

**REGULAR BOARD MEETING
MINUTES**

MAY 13, 2009

1:00 PM

The public portion of the meeting is recorded.

1. CALL MEETING TO ORDER

The meeting was called to order at 1:02 p.m.

2. ROLL CALL

Director Dorfman, Director Gill, Vice Chairman Thompson, and Chairperson Hill

Director Kremen was not present.

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 – none

6. CONSENT AGENDA

A. FINANCE MANAGER'S REPORT

B. RATIFICATION OF WARRANTS

Board action requested: Approve Ratification of Warrants

C. ACCOUNTS PAYABLE

Board action requested: Approve Ratification of Warrants

D. PURCHASE FENCING MATERIALS FOR THE PAT ALLEY MEMORIAL DOG PARK.

The Board will consider approving the purchase of chain link fence posts and sono tubes for the Pat Alley Memorial Dog Park.

Board action requested: Approve purchase of fencing materials for the Pat Alley Memorial Dog Park

E. PURCHASE REPLACEMENT PARTITION FOR RESTROOM FACILITIES AT RIVERBEND PARK.

The Board will consider approving the purchase of a solid plastic HDPE partition for the restroom at Riverbend Park to replace the stainless steel partition that was stolen.

Board action requested: Approve purchase of restroom partition

F. REMOVAL AND INSTALLATION OF DUMP BED ON DISTRICT MAINTENANCE TRUCKS.

The Board will consider approving the cost remove the dump bed from one maintenance truck to install it on another.

Board action requested: Approve cost for removal and installation of dump bed on District maintenance trucks.

G. AMENDED LEASE AGREEMENT FOR FORBESTOWN FACILITIES.

The Board will consider approving the amended lease agreement for a 501(c)3 for the purpose of operating the District's facilities in Forbestown.

Board action requested: Approve amended Forbestown lease agreement

H. RESOLUTION 1047-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT ACCEPTING THE LOAN FROM U.S. BANK.

Board action requested: Approve Resolution 1047-09

I. RESOLUTION 1048-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE TRANSFER OF \$80,000 FROM THE BENEFIT ASSESSMENT FUND 2610 TO THE GENERAL FUND 2600.

Board action requested: Approve Resolution 1048-09

J. OROVILLE EMERGENCY PREPAREDNESS FAIR.

The Board will consider co-sponsoring the Oroville Emergency Preparedness Fair at the Municipal Auditorium on May 30, 2009.

Board action requested: Approve co-sponsorship of the Oroville Emergency Preparedness Fair

K. PAYMENT OF REMAINING BALANCE OF LAND IMAGE INVOICE #2670 IN THE AMOUNT OF \$5,744.

The Board will consider paying the balance of Land Image Invoice #2670 for survey work provided by David Roloff for the Master Plan.

Board action requested: Approve payment of \$5,744 to Land Image for Invoice #2670

Board Action Requested: Approve Consent Agenda

Director Gill requested that Item G be pulled. Vice Chairman made a motion to approve the Consent Agenda with Item G pulled, and on Consent Agenda Items D, E and F that the lowest bid be accepted ; it was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

7. ITEMS PULLED FROM CONSENT AGENDA

G. AMENDED LEASE AGREEMENT FOR FORBESTOWN FACILITIES.

The Board will consider approving the amended lease agreement for a 501(c)3 for the purpose of operating the District's facilities in Forbestown.

Board action requested: Approve amended Forbestown lease agreement

Director Gill proposed to table this item until the Parks & Rec Committee can meet with representatives from the Yuba Feather Historical Association one more time. Vice Chairman Thompson stated that he would like to see this item brought back before the Board before the next regular meeting.

Patricia Shields, P.O. Box 15, Clipper Mills

Ms. Shields is the president for YFHA. She had her datebook with her, and suggested the two groups agree upon a meeting date and time right then.

Director Gill stated that he would have to wait to talk to Director Kremen, who was absent.

Loren Olsen, 8945 Idlewood Circle, Forbestown

Mr. Olsen commented that he has lived in the Forbestown community for 27 years. He stated that everything that happens up there is done by dedicated hard-working volunteers. He requested that the District treat these volunteers as equals. He said the facilities in Forbestown are truly an asset to the community.

8. REGULAR AGENDA

A. AUDIT REVIEW WITH HOLLY PLADSON.

Holly Pladson of Matson & Isom Accountancy Corp. will review the District's 2007-2008 audit.

Board action requested: Discuss/review 2007-2008 audit

Holly Pladson of Matson & Isom presented the District's 2007-2008 audit report and reviewed it with the Board.

B. RESOLUTION 1049-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT APPROVING THE 2007-2008 AUDIT.

The Board will consider adopting a resolution to approve the 2007-08 audit.

Board action requested: Adopt Resolution 1049-09

Vice Chairman Thompson made a motion to adopt Resolution 1049-09; it was seconded by Director Gill, and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

C. UPDATE FROM LAND IMAGE REGARDING DISTRICT PROJECTS.

Greg Melton of Land Image will give a brief update on various District projects.

Greg Melton of Land Image reviewed the projects Land Image is working on for the District (see Attachment 8C). Vice Chairman Thompson asked why the building permits were not scheduled to go before the Planning Commission until July. Mr. Melton stated he would contact the City to find out what the delay was.

Mr. Melton discussed the new elevations designed for the rec. center proposed for Riverbend Park.

ITEM 8D
WAS
ADDRESSED
AT 3:00 PM.

D. RESOLUTION 1050-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT UPDATING THE FEE SCHEDULE FOR NEW DEVELOPMENT WITHIN THE CITY OF OROVILLE.

The Board will consider adopting a resolution to update the fee schedule as recommended in the "Supplemental Development Impact Fee Calculation & Nexus Report" (March 2009).

Board action requested: Adopt Resolution 1050-09

Bob Sharkey, FRRPD General Manager, stated that this is probably the most important thing that will happen for the District for years to come. He thanked the District's attorneys and the current Board of Directors, as well as previous Board members Monique Gurr and John Allen.

Blair Aas, SCI Consulting, worked with Anna Shimko and Matt Francois to update the findings from the nexus studies and present them to the City to adopt a fee program on behalf of the District.

Bill Connelly, LAFCo Commissioner, commented that giving the park district its impact fees is morally the right thing to do.

Chairperson Hill read a prepared statement (see Attachment 8D).

Vice Chairman Thompson made a motion to adopt Resolution 1050-09; it was seconded by Director Gill and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

Anna Shimko, legal counsel for the District, gave a little background on recent events. She reported that the final signatures were placed on the settlement agreement yesterday. The fee ordinance went into effect last Friday. The Board action today updated the fee schedule for park development impact fees within the City limits. She commended the Board of Directors and General Manager Bob Sharkey for their diligence and perseverance in seeing this issue through to the end.

Matt Francois, legal counsel for the District, also commended the hard work and determination of the Board of Directors.

Blair Aas, SCI Consulting, applauded the District in its effort to produce a comprehensive and thorough Master Plan.

E. 2009/2010 PRELIMINARY BUDGET.

The Board will consider approving the 2009/2010 preliminary budget.

Board action requested: Approve 2009/2010 preliminary budget

Finance Manager Susan Martin commented that the form will change because she will be doing a three-year comparison. She requested that the final budget be put on the July agenda.

Vice Chairman Thompson made a motion to approve the 2009/2010 preliminary budget; it was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

F. PURCHASE OF FLAIL MOWER, NOT TO EXCEED \$5,000.

The Board will consider approving the purchase of a flail mower.

Board action requested: Approve purchase of flail mower

Vice Chairman Thompson made a motion to approve the purchase of a flail mower; it was seconded by Director Dorfman, and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

G. MINUTES OF THE MARCH 11, 2009 REGULAR MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.

Board action requested: Approve the minutes of the March 11, 2009 Regular Board meeting

The minutes of the March 11, 2009 Regular Board meeting were tabled until the June Board meeting because a motion and second could not be made.

H. MINUTES OF THE APRIL 8, 2009 REGULAR MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.

Board action requested: Approve the minutes of the April 8, 2009 Regular Board meeting

Director Dorfman made a motion to approve the minutes of the April 8, 2009 Regular Board meeting; it was seconded by Vice Chairman Thompson, and passed with the following vote:

Ayes: Dorfman, Gill, Thompson, Hill

Noes:

Abstain:

Absent: Kremen

I. MINUTES OF THE APRIL 8, 2009 SPECIAL MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.

Board action requested: Approve the minutes of the April 8, 2009 Special Board meeting

Director Gill made a motion to approve the minutes of the April 8, 2009 Special Board meeting; it was seconded by Director Dorfman, and passed with the following vote:

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

J. MINUTES OF THE APRIL 23, 2009 SPECIAL MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.

Board action requested: Approve the minutes of the April 23, 2009 Special Board meeting

Director Gill made a motion to approve the minutes of the April 23, 2009 Special Board meeting; it was seconded by Vice Chairman Thompson, and passed with the following vote:

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

K. LAND EXCHANGE.

The Board will discuss the proposed acquisition and transfer of property in the land exchange between the Department of Fish & Game, Butte County, and FRRPD. (staff report)

Board action requested: Discuss acquisition and transfer of property

Vice Chairman Thompson moved to table this item until the June 10th Board meeting.

L. RESOLUTION 1051-09; A RESOLUTION AUTHORIZING THE CHAIRPERSON TO SIGN AN AGREEMENT REGARDING AN EASEMENT FOR THE GARDNER HUDSON NATURE TRAIL.

The Board will consider authorizing the Chairperson to sign an agreement on behalf of the District regarding an easement under the bridge for the Peter Gibson Demolay Trail.

Board action requested: Approve Resolution 1051-09

Vice Chairman Thompson made a motion to approve Resolution 1051-09; it was seconded by Director Gill, and passed with the following vote:

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

9. COMMITTEE, DIRECTOR'S AND MANAGER'S REPORTS

- A. **Finance/Capital Development** – Chairperson Hill reported that the Finance Committee has been meeting weekly.
- B. **Personnel Committee** – the Committee will be meeting soon with the Union.
- C. **Parks and Recreation Committee** – a meeting with representatives from Forbestown/YFHA was scheduled for Monday, May 18th at 3:00 p.m. at the District office to discuss the lease agreement. Director Gill reported that the Committee needs to meet regarding several other contracts, including one with Greenline Cycles for the kayak rentals. The Committee also needs to address the fact that the general public is not allowed to use the Feather River Lapidary & Mineral Club's equipment.
- D. **Supplemental Benefit Fund Committee** – Chairperson Hill attended several SBF meetings as a substitute in Vice Chairman Thompson's absence. She visited two sites that are being considered as potential locations for the future whitewater park. Director Gill stated that the ad hoc committee is very important in terms of advising DWR of what the community of Oroville wants. The next SBF meeting is May 20 at 1:30 p.m.
- E. **Benefit Assessment District Oversight Committee** – Bob Sharkey, General Manager, reported that the BAD Committee did meet. Vice Chairman Thompson stated that the members of the committee are appointed by the Board. In addition, the Board has selected an alternate person to serve in the absence of one of the regular committee members.
- F. **Director's Reports**
 - a. Director Dorfman reported that she has been meeting weekly with a committee to help get the dog park up and running. She turned in \$297 towards the dog park from the parade and t-shirt sales. Director Dorfman has also been setting up a table at the weekly concerts in the park to hand out information and sell t-shirts and other items.
 - b. Director Gill reported that the Wildflower & Nature Festival brought in \$761 this year. He met with representatives from Dan Logue and Sam Anestead's office regarding the Harts Mill Fire Station in Berry Creek. He stated the District could have title to the property as early as January. He also reported there is a five-person committee in Berry Creek that is working on preparing an application for a grant that helps fund parks in underserved communities.
 - c. Director Kremen was absent.
 - d. Vice Chairman Thompson reported that the District is co-sponsoring a fundraiser for the Veterans Memorial Park on July 4th. All expenses incurred by the District as an event co-sponsor will be documented and can then be used towards in-kind services for any future grant applications for the park.
 - e. Chairperson Hill reported that she worked on the float and participated in the parade. She also attended the first concert in the park to promote the dog park. She stated there are two memorial tree plantings that need to be scheduled, one for a wedding and the other for a new baby.
- G. **General Manager's Report** – Bob Sharkey reported that staff have been very busy. He stated that rentals of the District's facilities have been almost non-stop. The District is generating revenue in several areas that have previously been a financial drain. The maintenance staff is gearing up for the opening of the pools.

AD HOC COMMITTEES

- A. Master Plan Committee** – The Master Plan will be out for public review until June 12. The Committee has nothing new to report.
- B. Impact Fees Committee** – The Committee has not met.
- C. Outreach Liaison/Tourism Committee** – Director Kremen was absent.

10. STAFF REPORTS

- a. Shawn Brandt
- b. Deanna Simmons
- c. Laurie Searing
- d. Bridget Bowers
- e. Sheryl Manies

11. CORRESPONDENCE & MISCELLANEOUS

- A.** Memo from LAFCo re: Sphere of Influence boundary proposals.
- B.** Thank you letter from Oroville Chamber of Commerce.
- C.** Invitation to Stanford Avenue School Student Fine Art Show
- D.** Card from Bob and Lillian Hemstak

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.**

Mike Donnelly with the Group Real Estate addressed the Board to let them know he is available to answer any questions regarding the Oroville Gymnastics Academy.

The Board adjourned for a 10-minute recess at 2:50 p.m. and reconvened at 3:00 p.m. At this time, Regular Agenda Item 8D was addressed as indicated on the agenda.

13. BOARD ITEMS FOR NEXT AGENDA

- 1. Appoint Director Dorfman to the Outreach Liaison/Tourism Committee
- 2. Land exchange
- 3. Minutes of the March 11, 2009 Board meeting
- 4. Public records
- 5. Republican Women's Riverboat Regatta
- 6. Board stipend

14. EMERGENCY SITUATIONS

Pursuant to Government Code 54954.2 and 54956.5 the Board may take action on items not listed on the agenda when emergency situations exist as defined by these codes.

15. CLOSED SESSION

The Board went into closed session at 3:28 p.m. and reconvened at 4:34 p.m.

- A.** Pursuant to Government Code 54956.8 – Property negotiations.
 - 1875 Feather River Blvd., Oroville, CA 95965 (APN 035-240-099)
 - 2280 6th Street, Oroville, CA 95965 (APN 031-020-058)

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.

16. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 4:35 p.m.

The next regular Board meeting is scheduled for June 10, 2009. Regular Board meetings occur on the second Wednesday of every month at 3:30 PM, at the Feather River Recreation and Park District, 1200 Myers Street, Oroville, CA unless otherwise posted.

/s/

Jan Hill, Chairperson

Attest:

/s/

Bob Sharkey, Secretary



Feather River Recreation and Park District
Projects with Land Image – May 7, 2009

Project #	Project Name	Status
1135	Riverbend Prop 50	<ul style="list-style-type: none"> - Remaining funds may be available soon - Negotiations are in process
1328	FRRPD Rec Center	<ul style="list-style-type: none"> - Greg Melton will present the latest design at this month's Board meeting
1377	FRRPD Parks and Rec MP	<ul style="list-style-type: none"> - The Master Plan is in public review until June 12, 2009.
1381	Building Permits to City of Oroville	<ul style="list-style-type: none"> - <u>Bedrock Skate and Bike Park:</u> Plans submitted to City Building Dept. and Planning Dept. on March 11th. - Is now tentatively scheduled for the July Planning Commission meeting. - <u>Nolan Field Snack Bar:</u> Plans submitted to the City on May 1st. - County Submittal, Roof Drawings and Fence Cost Estimate are in process.
1432	Riverbend Soccer Complex Construction Drawings	<ul style="list-style-type: none"> - Volunteer rough grading is almost done - Construction Drawings are in progress

Statement re: **impact fee settlement** by Jan Hill, Chairperson FRRPD 5-13-09

I'd like to thank everyone at the Feather River Recreation and Park District for their work on this issue over the last several years including past Board members John Allen and Monique Gurr; present Board members Tamara Dorfman, Loren Gill, Jennifer Kremen, and Vene Thompson; General Mgr. Bob Sharkey; our spouses; our attorneys, Jessica Miller, Andy Morrissey, Matt Francois, and lead attorney Anna Shimko; consultants Eric Zigas and Blair Aas; journalist Mary Weston who reported fairly and consistently on this issue, her editors; staff members Sheryl Manies, Susan Martin, Shawn Brandt, Deanna Simmons, and Laurie Searing and all others who participated positively in some way.

WHY did it take over two years for the city of Oroville to agree on a settlement and an ordinance that FRRPD asked for from the city of Oroville formally on March 28, 2007 ?

Beginning with a formal resolution by FRRPD which generated letter after letter being written by numerous people, hundreds of conferences, public hearings by the city of Oroville which were tabled or not acted upon, the Oroville Planning Commission recommendation supporting FRRPD, LAFCO's involvement and support of FRRPD, costly appeals by FRRPD to Oroville city council, numerous special meetings including a joint meeting between Oroville city council members and FRRPD board members, private meetings between representatives of both boards, attorney meetings and involvement and ending with the same result requested by FRRPD over two years ago and by a unanimous vote of the city council. The whole process is documented on a three page time line of events. Inordinate time was spent on this issue when efforts could have been put to good use on other constructive projects by both FRRPD and the city of Oroville.

It is so sad that this has gone on for so long at everyone's expense when the issue was so obvious and so just from the beginning. It promises hundreds of thousands, if not millions, of dollars for Oroville and surrounding communities in the future. It is pure justice for the betterment of the community.

The process has WHIMPERED to a stop and WHY did it take so long?