

**REGULAR BOARD MEETING
APPROVED MINUTES**

JULY 28, 2010

3:30 PM

The public portion of the meeting is recorded.

1. CALL MEETING TO ORDER

The meeting was called to order at 3:30 p.m.

2. ROLL CALL

Director Dorfman, Director Soudan, Director Thompson, and Vice Chairman Gill were all present.

Chairperson Hill was not present; she was excused by the General Manager.

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

Anyone wishing to speak on items on this agenda may do so at the time the item is called and the Chairperson opens discussion to the public. When you wish to speak, you must wait to be recognized by the Chairperson and, prior to addressing the issue, give your name and address for the record. **You may be limited to five (5) minutes.**

5. RECOGNITION AND AWARDS

6. CONSENT AGENDA

A. FUND BALANCES AS OF JULY 21, 2010

Board action requested: None – Information/Discussion

B. ACCOUNTS PAYABLE

Board action requested: Approve Accounts Payable

C. MINUTES OF THE JULY 14 REGULAR MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS

Board action requested: Approve the minutes of the July 14, 2010 regular Board meeting

BOARD ACTION REQUESTED: Approve Consent Agenda

Item B was pulled from the Consent Agenda. Director Thompson requested to pull Item A to make a comment.

Director Thompson made a motion to approve the Consent Agenda with Items A and B pulled. It was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Thompson, Gill
Noes:
Abstain: Soudan
Absent: Hill

7. ITEMS PULLED FROM THE CONSENT AGENDA

A. FUND BALANCES AS OF JULY 21, 2010

Director Thompson pulled Item A to make a comment regarding the way the item was listed on the agenda. He stated that because it is part of the Consent Agenda, Board action requested doesn't need to be stated, unless the item is pulled.

Director Thompson made a motion to approve the fund balances as of July 21, 2010. It was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Soudan, Thompson, Gill
Noes:
Abstain:
Absent: Hill

B. ACCOUNTS PAYABLE

General Manager John L. Buck, III stated that the check to Director Dorfman should be for the food reimbursement only in the amount of \$109.24. The difference of \$57.23 should be paid to Kay Kenfield.

Director Thompson questioned the Accounts Payable entry for LAOPUD [sic]. The description for the entry refers to Nelson Park, but Director Thompson stated LOAPUD actually serves the MLK Park facility. He went on to state that the entry should read actually read "LOPUD." [Note: the correct acronym is LOAPUD – Lake Oroville Area Public Utilities District]

Director Thompson made a motion to approve the Accounts Payable with the items as discussed corrected. It was seconded by Director Soudan, and passed with the following vote:

Ayes: Dorfman, Soudan, Thompson, Gill
Noes:
Abstain:
Absent: Hill

8. REGULAR AGENDA

A. 2020 MASTER PLAN

The Board will consider approving corrections and updates to the first three chapters of the draft Master Plan. (staff report)

Board action requested: Approve changes to Chapters 1–3 of the draft 2020 Master Plan

Director Thompson asked to table this item until the Master Plan Committee can review the changes. He stated changes were made that hadn't been approved by the Board, such as the annual review would be done by the Ad hoc committee instead of the Parks & Rec. Committee.

B. RESOLUTION 1109-10; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING SIGNERS ON LOAN DOCUMENTS REFERRING TO THE PURCHASE OF THE OROVILLE GYMNASTICS AND SPORTS ACADEMY.

Board action requested: Adopt Resolution 1109-10

Director Thompson made a motion to adopt Resolution 1109-10 as amended by legal counsel. It was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Thompson, Gill

Noes:

Abstain: Soudan

Absent: Hill

C. RESOLUTION 1110-10; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE APPLICATION FOR A 10-YEAR LOAN OF \$350,000 THROUGH THE CITY OF OROVILLE, TO BE UTILIZED FOR THE PURCHASE OF THE OROVILLE GYMNASTICS AND SPORTS ACADEMY.

Board action requested: Adopt Resolution 1110-10

Director Thompson made a motion to adopt Resolution 1110-10 as amended by legal counsel. It was seconded by Director Dorfman for purposes of discussion.

Director Dorfman stated she had great reservations about the District's ability to make payments on the proposed loans for the purchase of the Oroville Gymnastics Academy. She explained that the length of the loan had changed. Initially calculated for 30 years, the loan had been shortened to 20 years and finally to 10 years. Director Dorfman asked whether it was appropriate for legal counsel to explain why the terms of the loans had changed. Jessica Miller, the District's legal counsel, stated that the discussion should be held during closed session.

Director Thompson made a motion to table Regular Agenda Items C and D until after closed session. It was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Soudan, Thompson, Gill

Noes:

Abstain:

Absent: Hill

D. RESOLUTION 1111-10; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE APPLICATION FOR A 10-YEAR LOAN OF \$3.15 MILLION THROUGH BUTTE COMMUNITY BANK, TO BE UTILIZED FOR THE PURCHASE OF THE OROVILLE GYMNASTIC SPORTS ACADEMY (OGSA)

Board action requested: Adopt Resolution 1111-10

This item was tabled with Regular Agenda Item C until after closed session.

E. Q-STAR SECURITY CAMERAS

The Board will consider approving the purchase of security cameras for various facilities. (staff report)

Board action requested: Approve purchase of Q-Star security cameras

General Manager John L. Buck, III reviewed his staff report on the Q-Star motion-sensor security cameras. The camera systems are self-contained and the information can be downloaded wirelessly. When the camera is triggered by motion, a pre-recorded message is broadcast. The estimated cost for the Q-Star system is \$7,000.

Director Dorfman made a motion to approve the purchase of the Q-Star security cameras. It was seconded by Director Thompson for purposes of discussion.

Director Soudan asked the General Manager what action the District would be able to take once a subject's picture was taken. He asked if the park ranger program might be a more proactive approach by preventing illegal activity, instead of documenting it after the fact. The General Manager stated he was scheduled to meet with the Oroville police chief at which time he would inquire as to the District's ability to follow through with prosecution.

With a motion and a second on the floor, the purchase of Q-Star security cameras was approved by the following vote:

Ayes: Dorfman, Thompson, Gill
Noes: Soudan
Abstain:
Absent: Hill

At 4:02 p.m., Director Thompson made a recommendation to convene to closed session discussion regarding tabled agenda items C and D, and the loan for 1875 Feather River Blvd.

Mary Weston, *Oroville Mercury-Register*, questioned whether discussion of the loan during closed session would be a Brown Act violation. She stated she didn't think it could be considered real property negotiations.

Director Dorfman stated the closed session discussion was for the specific purpose of property negotiations and she did not think talking about the loan was negotiations.

Jessica Miller, legal counsel for FRRPD, stated that qualifying for the loan is a condition of acquiring the property. However, she stated that an explanation regarding the term of the loan could be discussed in open session. Ms. Miller explained that the provisions under which the District was formed restrict it the terms of a loan for the purchase of real property to 10 years. The ability to enter into a 20-year loan only applies to regional park and recreation districts, which are formed under a different article. She is working with Steve Lucas, Butte LAFCo, to determine the feasibility of reorganizing the District by either a) dissolving FRRPD and reforming as a new regional park district, or 2) creating a new regional park district and merging it with the existing district.

Director Soudan asked Ms. Miller about a lease/buy-back option. This was determined appropriate discussion for closed session.

Vice Chairman Gill asked Ms. Miller how long she anticipated the reorganization process could take. Ms. Miller estimate was anywhere from 6 months to one year.

John L. Buck, III, FRRPD General Manager, commented that many of these questions should have been asked during the initial phases of researching the feasibility of purchasing the Oroville Gymnastics and Sports Academy.

C. RESOLUTION 1110-10; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE APPLICATION FOR A 10-YEAR LOAN OF \$350,000 THROUGH THE CITY OF OROVILLE, TO BE UTILIZED FOR THE PURCHASE OF THE OROVILLE GYMNASTICS AND SPORTS ACADEMY.

Board action requested: Adopt Resolution 1110-10

With a motion and second to adopt Resolution 1110-10 as amended by legal counsel, the vote was taken. The motion failed to pass by four-fifths as required by Public Resource Code 5788.21 based on the following roll-call vote:

Ayes: Thompson

Noes: Dorfman

Abstain: Soudan, Gill

Absent: Hill

D. RESOLUTION 1111-10; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE APPLICATION FOR A 10-YEAR LOAN OF \$3.15 MILLION THROUGH BUTTE COMMUNITY BANK, TO BE UTILIZED FOR THE PURCHASE OF THE OROVILLE GYMNASTIC SPORTS ACADEMY (OGSA)

Board action requested: Adopt Resolution 1111-10

Director Thompson made a motion to adopt Resolution 1111-10. The motion died for lack of a second.

9. COMMITTEE, DIRECTORS' AND MANAGER'S REPORTS

A. Standing Committees

- a. Finance/Capital Development – Director Dorfman reported that the Committee met on July 22nd to review the budget and financial documents. The Committee also discussed the purchase of the Q-Star Security cameras.
- b. Personnel Committee – Director Dorfman stated the Committee has not met. There will be closed session discussion regarding personnel.
- c. Parks & Rec. Committee – Director Soudan stated that the Committee members drafted a letter to the General Manager requesting resolution to certain matters. The General Manager had responded to the Committee's concerns, and many of the issues were being or had been resolved.

Vice Chairman Gill discussed the Committee's recommendations for moving forward with the agreement with Oroville Youth Soccer for the

snack bar facility at Riverbend North. The General Manager reported that Rob Floyd, President of OYSC, had informed him the Club was not going to use the new fields at Riverbend Park.

Rob Floyd, President of OYSC, spoke on behalf of the Club. He clarified the position of the Club regarding the decision to not play on the new fields, the snack bar agreement, and the need for a fourth field.

Derrald Buis, Vice President of OYSC, also spoke on behalf of the Club.

Don Knoll spoke regarding the future of the Oroville Gymnastics and Sports Academy. He stated he owns the property adjacent to the facility and discussed the possibility of a future aquatic center .

B. Ad-Hoc Committees

- a. Policies & Procedures Committee – Director Thompson reported the Committee will be meeting soon to discuss the Employee Handbook. The General Manager requested that the Committee consider adjustments to the Handbook.

C. Supplemental Benefit Fund Committee – the Committee has not met since the last Board meeting. The next meeting is scheduled for October 6, 2010.

D. Benefit Assessment District Oversight Committee – the Committee has not met since the last Board meeting.

E. Director's Reports

- a. Director Dorfman had nothing to report.
- b. Director Soudan reported that as he continues to drive around the parks he has seen many positive changes.
- c. Director Thompson commented on the large crowds at the Thursday night concerts in the park, and reported that two concerts in particular were extremely well attended. He reported on his discussions with the Oroville Water and Irrigation District regarding acquiring Lake Wyandotte.
- d. Vice Chairman Gill reported he talked to Greg Melton, Land Image, regarding landscaping with native trees at the Riverbend North Park Project. He measured the depth of the Wildlife Pond and found it to be 14 feet deep.
- e. Chairperson Hill was absent.

F. General Manager's Report – John L. Buck, III, reported on the hours of operation for the pools. He also reported that the filter for Palermo Pool will need to be replaced.

10. STAFF REPORTS

Staff reports are submitted to the Board once a month at the first meeting.

11. CORRESPONDENCE & MISCELLANEOUS

1. 12th Annual Berry Creek Berry Festival – Vice Chairman Gill requested District participation and assistance with the Festival by scheduling staff for the bounce house and to assist with parking.

12. ITEMS FROM THE FLOOR

Persons wishing to speak on items not on the agenda may request to do so at this time or when the Chairperson opens the meeting for items from the floor. State law prohibits the Board from taking action on any item presented if it is not listed on the agenda, except under special circumstances as defined in the Government Code. **You may be limited to five (5) minutes.**

13. BOARD ITEMS FOR NEXT AGENDA

1. Master Plan chapters

14. CLOSED SESSION

The Board went into closed session discussion at 5:30 p.m. and reconvened at 6:58 p.m.

A. Pursuant to Government Code 54956.8 – Property negotiations.

- 1875 Feather River Blvd., Oroville, CA 95965
No action was taken; direction was given to staff.

B. Pursuant to Government Code 54957 – Personnel

No action was taken; direction was given to staff.

15. ADJOURNMENT

There being no further business to discuss, the July 28, 2010 Board meeting was adjourned at 7:00 p.m.

The next regular Board meeting is scheduled for August 11, 2010. Regular Board meetings occur on the second and fourth Wednesday of every month at 3:30 PM, at the Feather River Recreation and Park District, 1200 Myers Street in Oroville, California unless otherwise posted.

/s/

Loren Gill, Vice Chairman

Attest:

/s/

John L. Buck, III, Secretary