



P.O. BOX 8, SILVERADO, CA 92676

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
THURSDAY, FEBRUARY 13, 2003**

DIRECTORS

Robert Hunt – President
Deborah Johnson – Vice President
Linda May – Treasurer
Mike Boeck – Secretary
Mark Levy

CHILDREN'S CENTER DIRECTOR

Judy Lockridge
ADMIN. CONSULTANT
Leslie Paskus Amador
CARETAKER
Craig Swart

A regular meeting of the Board of Directors of the Silverado-Modjeska Parks and Recreation District was held on February 13, 2003 at the Silverado Community Center, 27641 Silverado Canyon Rd, Silverado, California. President Hunt, who acted as Chairman, called the meeting to order at 7:07 PM.

Directors and Staff Present

All Directors and staff were present.

Members of the Public Present

Dana Judd, Fran Williams, Judy Myers, Peter Bollinger, Linda Peterson, Sally Murphy, Jenny Scott, Pat Hunt, Mary Schreiber, Connie Nelson, Chay & Brett Peterson

Non-Agenda Items Received After Posting of Agenda

Directors – Nothing to report

Staff – Nothing to report

Public – Fran Williams formally thanked the board for their letter to the County as well as efforts by Director Boeck resulting in the clean up of Riviera mud. She stopped by to talk with the workers and found out that they have been instructed to clean up only 8 feet from the road so in some places there is still 5 to 10 feet of sludge to deal with.

Consent Calendar

Director Boeck told the Board he was in receipt of the second billing letter from Chatten-Brown but only had a copy of the original billing letter. Administrative Consultant Amador reminded all present that the County will not pay bills without an original. Director Boeck will call and request an original from Chatten-Brown.

Director Boeck spoke with the Grant Mgr. For the Robert Z-berg Harris grant and found out that since we are not in an urban area we should not have received grant funds. The Grant Manager said that they would not request the funds be returned.

The minutes for the regular board meeting of December 12, 2002 were still not presented. Director Boeck indicated that they should be finished in 1-2 days and their approval will be added to the agenda for the next regular meeting on February 27, 2003.

Director Johnson made a motion that the Board accepts the draft minutes of January 23rd and correspondence, which was seconded by Director May and passed unanimously.

Treasurer's Report

At the request of Director May, the District Auditor, Rick Hale, came this evening to present an explanation of new GASBE rulings, which will affect the current accounting practices. GASBE 34 states that government entities should provide reporting in a manner similar to global businesses. There will be a 3-year phase in and we fall into the third year phase. In the past fixed assets were routinely expensed. In the future these fixed assets will have to be recorded on a balance sheet and depreciated over time. The Children's Center is already in compliance as they are an enterprise that has always kept track of fixed assets. There will be a restructuring of financial statements to include more verbiage so the Auditor will need the Board's help to develop this verbiage based on who the SMRPD is and what its goals are.

Director May requested that future reports show inter-fund transfers. A discussion of the loans made to the Silverado Children's Center ensued. The Auditor stated that in fact, tax funds could be used to subsidize an enterprise. Director Boeck indicated that he had been told that the acid test was whether mention is made in the original charter and voted on by taxpayers. The Auditor replied that this question was beyond his area of expertise and would require a legal opinion that he was not qualified to give.

Director Johnson stated that once we begin to receive grant monies they would need to be reported on a separate line item.

Director May presented transmittals for payment authorization. Director May made a motion that transmittal 02-03 for \$2168.45 be approved for payment, which was seconded by Director Johnson and passed unanimously. Director May made a motion that transmittal 02-03-02 for professional services in the amount of \$2649 be approved which was seconded by Director Levy and passed unanimously. Director May made a motion that transmittal 02-03-B for Director's pay in the amount of \$400 be approved which was seconded by Director Johnson and passed unanimously.

Silverado Children's Center Director's Report

Children's Center Director Lockridge stated that the enrollment is moving up slowly. Thus far, she has received 10 inquiries as a result of the ad placed in OC Family, the banner at Peltzer Farms and the web site. There have been 4 new enrollees.

Director Johnson asked about the \$50 repayment plan. Children's Center Director Lockridge said one payment had been mailed to the PO Box recently and she presented another to Administrative Consultant Amador. Those checks are only showing up in the Bookkeeper's report as a transaction.

Concern expressed by parents attending the last Friends of the Children's Center meeting with Children's Center Director Lockridge and Director May were directed at the fact that the SMRPD budget did not include any monies for the Silverado Children's Center for shortfalls which resulted in a pointed mention in the Silverado Children's Center February newsletter. That article stated that the SMRPD would not support the Silverado Children's Center financially any longer. Director Hunt assured Children's Center Director Lockridge and the audience that the SMRPD has no plans to leave the Children's Center high and dry.

Director Johnson mentioned that the Board was in receipt of 250 surveys from the 900 sent and that a majority expressed concern about the derelict condition of the Community Centers as well as programs they would like to see offered to the community. Monies have not been spent on rehabilitation of the Community Center, which needs to start happening.

Director Hunt continues to try to make contact with the Facilities section of the OUSD with no success.

Sally Murphy stated that she has had a conversation with Joe Chaikin of Housing & Community

Development. He told her that the SMRPD Board must write a letter asking what steps must be taken in order for a new entity to be formed. Joe said that theoretically these things can happen but the decision-maker is above him. The Housing & Community Development Manager and County Counsel are probable decision-makers. Director Johnson expressed concern that writing the requested letter to HCD at this juncture is premature. Director Levy disagrees. Orange Unified School District and the Irvine Co. also need letters. OUSD has the right of first refusal to take over management of the Children's Center. Silverado Children's Center will send HCD a letter with their plans along with the SMRPD letter. Director Hunt stated that a letter should be sent that is a continuation of the ongoing fact-finding effort, and which thus presents the transfer as a hypothetical since there are too many details still missing to present it as a firm proposal. According to Joe Chaikin a critical question is whether the new entity should start as a 501C3 or begin life as a regular corporation while waiting for C3 approval from the IRS. Director Hunt recommended the Friends of the Silverado Children's Center spend the dollars necessary to become a corporation with status pending as a 501C3 with retroactive application. The next parent meeting is scheduled for February 25, 2003 at 7:30 PM. This month's Bingo netted a \$235 profit. On May 31, 2003 there will be a Golf Tournament fundraiser.

Children's Center Director Lockridge expressed her continued concern about ignoring new safety rulings for their climbing structures. She knows they need to replace the sand, which has become too compacted, but she'd also like a playground specialist to visit and indicate what changes would bring them up to current standards. Director Levy explained that the new ruling has no teeth and no enforcement unless the State is willing to pony up the money to everyone that needs upgrades. Director Hunt reiterated this and stated that CAPRI is the only entity he believes we are obligated to satisfy. Administrative Consultant Paskus Amador to look for the letter from CAPRI that discusses what needs to be done to the climbing structures. Children's Center Director Lockridge informed the Board she had an appointment at 8:30 and would be unable to attend the agendaized closed session with the Board. Director Hunt agreed to reschedule the closed session to the next regular board meeting on February 27, 2003.

Caretaker's Report

Jessica attended for Craig and provided a January report of meetings held at the Community Center. She also reported concerns that when the AA meeting concludes they never turn the heat off. Director Boeck stated it would be quite easy to put on a timer. Director Hunt again stressed the importance of Craig and Jessica maintaining a log of how their time is spent. When Administrative Consultant Amador meets with Craig to revise the rental rates she will also work with Craig to develop a "To Do" task list with the frequency noted.

Landscaping Committee member, Fran Williams, indicated that one of the sprinklers was broken and she called to have it fixed. Also stated that Roger will take on another task in lieu of cutting grass every time they come. If the leaning tree turns out to be a real problem, they can cut it down. The Boy Scout Master in Silverado was contacted to discuss participation in our native plant demonstration garden but never returned the call. Ginny does have 2 Eagle Scout candidates to interview. If hired, responsibility would include acting as foreman for the project, fund-raising for native plant purchase and tracking volunteer labor. Ginny indicated that the Tree of Life Nursery would sell to us wholesale. The plot to be converted is 18x30 and will cost approximately \$250 to convert. There will be costs involved in changing from sprinkler heads to a drip system so Ginny and Fran will obtain a quote from Snyder & Assoc. There's a problem with one sprinkler needing to be moved or eliminated. Director Johnson made a motion that the Board authorizes installation of drip irrigation system and low-level sign lighting for the island area of Silverado Community Center, which was seconded by Director Boeck and passed unanimously. Upon completion of this project we need to do a special letter of thanks and perhaps a small ceremony.

Director Boeck made a motion that the meeting continues past the regular time of 9:30 PM, which was seconded by Director Johnson and passed 4 to 1 with Director May opposing.

Other District Business

OUSD was contacted regarding their position on the Silverado Children's Center. There is still no response.

Administrative Consultant Paskus Amador announced that we have finally received the second playground equipment proposal we've been waiting for and turned over both proposals to Fran Williams. Administrative Consultant Paskus Amador reviewed a number of house keeping items with the board including the necessity of board members turning in their completed Statement of Economic Interest Forms, copies of 2 letters referencing possible grant opportunities, a copy of a letter from the Auditor-Controller, County of Orange re: 2% assessment appeals case and copies of the completed questionnaire for CAPRI. She indicated that when she had spoken with the CAPRI administrator she was told to get the information in before Friday morning when the board met. Unfortunately, when CAPRI was contacted midday Thursday re: faxing the information she was informed that it was too late. The Board requested Administrative Consultant Paskus Amador follow up with CAPRI regarding this. Director Johnson indicated that the technology grant for laptops would be a waste of time, as we don't fit the criteria but to follow up on the Land and Water Conservation Grant.

Director Hunt spoke with the Riviera landowner regarding the SMRPD's conception of the Riviera. Director Hunt needs red pencil edits from the Board members ASAP. It appears that the Landowner is amenable to the recommended fees proposed by Dana Judd for rehab of the Riviera. Director Hunt indicated that the matching funds are contingent upon the Board preparing a positive response to the recreational and trails aspects of the development to be sent to the Planning Commission. He believes that if litigation occurs it will shoot down the matching funds. The Board needs to comment specifically on the recreation and trail aspects of the DEIR. Discussion ensued about the need to have a management agreement in place, a Memorandum of Understanding. The Board could ask the Landowner to post a bond, which is released when matching funds received. Director Johnson made a motion that a letter be written and delivered to the County Planning Commission by February 18, 2003 that is a formal submission of comments to DEIR No. 587 that supports the recreational and trail aspects of Marnell Carrao's plan contingent upon completion of a long term lease agreement between the County and the SMRPD for that portion of the 46 acres north of the creek commonly referred to as the "Riviera" and (trail language to be submitted by Dana Judd). This motion was seconded by Director May and passed 4 to 1 with Director Boeck opposing. Administrative Consultant Paskus Amador to draft this letter and e-mail to Director Johnson for comments and editing by Monday. Director May and Dana Judd will obtain draft language for a long-term lease from Kevin and forward to Director Boeck who will then forward to Chatten-Brown to draft prior to the next meeting of the Board. Dana Judd indicated that if we supplied the volunteer labor a trail could be done for approximately \$20,000. After much discussion it was determined that the Board needs two separate Memorandums of Understanding; one between the County and SMRPD for a long term lease agreement and one between the Landowner and SMRPD for funds to rehab the Riviera and create the trail.

Director Boeck made a motion to re-approve a previous board motion authorizing payment to Chatten-Brown and Assoc. for \$1,000 for legal services and to increase that amount by another \$200, which was seconded by Director Levy and passed unanimously. Director Boeck made a motion to authorize an added \$800 payment to Chatten-Brown & Assoc. to continue working on the Silverado Canyon Estates project, which was seconded by Director Johnson and passed unanimously.

Committee Reports

Recreation – Director Johnson requests the Facility Committee hold off on any repairs until she has the results of the recent survey.

Finance – There will be a report next month using a new format.

Personnel – An evaluation and review of expectations with definition of frequency of tasks needs to be done for the Caretaker position.

Facilities – Directors Boeck & Hunt will come up with 2 big ticket items; the deck of the Silverado Community Center and overall rehab of the Modjeska Community Center. Director Hunt recommends everything else be done piecemeal.

Legal Compliance – nothing to report

Safety – nothing to report

Friends of Tucker (ad hoc) – nothing to report

Entered into closed session at 10:50 PM to discuss personnel issues and ended closed session at 11:17 PM. No reportable actions or discussions.

Adjournment

The meeting adjourned at 11:30 PM.

Next regular meeting is February 27, 2003, Silverado Community Center

SMRPD Board Motions, 2-13-03 Meeting

21303-1 Director Hunt made a motion to accept the correspondence and to approve the minutes of the 1-23-03 meeting. Unanimously approved.

21303-2 Director May made a motion to authorize payment of transmittal #02-03. Unanimously approved.

21303-3 Director May made a motion to authorize payment of transmittal #02-03B. Unanimously approved.

21303-4 Director May made a motion to authorize payment of transmittal #02-03-02. Unanimously approved.

21303-5 Director Johnson made a motion to authorize installation of a drip irrigation system and sign lighting for the island area of the Silverado Community Center. Unanimously approved.

21303-6 Director Boeck made a motion to continue the meeting past the normal 9:30 PM ending time. Directors Hunt, Johnson, Levy, and Boeck approved. Director May opposed. Motion passed.

21303-7 Director Johnson made a motion, seconded by Director May, to submit a letter to the OC PDSD by Feb. 18 supporting the recreational and trails aspects of DEIR #587 for the proposed Silverado Canyon Ranch project contingent upon the completion of a long-term lease for the Parks District on property locally known as the Riviera and acceptance of a trails plan on the Riviera property that is satisfactory to the Trails Committee of the SMRPD. Directors Hunt, May, Johnson, and Levy approved. Director Boeck opposed. Motion passed.

21303-8 Director Boeck made a motion to reapprove a previous board motion to pay Chatten-Brown and Associates \$1000 for legal services and to increase the amount by \$200 to a total of \$1200. Unanimously approved.

21303-9 Director Boeck made a motion to approve a maximum of an additional \$800 for Chatten-Brown and Associates to continue work on the Silverado Canyon Estates negotiations. Unanimously approved.