

**FEATHER RIVER RECREATION AND PARK DISTRICT
1200 MYERS STREET, OROVILLE, CA 95965 (530) 533-2011**

**DISTRICT BOARD MEETING
Emergency Board Meeting**

September 23, 2008
6:00 PM

MINUTES

The public portion of the meeting is recorded.

1. CALL MEETING TO ORDER

The meeting was called to order at 6:03 PM.

2. ROLL CALL

Board members Allen, Gill, Thompson, Vice Chairman Hill, and Chairman Gurr were all 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 chairman opens discussion to the public. When you wish to speak, you must wait to be recognized by the chairman and, prior to addressing the issue, give your name and address for the record. **You may be limited to five (5) minutes.**

5. REGULAR AGENDA

A. REVIEW AND DISCUSS PROPOSED LETTER TO OROVILLE CITY COUNCIL RELATING TO IMPACT FEE ORDINANCE AND PROPOSED SETTLEMENT AGREEMENT.

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| Board action requested: | Review and discuss letter and settlement agreement |
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Chairman Gurr explained that she has had several conversations with Oroville City Mayor Steve Jernigan regarding what the District wants. The Board reviewed the joint letter from Chairman Gurr and Mayor Jernigan, Resolution 1016-08 and settlement agreement. The Settlement Agreement was written as the result of a conference call with the District's attorneys.

Attorney Jessica Miller explained that the Settlement Agreement states that if the City adopts the proposed ordinance, the District is willing to dismiss its lawsuits with prejudice. One of the elements of the Settlement Agreement is

the condition that all parties will pay their own attorneys' fees and costs associated with the lawsuits.

Chairman Gurr stated that the District is extending its hand in good faith, and will continue to do so until this matter is resolved.

Vice Chairman Hill had a concern regarding the language on the Settlement Agreement. On page 2 of the document, the first item of the agreement states:

“At its October 7, 2008 meeting, or as soon thereafter as practicable,…”

Director Thompson suggested the language be amended to read:

“At its October 7, 2008 meeting, and no later than October 21, 2008…”

Director Thompson requested that the language be amended throughout the Settlement Agreement to include the word “the” before “District.”

Director Gill stated that he thought the District was past the point of no return with the lawsuits, but also believes the Board should have a united vote.

B. RESOLUTION 1016-08; A RESOLUTION OF THE FEATHER RIVER RECREATION AND PARK DISTRICT'S BOARD OF DIRECTORS CONDITIONALLY APPROVING PROPOSED SETTLEMENT AGREEMENT BETWEEN FEATHER RIVER RECREATION AND PARK DISTRICT AND THE CITY OF OROVILLE RELATING TO IMPACT FEE ORDINANCE.

Board action requested: Approve Resolution 1016-08

Attorney Jessica Miller explained that, by approving Resolution 1016-08, the Board is conditionally approving the Settlement Agreement. If the City agrees to it, it will come back to the Board for action to be signed.

Director Thompson made a motion to approve Resolution 1016-08 as amended; it was seconded by Director Gill, and passed with the following vote:

Ayes: Allen, Gill, Thompson, Hill, Gurr
Noes:
Abstain:
Absent:

6. CLOSED SESSION (none)

7. 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.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:36 PM.

The next regular Board meeting is scheduled for October 08, 2008. 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.

Monique Gurr, Chairman

Attest:

Bob Sharkey, Secretary