism to the mural occurs, it is the responsibility of the mural owner/project manager/artist to remove graffiti within 48 hours (consistent with County-wide ordinances regarding graffiti removal). If the graffiti is not removed and repaired by the owner/project manager/artist, Stanislaus County can remove the graffiti vandalism using their standard removal techniques/materials.
14. A public meeting on the proposed mural will be held, with notice of the meeting provided to the neighborhood association and district coalition, and posted at the site of the proposed mural. I understand that a permit for an Original Art Mural will not be issued until the neighborhood contact requirements specified in Section III of the Original Art Mural Administrative Rules have been met.

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#### Application Process

1. Complete the Application.
2. Contact all adjacent property owners (within ¼ mile or 300 feet when in a densely populated area), neighboring businesses, citizen groups, etc... to explain your project. Include a written description of the project and a picture of the mural art with a copy of your application. Application must be made prior to commencing. See attached Application Form and the Routing Process form for required signatures.
3. Provide the names and addresses of the parties notified in writing. Request and attach their letters of support (permission from the property owner is required).

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4. Submit your application, letters of support, and proposed mural design/description to the Stanislaus County Director of Parks and Recreation.

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5. The Director of Parks and Recreation will first forward the mural application package to the Director of Planning for review, followed by the Parks and Recreation Commission for consideration to recommend approval or denial to the Board of Supervisors. Neighboring property owners, as described within item no 2 above, will be notified by the Dept of Parks and Recreation, when this matter is scheduled for consideration by the Parks Commission and the Board of Supervisors.

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~~1-6.~~ Prior approval of mural design and location must be obtained by the Board of Supervisors before work commences.

~~2-7.~~ Upon completion, the mural will be inspected by the Parks and Recreation Department. Pictures or slides of the completed project will be provided by the applicant/artist or sponsoring organization/individual, to the Parks and Recreation Commission, at a regularly scheduled monthly meeting. In addition the applicant must submit a letter stating the type of anti-graffiti coating which has been applied to the mural and the date of application, along with the individual who performed the work. If the mural is consistent with what was ~~approved-recommended~~ by the Parks and Recreation Commission and approved by the Board of Supervisors, the project will receive "Final Approval" which will be reflected in the Commission's meeting minutes. The final application form is to be considered the mural permit.

## Guidelines for Mural Production

### Site Preparation

Proper preparation of the site and mural production will guarantee that this Public Art piece of will continue to enhance the community for years.

Brick, plaster and concrete walls offer the best surface for murals. Wood and aluminum are not recommended for permanent murals. Murals may be painted directly on the final surface, or on panels which are to be fixed to the wall either before or after painting.

Ideally the mural surface should be smooth. Should there be a question, it is recommended that a professional artist or painter be consulted.

The quality of the surface preparation will determine the quality of the finished product. Be sure to follow preparation steps and consult with a qualified paint professional to determine the best filler and primer and paint products.

Area is to be pressure washed to remove any dirt and existing paint. Surface should be completely dry before proceeding.

Spackle or another of filler should be used to fill cracks, holes and to level uneven surfaces.

Prime the wall with a latex primer to provide an even surface for the mural.

### Maintenance

Pollution and water cause the greatest damage to murals. Annual washing of the surface with a “gentle” soap will minimize damage. Effective surface preparation and a protective topcoat will help to keep the mural in good condition.

#### Mural Maintenance and Repairs

##### 1. County Responsibility

By approving the mural project, the County does not assume any financial obligation for its creation, upkeep or repair.

##### 2. Owner Responsibility

It is the responsibility of the designated mural project manager or owner of the facility on which the mural is executed to create and maintain the mural. The County assumes that the mural will be kept in good repair with periodic maintenance to be performed by the project manager/artists/owner as needed. By submitting the application both the mural owner and property owner agree that should the mural be defaced and not maintained in good repair, the County has the authority to paint over the mural.

### 3. Mural Vandalism

If vandalism to the mural occurs, it is the responsibility of the mural owner/project manager/artist to remove graffiti within 48 hours (consistent with County-wide ordinances regarding graffiti removal). If the graffiti is not removed and repaired by the owner/project manager/artist, Stanislaus County can remove the graffiti vandalism using their standard removal techniques/materials.

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## ROUTING PROCESS

1. Stanislaus County Director of Parks & Recreation

2. Stanislaus County Director of Planning and Community Development

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print name)

3. Stanislaus County Director of Parks & Recreation

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print name)

4. Parks & Recreation Commission Recommendation:

\_\_\_\_ ~~Approval~~ Recommended      \_\_\_\_ ~~Denial~~ Not Recommended

Explanation (not recommended):

\_\_\_\_\_  
(Signature of Chairperson)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print name)

5. If application is not recommended by the Parks and Recreation Commission, the application will be returned to the applicant.

~~5-6.~~ After all three signatures are received, if application is recommended, Parks Department staff will forward the request to the Board of Supervisors for final approval via Board Resolution.

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