

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

**DISTRICT BOARD MEETING  
Regular Board Meeting**

January 14, 2009  
**3:30 PM**

**MINUTES**

*The public portion of the meeting is recorded.*

**1. CALL MEETING TO ORDER**

The meeting was called to order at 3:32 p.m.

**2. ROLL CALL**

Director Andoe, Director Gill, Director Kremen, Vice Chairman Thompson, and Chairperson Hill 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 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. APPROVAL OF THE MINUTES OF THE DECEMBER 8, 2008 EMERGENCY MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.**
- B. APPROVAL OF THE MINUTES OF THE DECEMBER 10, 2008 REGULAR MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.**
- C. APPROVAL OF THE MINUTES OF THE DECEMBER 18, 2008 SPECIAL MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.**
- D. RESOLUTION 1035-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT ACCEPTING THE TRANSFER OF PERMANENT RIGHTS OF DWR PARCEL FRR-5-B UNIT 2 TO THE DISTRICT.**

**Board Action Requested:**

**Approve Consent Agenda**

Vice Chairman Thompson made a motion to approve the Consent Agenda with Item A pulled; it was seconded by Director Gill and passed with the following vote:

Ayes: Andoe, Gill, Kremen, Thompson, Hill

Noes:

Abstain:

Absent:

**7. ITEMS PULLED FROM CONSENT AGENDA**

**A. APPROVAL OF THE MINUTES OF THE DECEMBER 8, 2008 EMERGENCY MEETING OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS.**

The minutes of the December 8, 2008 Emergency Board meeting were pulled from the Consent Agenda because Director Andoe and Director Kremen were not sworn in as Board members until December 10, 2008. As such, they were not present at the December 8, 2008 Emergency Board meeting and therefore had to abstain from voting.

Vice Chairman Thompson made a motion to approve the minutes of the December 8, 2008 emergency Board meeting; it was seconded by Director Gill, and passed with the following vote:

Ayes: Gill, Thompson, Hill

Noes:

Abstain: Andoe, Kremen

Absent:

**8. REGULAR AGENDA**

**A. BRIEF UPDATE BY SHAWN ROHRBACKER OF LAND IMAGE REGARDING VARIOUS DISTRICT PROJECTS.**

Shawn Rohrbacker of Land Image reviewed the status of the various projects he is working on for the District.

**PROP 50** – He reported that all Prop 50 funds have been frozen due to the Resources Agency’s reliance on bonds. The funding will be available once there is more money in their budget, but for now all projects are on hold. Vice Chairman Thompson asked whether the District had been reimbursed for everything it has spent thus far. Susan Martin, Finance Manager, reported that there is a 10% outstanding with will be repaid upon finalization of the project.

**RIVERBEND NORTH PARK PROJECT** – The SWPPP plan will have to be changed as a result of the donated top soil at Riverbend. In addition, hydromulch and silt fencing had to be added.

**B. BRIEF PRESENTATION BY NORTHSTAR ENGINEERING REGARDING MODIFICATION OF DISTRICT BOUNDARIES.**

Jim Stephens of Northstar Engineering addressed the Board regarding a project his company is working on. He explained that Northstar Engineering has a client whose property ends up having eight separate assessors parcels, or tax rate parcels. He requested that the Board approve shifting jurisdiction of approximately 107 acres to the Durham Recreation and Park District. It does mean a loss of tax revenue for the District. Based on the 2008 assessed value for the two parcels and the incremental allowances for the District, the District would be losing approximately \$50 per year in tax revenue. Mr. Stephens stated his client authorized him to offer the District a check for \$1,000 to compensate for the loss of the tax revenue. The acreage the District would be losing is not buildable due to the steepness of the terrain.

Susan Martin, Finance Manager, commented that \$50/year over 20 years would be \$1,000. She suggested that perhaps a more appropriate compensation would be for tax revenue lost over the next 100 years, or \$5,000. Per Resolution 1036-09, the exact amount of compensation to be paid to the District is still to be determined.

Vice Chairman Thompson stated that the District is also looking to realign its boundaries in other areas.

**C. RESOLUTION 1036-09; A RESOLUTION OF THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS AUTHORIZING A MODIFICATION TO THE DISTRICT'S JURISDICTIONAL BOUNDARIES.**

Board Action Requested: Approve Resolution 1036-09

Director Kremen made a motion to approve Resolution 1036-09; it was seconded by Vice Chairman Thompson, and passed with the following vote:

Ayes: Andoe, Gill, Kremen, Thompson, Hill

Noes:

Abstain:

Absent:

**D. NOMINATE AND ELECT TWO (2) REPRESENTATIVES FROM THE FEATHER RIVER RECREATION AND PARK DISTRICT BOARD OF DIRECTORS TO SERVE ON THE SUPPLEMENTAL BENEFIT FUND (SBF) COMMITTEE FOR 2009.**

Board Action Requested: Nominate and elect two Board members to serve on the SBF Committee for 2009

Vice Chairman Thompson made a motion to nominate Loren Gill to retain his seat on the SBF Committee for 2009; it was seconded by Director Andoe, and passed with the following vote:

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

Director Gill made a motion to nominate Vice Chairman Thompson to retain his seat on the SBF Committee for 2009; it was seconded by Director Kremen, and passed with the following vote:

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

**E. RE-APPOINTMENT OF BENEFIT ASSESSMENT DISTRICT (BAD) OVERSIGHT COMMITTEE MEMBER LAURIE ANDERSON.**

Board Action Requested: Re-appoint BAD Committee member Laurie Anderson

Vice Chairman Thompson made a motion to re-appoint Laurie Anderson to the Benefit Assessment District Oversight Committee; it was seconded by Director Gill, and passed with the following vote:

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

**F. REVIEW THE DISTRICT'S 2008 PARK & FACILITY GOALS AND ESTABLISH GOALS FOR 2009.**

Board Action Requested: Review 2008 Park & Facility Goals and establish goals for 2009.

Chairperson Hill suggested reviewing programming goals at the next Board meeting. The Board reviewed the District's 2008 Park & Facility Goals (see attached).

**G. FINANCE MANAGER'S REPORT**

Board Action Requested: Discuss Finance Manager's Report

**H. RATIFICATION OF WARRANTS/PAYROLL**

Board Action Requested: Approve Ratification of Warrants/Payroll

Vice Chairman Thompson made a motion to approve the ratification of warrants/payroll; it was seconded by Director Andoe, and passed with the following vote:

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

**I. ACCOUNTS PAYABLE**

Board Action Requested: Approve Accounts Payable

Patricia Shields, President of the Yuba Feather Historical Association (YFHA) in Forbestown, addressed the Board regarding the Association's concerns about utility bills that were not paid for the Forbestown facilities.

Bob Sharkey, General Manager, explained that the District unexpectedly had to pay a huge expense associated with the ongoing litigation with the City of Oroville regarding impact fees. Chairperson Hill read a letter from Susan Martin, Finance Manager, that explained that the City had filed a motion in court to dismiss the District's lawsuits unless the District paid \$75,940 in administrative record costs.

Rosemarie Mossinger of the YFHA also addressed the Board to discuss her concerns regarding payment of utilities for the Forbestown facilities. She also explained that the Forbestown Museum sees activity all year round.

It was confirmed that Director Gill and Director Kremen will be meeting with representatives from the YFHA in Forbestown the following Monday, January 19, to discuss the contracts.

Vice Chairman Thompson made a motion to approve the Accounts Payable; it was seconded by Director Gill, and passed with the following vote:

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

**J. RESOLUTION 1037-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT RESCINDING BOARD ACTION TAKEN AT THE DECEMBER 4, 2008 EMERGENCY MEETING DURING CLOSED SESSION UNDER AGENDA ITEM 6A.**

Board Action Requested: Approve Resolution 1037-09

Vice Chairman Thompson made a motion to approve Resolution 1037-09; it was seconded by Director Gill, and passed with the following vote:

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

**9. CLOSED SESSION**

The Board went into closed session at 5:07 p.m. and reconvened at 5:35 p.m.

**A.** Pursuant to Government Code 54956.9(c), the Board of Directors will hold a closed session discussion with the District's attorney to reconsider information initially discussed at the December 4, 2008 Emergency Board meeting relating to the following existing litigation:

- Feather River Recreation and Park District v. City of Oroville et al., Butte County Superior Court case numbers 143631 and 143875.

Vice Chairman Thompson made a motion to approve the ratification to pay the \$75,940 for the Administrative Record to the City of Oroville; it was seconded by Director Gill, and passed with the following vote:

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

**10. REGULAR AGENDA (continued)**

**K. RESOLUTION 1038-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT RESCINDING RESOLUTION 1034-08.**

Board Action Requested: Approve Resolution 1038-09

Vice Chairman Thompson made a motion to approve Resolution 1038-09; it was seconded by Director Gill, and passed with the following vote:

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

**L. RESOLUTION 1039-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT AMENDING RESOLUTION 1025-08 APPROVING AND RATIFYING THE TRANSFER OF IMPACT FEE FUNDS TO THE GENERAL FUND.**

Board Action Requested: Approve Resolution 1039-09

Vice Chairman Thompson made a motion to approve Resolution 1039-09; it was seconded by Director Andoe, and passed with the following vote:

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

**M. RESOLUTION 1040-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT AUTHORIZING THE DISTRICT MANAGER AND OTHERS TO SIGN ANY AND ALL DISTRICT CHECKS, ACH TRANSFERS AND CHECK REGISTERS.**

Board Action Requested: Approve Resolution 1040-09

Vice Chairman Thompson made a motion to approve Resolution 1040-09; it was seconded by Director Gill, and passed with the following vote:

Ayes: Andoe, Gill, Kremen, Thompson, Hill

Noes:

Abstain:

Absent:

**N. RESOLUTION 1041-09; A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER RECREATION AND PARK DISTRICT AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A CONTRACT WITH AZEVEDO CONSULTING FOR APPRAISAL SERVICES, NOT TO EXCEED \$5,000.**

Board Action Requested: Approve Resolution 1041-09

Vice Chairman Thompson made a motion to approve Resolution 1041-09; it was seconded by Director Gill, and passed with the following vote:

Ayes: Andoe, Gill, Kremen, Thompson, Hill

Noes:

Abstain:

Absent:

**O. RELOCATION OF FEATHER RIVER RECREATION AND PARK DISTRICT ADMINISTRATIVE OFFICE.**

Board Action Requested: Discuss relocation of FRRPD administrative office.

Vice Chairman Thompson stated that he would like see the District office moved to Riverbend Park. Director Kremen stated that she would like to see cost estimates associated with moving the office. She stated she supports putting the energy and resources into relocating the District office but thinks the District should only move once to Riverbend, and not to an interim location. Vice Chairman Thompson was also in favor of moving the District office only once, and relocating to Riverbend. He stated he would like to see the office moved within the next three months. Land Image is currently working on a drawing of the proposed new office space. Director Andoe commented that Land Image is a landscape architect firm, and they are not licensed architects. Director Kremen suggested putting the project out for bid. Land Image will continue to move forward with the due diligence in relation to relocating the District office to Riverbend Park. Director Andoe asked what would happen to programs that are currently held at the Municipal Auditorium, such as basketball, if the District moves to Riverbend Park. Bob

Sharkey, General Manager, stated that many schools have gyms that could be utilized. There are also local granges that could be utilized for the District's recreational programs. General Manager Sharkey recommended starting the discussion with the City regarding the lease agreement for the Municipal Auditorium. He suggested creating a punch list of all the items that need to be resolved with the Auditorium.

## 11. COMMITTEE, DIRECTOR'S AND MANAGER'S REPORTS

- A. **Finance/Capital Development** – Vice Chairman Thompson reported that the Finance Committee has been meeting and plans to meet weekly.
- B. **Personnel Committee** – Director Gill reported that the Committee met, and the Board will be discussing personnel issues in closed session.
- C. **Parks and Recreation Committee** – Director Kremen reported that she and Director Gill met to discuss contracts. The Committee is scheduled to meet with the YFHA regarding the Forbestown contract on Monday.
- D. **Supplemental Benefit Fund Committee** – Vice Chairman Thompson reported that the SBF will hold its quarterly meeting tomorrow (January 15).
- E. **Benefit Assessment Committee** – nothing to report
- F. **Director's Reports**
  - a. Director Andoe did not have anything to report.
  - b. Director Gill reported that GDA has been paid for the engineering work on the section of trail that will be known as the Peter Gibson Trail. He stated that Deanna has been doing a great job preparing for the Wildflower & Nature Festival. He discussed the efforts of the local Watershed Groups and suggested the District partner with one of the groups to apply for grant funding. He has also been reviewing the Master Plan. Director Gill also informed the Board about an area of land in Berry Creek called Maidu Meadows that is available. He stated he would like the District to apply for a grant to obtain the land to develop a park in Berry Creek.
  - c. Director Kremen reported that she attended meetings for both the Personnel Committee and the Parks and Recreation Committee.
  - d. Vice Chairman Thompson stated that he would like to see the District use a 20-lb. bond paper, instead of 27-lb. paper. He requested that the Board sign a thank you letter to the group from Cal-Fire that recently volunteered their time to burn brush piles at Riverbend Park.
  - e. Chairperson Hill reported that she has been continuing to work with local 4-H groups about volunteering to help at the dog park.
- G. **General Manager's Report** – Bob Sharkey stated that staff have been prepping the Little League fields. He commended Walt Thomas for his work in getting the fields ready.

## AD HOC COMMITTEES

- A. **Master Plan Committee** – The Committee scheduled a meeting for the following Monday, January 19<sup>th</sup> at 10 a.m.
- B. **Impact Fees Committee** – nothing to report
- C. **Outreach Liaison/Tourism Committee** – Chairperson Hill reviewed the responsibilities and purpose of this Committee.

## 12. STAFF REPORTS

- a. Shawn Brandt

- b. Deanna Simmons
- c. Sheryl Manies

**13. CORRESPONDENCE & MISCELLANEOUS**

- a. Letter from the State of California Resources Agency re: the Statewide Park Development and Community Revitalization Act of 2008.
- b. Letter from OEDCO re: the 2009 OEDCO Annual Dinner/State of the City.

**14. 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.**

**15. BOARD ITEMS FOR NEXT AGENDA**

- 1. FLT Contract
- 2. Relocation of District office
- 3. Park and facility goals
- 4. Contracts
- 5. Review of District programs and events
  - a) associated costs and revenue

**16. 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.

**17. CLOSED SESSION**

The Board went into closed session at 6:42 p.m. and reconvened at 7:05 p.m.

**A.** Pursuant to Government Code 54956.9(c), the Board of Directors will hold a closed session discussion with the District's attorney relating to the following existing litigation:

- Feather River Recreation and Park District v. City of Oroville et al., Butte County Superior Court case numbers 143631 and 143875.

No action was taken; direction was given to staff.

**B.** Pursuant to Government Code 54957 – Personnel issues.

Action was taken; direction was given to staff.

**18. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:07 p.m.

The next regular Board meeting is scheduled for February 11, 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