



Advocating Open Space Preservation and Public Trails

**REGULAR MEETING OF THE BOARD OF DIRECTORS
TUESDAY, MAY 26, 2009 AT 7:00PM
AT THE SILVERADO COMMUNITY CENTER
27641 SILVERADO CANYON ROAD, SILVERADO 92676**

DIRECTORS

Robert Hunt - President
Brett Peterson - Vice-President
Marty Weel - Treasurer
Tricia Evans - Secretary
Mark Levy - Director

STAFF

Aimee Bryer - SCC Director
Elizabeth Martyn - General Counsel
Bev Mileham - Admin. Assistant
Phil McWilliams - Grants Admin.
Steve Reighart - Caretaker
Meghan Warner - Bookkeeper

AGENDA

(A: Action Item) This document is available in PDF format at <http://www.smrpd.org>

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC AND BOARD INPUT

Receive Public written or oral information/reports only; this is to enable Public input to the Board on any Park District relevant subject and is not a forum for discussion, though Directors may ask for clarification of points. Board input is limited to requests to add urgent items to this Agenda. Time limit is 5 minutes per person.

IV. CONSENT CALENDAR

A1: Approve and file the April 28, 2009 Board Meeting and May 13 Special Board Meeting Minutes, and Correspondence.

Note: *Directors may remove any item from Consent Calendar to be considered separately.*

V. PAYMENT OF DISTRICT BILLS

A2: Transmittal 05-09A for Directors' compensation for Board Meeting of April 28, 2009, \$250.00 total

A3: Transmittal 05-09B, District Bills, \$825.00 total

A4: Transmittal 05-09C, Utility Bills and Reimbursements, \$1,378.50 total

VI. CARETAKER'S REPORT

VII. CHILDREN'S CENTER DIRECTOR'S REPORT

(A) **A5:** Receive financial report and decide whether a Summer Session is feasible.

VIII. GRANTS ADMINISTRATOR'S REPORT

IX. OTHER DISTRICT BUSINESS

(A) **RESOLUTION 052909-1 FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL LOCAL PROPERTY TAXES ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA** – The text of the Resolution will be read, and Administrative Assistant Mileham will then conduct a Voice Vote of the Board.

(B) **DIRECTOR'S COMMENTS: Pursuant to Government Code §54954.2** members of the Board of Directors or Staff may ask questions for clarification, make brief announcements, make brief reports on their activities. The Board or a Board member may provide a reference to Staff or other resources for factual information, request Staff to report back at a subsequent meeting concerning any matter, or direct that a matter of business be placed on a future Agenda.
(1) Director Evans (2) Director Hunt (3) Director Levy
(4) Director Peterson (5) Director Weel

X. COMMITTEES

NOTE: There will be no discussion of Committee issues unless agendaized below, or added to the Agenda by majority vote of the Board in Section III to address issues that require immediate attention for reasons to be explained in the motion to add. Other comments can be made under Director Comments.

STANDING COMMITTEES:

- (A) **RECREATION** (Evans, Peterson)
- (B) **FINANCE** (Hunt, Weel)
- (C) **PERSONNEL** (Evans, Levy)
- (D) **OPEN SPACE AND TRAILS** (Hunt, Levy)
 - (1) Report on Adopt-A-Roadway program for Santiago Canyon Road, and Community Garden proposal.
- (E) **FACILITIES AND SAFETY** (Weel, Peterson)

AD HOC COMMITTEES:

- (F) **SILVERADO CHILDREN'S CENTER** (Evans, Weel)
Children's Center Advisory Committee (Evans, Weel, Bryer) (Public Members: Dawn Lynch, Julia Jones-Tester, Nancy Moore)
- (G) **IRC LIAISON COMMITTEE** (Peterson, Hunt) (Community Members: Judy Myers, Laura Bennet, Kristi Colgan, Carla Anderson)

XI. ADJOURNMENT

The next regular meeting of the Board of Directors will be at the Silverado Community Center, 27641 Silverado Canyon Road at 7:00PM on June 23, 2009.

Materials related to an item on this agenda submitted after distribution of the agenda packet are either available for public inspection at the Silverado Library, or posted on the SMRPD website at <http://www.smrpd.org/agenda-minutes.html>. Materials prepared by SMRPD will be available at the meeting, those provided by others after the meeting.



**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
TUESDAY, APRIL 28, 2009 AT 7:00 PM
AT THE SILVERADO COMMUNITY CENTER
27641 SILVERADO CANYON ROAD, SILVERADO 92676**

DIRECTORS

Robert Hunt - President
Brett Peterson - Vice-President
Marty Weel - Treasurer
Tricia Evans - Secretary
Mark Levy - Director

STAFF

Aimee Bryer - SCC Director
Elizabeth Martyn - General Counsel
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MINUTES

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The meeting was called to order at 7:02 PM by Director Hunt who acted as Chairperson.

ROLL CALL

Directors Hunt, Peterson, Evans, Levy, and Weel, Grants Admin. Phil McWilliams, and Admin. Assist. Bev Mileham were present.

PUBLIC ATTENDANCE

Lora Meadows, Mike Colgan, Kip Craig, Chay Peterson, Scott Breeden and Debbie Johnson.

PUBLIC AND BOARD INPUT ON NON-AGENDIZED ITEMS

There was none.

CONSENT CALENDAR

1ST ACTION: Director Evans made a motion to approve the Minutes of Regular Board meeting of March 24, 2009, and Correspondence. Director Weel seconded. Unanimously approved.

PAYMENT OF DISTRICT BILLS

2nd ACTION: Director Weel made a motion to approve Transmittal 04-09A for Director compensation for the Regular Board meeting of March 24, 2009, payable to Directors Levy, Peterson, Weel, Hunt, and Evans, \$50.00 each. \$250.00 total. Director Evans seconded. Unanimously approved.

3rd ACTION: Director Weel made a motion to approve payment of Transmittal 04-09B District Bills, \$ 1,316.13 total. Director Peterson seconded. Unanimously approved.

4th ACTION: Director Peterson made a motion to approve payment of Transmittal 04-09C, Utility Bills and reimbursements, \$1,370.78 total. Director Weel seconded. Unanimously approved.

CHILDREN'S CENTER DIRECTOR'S REPORT

SCC Director Aimee Bryer reported on finances and budget. It appears that there is enough money to see the Summer Program through if projections for its attendance are met and there are no unusual expenses that crop up. A survey was sent out to the parents to find out how many children will be attending the summer session. Parents have offered to help supervise at the field trips, cutting back on the need for paid staff.

If the Summer Program doesn't get enough committed children the Board will have to make a decision at the May 26, 2009 Board Meeting about the next action to take. It is important to make sure to make sure that clients have advance notice of any significant changes or cutbacks in service. Another plan to cut costs is to reduce Staff time to an absolute hard minimum to address the financial shortfalls. An Open House, fundraiser dinner, and overnight sleepover are being planned.

Director Bryer asked the Board if she could pursue a grant from Children and Families Commission and after discussion the Board agreed, noting however that the future is uncertain.

Director Bryer has activated collection efforts on over \$3,000 in unpaid tuitions from former clients. A large monthly expenditure for advertising was traced in part to an agreement by phone with AT&T's notoriously aggressive telemarketers. Director Hunt will discuss options with General Counsel, noting that no signed contract exists with the District.

Deborah Johnson has been meeting with the OUSD Superintendent about trying to keep Silverado Elementary School open. Kindergarten parents are very concerned about the long bus ride to town. Depending on OUSD's decision about closing Silverado School, an option being considered is seeing if it can be annexed or taken over by the Saddleback School District. They seem to be interested in the Environmental School proposal. If the school does close it will devastate attendance at the Children's Center.

5th ACTION: Director Weel made a motion for CC Director Aimee Bryer to pursue and accept a grant from the Children and Families Commission of Orange County. Director Evans seconded. There were 4 AYE votes, with Director Peterson abstaining.

GRANTS ADMINISTRATOR'S REPORT

Phil McWilliams reported that the solar project is still frozen and doesn't know when funds will become available. Time is running out on the smaller of the two grants involved.

OTHER DISTRICT BUSINESS

CLOSED SESSION was entered into at 9:05 PM pursuant to Government Code 54956.9 (a) and (b) - Conference with Legal Counsel on one case: SMRPD and RCCF and Ray Chandos vs. County of Orange and CCRC Farms, Case No. 37-200800087783-CU-WM-CTL

RETURNED TO OPEN SESSION AT 9:10 PM

There will be a Special Board Meeting called by May 13, 2009 at the latest to continue this Closed Session. There was not enough information available at this time.

DIRECTOR INDIVIDUAL COMMENTS

Director Evans is planning the Summer Rec Brochure. The hiking program and the Children's Dance Class are going very well.

Director Levy asked if it was OK to paint a movie screen on the handball backboard at Modjeska Park for movie nights. All Directors were in agreement to allow this to be done by volunteers.

Rich Gomez attended the Measure M meeting and gave a power point demonstration. The community garden ideas are still in the works.

Director Peterson reported that Music in the Parks are going to be on Saturdays now, following a discussion with CAPRI about risk management procedures.

Director Weel said that he'd like to get residents inputs on the Community Garden idea, possibly through a survey done by mail or email.

ADJOURNMENT 9:15

The meeting was adjourned at 9:15 PM. The next Regular Meeting of the Board of Directors will be at the Silverado Community Center, 27641 Silverado Canyon Road at 7:00 PM on Tuesday, May 26, 2009.



**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS
WEDNESDAY, MAY 13, 2009 AT 7:00 PM
AT THE SILVERADO COMMUNITY CENTER
27641 SILVERADO CANYON ROAD, SILVERADO 92676**

DIRECTORS

Robert Hunt - President
Brett Peterson – Vice-President
Marty Weel – Treasurer
Tricia Evans – Secretary
Mark Levy – Director

STAFF

Aimee Bryer – SCC Director
Elizabeth Martyn – General Counsel
Bev Mileham – Admin. Assistant
Phil McWilliams – Grants Admin.
Steve Reighart – Caretaker
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MINUTES

(A: Action Item) This document is available in PDF format at <http://www.smrpd.org>

The meeting was called to order at 7:04 PM by Director Hunt who acted as chairperson.

ROLL CALL

Directors Evans, Levy, and Hunt were present.

PUBLIC ATTENDANCE

Mike Colgan, Scott Breeden, Chay Peterson, Steve Reighart and Ed Amador were present.

PUBLIC AND BOARD INPUT ON NON-AGENDIZED ITEMS

There was no input from the Public or the Board.

CLOSED SESSION: Pursuant to Government Code §54956.9 (a) and (b) – Conference with Legal Counsel: SMRPD, RCCF and Ray Chandos vs. County of Orange and CCRC Farms, Case No. 37-2008-00087783-CU-WM-CTL

At 7:10 PM the Board retired to Closed Session to address the matter listed.

RETURN TO OPEN SESSION AND ANNOUNCEMENT OF REPORTABLE ITEMS

At 7:44 PM the Board reconvened the meeting in Open Session. President Hunt announced that the Board had voted unanimously to appeal the unfavorable judgment in the referenced litigation. There were no comments from the public.

DIRECTORS INDIVIDUAL COMMENTS

There were none.

ADJOURNMENT

The meeting was adjourned at 7:48 PM. The next Regular Meeting of the Board of Directors will be at the Silverado Community Center, 27641 Silverado Canyon road at 7:00PM on Tuesday May 26, 2009.

**LOCALLY GOVERNED DISTRICT
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 05/20/09
REPORT 05-09A**

Sil-Mod Rec. and Parks Dist. x 8 2676	THE COUNTY AUDITOR IS AUTHORIZED TO DRAW THIS CHECK FROM FUND 728 AGENCY 728
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PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID	DATE INVOICE #	ORGN	OBJT REV/ BS ACCT	SUB OBJT REV	AMOUNT	AC'S USE ONLY DOC NUMBER	SC
X06505 Robert Hunt 28371 Modjeska Canyon Road Modjeska, CA 92676	4/28/09		0100		\$ 50.00		
					\$ 50.00		
X08196 Martin Weel 28614 Modjeska Canyon Road Modjeska, CA 92676	4/28/09		0100		\$ 50.00		
					\$ 50.00		
X06503 Mark Levy 17452 Olive Hill Road Modjeska Canyon, CA 92676	4/28/09		0100		\$ 50.00		
					\$ 50.00		
X06504 Brett Peterson P.O. Box 613 Silverado, CA 92676	4/28/09		0100		\$ 50.00		
					\$ 50.00		
X06506 Tricia Evans P.O. Box 464 Silverado, CA 92676	4/28/09		0100		\$ 50.00		
					\$ 50.00		

The claims listed above totaling **\$250.00** are approved for payment pursuant to an order entered in the Minutes of the Board of Directors of this District and I certify that the payees named who are described in Government Code Section 3101 have taken an oath or affirmation required by Government Code Section 3102.

APPROVED BY

COUNTERSIGNED

ATTESTED AND/OR COUNTERSIGNED

**LOCALLY GOVERNED DISTRICT
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 5/20/09
REPORT 05-09C**

Sil-Mod Rec. and Parks Dist. THE COUNTY AUDITOR IS AUTHORIZED TO
P.O.Box 8 DRAW THIS CHECK FROM FUND 728 AGENCY 728
Silverado, CA 92676

PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID	DATE INVOICE #	ORGN	OBJT REV/ BS ACCT	SUB OBJT REV	AMOUNT	AC'S USE ONLY	SC
						DOC NUMBER	
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1627 PAID TO: JANI-KING INVOICE #LAX05090642		1400		\$210.00		
					\$210.00		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1628 PAID TO: WASTE MANAGEMENT INVOICE #0052683-2515-5		2800		\$154.50		
					\$154.50		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1629 PAID TO: IRWD METER #56569388 05/12/09		2800		\$218.78		
					\$218.78		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1630 PAID TO: SCE INVOICE DATED: 05/13/09		2800		\$477.74		
					\$477.74		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF DEBIT PAID TO: AT&T 714-649-2850 05/10/09 714-649-2428 05/10/09		702 702		\$34.14 \$26.21		
					\$60.35		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1631 PAID TO: CLEAN PRODUCTS INVOICE #2784		1400		\$257.13		
					\$257.13		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676					\$0.00		
X06022 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676					\$0.00		

The claims listed above totaling **\$1,378.50** are approved for payment pursuant to an order entered in the Minutes of the Board of Directors of this District and I certify that the payees named who are described in Government Code Section 3101 have taken an oath or affirmation required by Government Code Section 3102.

APPROVED BY _____

COUNTERSIGNED BY _____

ATTESTED AND/OR COUNTERSIGNED _____

**SMRPD RESOLUTION 052609-1: FINDING A SEVERE FISCAL HARDSHIP
WILL EXIST IF ADDITIONAL LOCAL PROPERTY TAX FUNDS ARE SEIZED
AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE
OF CALIFORNIA**

WHEREAS, the current economic crisis has placed cities, counties and special districts under incredible financial pressure and caused officials to reopen already adopted budgets to make painful cuts, including layoffs and furloughs of workers, decreasing maintenance and operations of public facilities, and reductions in direct services to keep spending in line with declining revenues; and

WHEREAS, in 2004 the voters by an 84% vote margin adopted substantial constitutional protections for local revenues, but the legislature can still “borrow” local property taxes to fund the state budget; and

WHEREAS, on May 5, 2009 the Department of Finance announced it had proposed to the Governor that the state “borrow” over \$2 billion in local property taxes from cities, counties and special districts to balance the state budget, causing deeper cuts in local public safety and other vital services; and

WHEREAS, in the past the Governor has called such “borrowing” proposals fiscally irresponsible because the state will find it virtually impossible to repay and it would only deepen the state’s structural deficit, preventing the state from balancing its budget; and

WHEREAS, the Legislature is currently considering hundreds of bills, many of which would impose new costs on local governments that can neither be afforded nor sustained in this economic climate; and

WHEREAS, state agencies are imposing, or considering, many regulations imposing unfunded mandates on local governments without regard to how local agencies will be able comply with these mandates while meeting their other responsibilities; and

WHEREAS, the combined effects of the seizure of property taxes, increasing unfunded state mandates, and the revenue losses due to the economic downturn have placed the local government budgets under serious fiscal pressure; and

WHEREAS, our district simply can not sustain the loss of any more property tax funds or to be saddled with any more state mandates as they will only deepen the financial challenge;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE SILVERADO-MODJESKA RECREATION & PARK DISTRICT has determined that the District will experience a severe fiscal hardship if the recommendation of the Department of Finance to “borrow” \$2 billion of local property taxes is supported by the Governor and the Legislature; and

RESOLVED FURTHER, that the District Board strongly and unconditionally opposes the May 5, 2009 proposal of the Department of Finance and any other state government proposals to borrow or seize any property tax; and

RESOLVED FURTHER, that the District Board strongly urges the state legislature and Governor to suspend the enactment of any new mandates on local governments until such time as the economy has recovered and urges the state to provide complete funding for all existing and any new mandates; and

RESOLVED FURTHER, that the District Board strongly urges the Governor and the Legislature to immediately begin to implement the only true solution to California's festering fiscal crisis, TO HEED THE CLEARLY EXPRESSED WILL OF THE PEOPLE OF THIS STATE AND REDUCE IRRESPONSIBLE SPENDING THAT CANNOT BE SUPPORTED WITH A CONSCIONABLE OR TOLERABLE LEVEL OF TAXATION; and

RESOLVED FURTHER, that the Secretary of the Board shall send copies of this resolution to the Governor, our state Senator(s), our state Assembly Member(s), the League of California Cities, and the California Special Districts Association.

ADOPTED this 26th day of May, 2009.

Signature of Mark Levy, Secretary of the Board

(AFFIX SMRPD SEAL BELOW)