



Advocating Open Space Preservation and Public Trails

**REGULAR MEETING OF THE BOARD OF DIRECTORS  
TUESDAY, OCTOBER 27, 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 Minutes of the Sept. 22, 2009 Regular Board Meeting, and Correspondence.

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

**V. PAYMENT OF DISTRICT BILLS**

**A2:** Transmittal 10-09A for Directors' compensation for Board Meeting of September 22, 2009, \$250.00 total

**A3:** Transmittal 10-09B, District Bills, \$5,429.12 total

**A4:** Transmittal 10-09C, Utility Bills and Reimbursements, \$2,689.39 total

**VI. CHILDREN'S CENTER DIRECTOR'S REPORT**

**VII. GRANTS ADMINISTRATOR'S REPORT**

(A) **A5:** Receive Grants Administrator's report on the six submitted bids and select one for award of contract for the Solar Panel Project at Silverado Community Center.

## VIII. OTHER DISTRICT BUSINESS

- (A) **A6: Resolution 102709-1** to update and amend the *District Policy, Board Policy, Personnel Policy (Adopted 3/25/93, Last Modified 12/19/2003)* document as follows:
- (1) **Section 13 BOARD STRUCTURE, ¶13.6 Board Committees:** To the list of Standing Committees, add ¶13.6.5 Open Space and Trails Committee. Remove the open space lands reference from ¶13.6.3 and include it in the description in ¶13.6.5.
  - (2) **Section 15 BOARD MEETINGS, ¶15.2 Regular Meetings:** Change the meeting day from “Thursday” to “Tuesday”.
  - (3) **Section 18 BUDGET:** On the fourth line, between the words “15<sup>th</sup> and” and “published in” insert “notice of same” so that the final passage reads “...15<sup>th</sup> and notice of same published in...” This is to effect publishing notice of the Preliminary Budget as California statutes require, and avoid the expense of publishing the Budget figures themselves. The standard notice language includes information on how to obtain or view copies of the Preliminary Budget.
  - (4) **Section 19 PURCHASING:** In the first paragraph preceding ¶19.1, change both instances of “\$5,000.00” to “\$15,000”. This raises the demarcation point between informal and formal bidding processes to a level still substantially below that allowed by the California Public Contracts and California Public Resources Codes. This is a cost and time saving move made in recognition of the increases in costs since the lower figure was adopted 16 years ago. Wording will be added to ensure that multiple bids publicly announced will be a requirement for the District’s informal bidding procedures.
- (B) Report on active litigation, SMRPD, RCCF and Ray Chandos vs. County of Orange and CCRC Farms, Case No. 37-2008-00087783-CU-WM-CTL.
- (C) **A7:** Select a contractor to replace the failed HVAC units in Building B, Silverado Community Center.
- (D) Facilities Committee report on status of estimating costs of Silverado kitchen, outdoor restroom repairs/refurbishment, and asphalt repaving so that the bidding processes previously authorized can begin.
- (E) **A8:** Authorize replacement of drinking fountain in Modjeska Park.
- (F) **A9:** Authorize purchase of durable trash containers for both parks.
- (G) **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
- (H) **RETURN TO OPEN SESSION:** Announce all reportable items and actions from Closed Session.
- (I) **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

## **IX. COMMITTEES**

*NOTE: There will be no discussion of Committee issues unless agendized 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 AND REPRESENTATIVES:**

- (A) **RECREATION** (Evans, Peterson)
- (B) **FINANCE** (Hunt, Weel)
- (C) **PERSONNEL** (Evans, Levy)
- (D) **OPEN SPACE AND TRAILS** (Hunt, Levy)
- (E) **FACILITIES MAINTENANCE AND SAFETY** (Weel, Peterson)

### **AD HOC COMMITTEES & REPRESENTATIVES:**

- (F) **ISDOC REPRESENTATIVE** (Evans)
- (G) **SILVERADO CHILDREN'S CENTER** (Evans, Weel)  
**Children's Center Advisory Committee** (Evans, Weel, Bryer) (Public Members: Dawn Lynch, Julia Jones-Tester, Nancy Moore)

## **X. 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 November 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, AUGUST 25, 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  
Meghan Warner – Bookkeeper

**MINUTES**

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

**CALL TO ORDER**

The meeting was called to order at 7:00 PM by Director Hunt who acted as chairperson.

**ROLL CALL**

Present were Directors Hunt, Levy, Peterson, Evans and Weel: Grants Admin. Phil McWilliams, Children's Center Director Aimee Bryer, and Administrative Assistant Bev Mileham.

**PUBLIC ATTENDANCE**

Mike Colgan, Scott Breeden, Steve Kerrigan, Mike Boeck, Chay Peterson, Carl Reinhart

**PUBLIC AND BOARD INPUT ON NON-AGENDIZED ITEMS**

Mike Colgan requested an update on current SMRPD litigation. He asked for any current information and also what is being spent on the lawsuit.

**CONSENT CALENDAR**

**1st ACTION:** Director Peterson made a motion to approve the Regular Board Meeting Minutes of August 25, 2009, and Correspondence. Director Evans seconded. Unanimously approved.

**PAYMENT OF DISTRICT BILLS**

**2nd ACTION:** Director Hunt made a motion to approve Transmittal 09-09A Directors' compensation for the Board Meeting of August 25, 2009, \$200 total. Director Levy seconded. Unanimously approved.

**3rd ACTION:** Director Weel made a motion to approve Transmittal 09-09B District Bills, \$8,895.00 total. Director Peterson seconded. Unanimously approved.

**4th ACTION:** Director Evans made a motion to approve payment of Transmittal 09-09C, Utility Bills and Reimbursements, \$2,068.31 total. Director Weel seconded. Unanimously approved.

**CHILDREN'S CENTER DIRECTOR'S REPORT**

Director Bryer provided a financial report to the Board. The pre-school and fall programs and the van pickup for children needing rides to school are all going well. Staff hours are tight, with Ms. Bryer being the only full time employee. Grant money is being used for a new sprinkler system.

The Center is getting bids for sand removal and getting wood chips and new grass. Upcoming events and fundraisers include a backyard cleanup workday, Back to School night, fundraisers at the Silverado Country Fair, and Tanaka produce boxes.

### **GRANTS ADMINISTRATOR'S REPORT**

Phil McWilliams reported that a sealed bid opening would be held for the Silverado Solar Panel Project at the Silverado Community Center, 6:00 PM, October 6, 2009.

### **OTHER DISTRICT BUSINESS**

Secretary Tricia Evans announced the Public Hearing for the SMRPD FY 2009-2010 Budget and invited all members of the Public who wished to speak to step forward and do so.

- Steve Kerrigan questioned the legal fees being spent on the land-use lawsuits.
- Mike Colgan asked for a financial break down of the budget.
- Mike Boeck expressed concern about financial reserves and about future legal liabilities. Mr. Boeck also said that the Board is doing a good job of providing services to the community and the District is being well run financially.

The Board then discussed the Budget. It was decided to add \$1,000 to repair a drinking fountain in Modjeska Park, and to increase legal fees from \$30,000 to \$40,000.

**5th ACTION: RESOLUTION 092209-1** Director Levy moved to vote on Adoption of the SMRPD FY2009-2010 Budget. Director Evans seconded. A ROLL CALL VOTE WAS TAKEN by Administrative Assistant Mileham: Director Levy - AYE, Director Hunt - AYE, Director Evans - AYE, Director Peterson - AYE, Director Weel - AYE.

The Board discussed the failure of both air-conditioners in Silverado Community Center Bldg. B. They are over 20 years old and the cost of repair is estimated at \$2,800. A suggestion was made to replace them because of age, high operating cost, and frequent repairs. Phil McWilliams will obtain bids, check on permits, and get ductwork questions answered.

The Board discussed the condition of the Silverado Community Center kitchen and outdoor restroom facilities. Both are badly in need of repair or refurbishment. The same comments apply to the asphalt in the parking lot and basketball court. The Facilities committee and Phil McWilliams will begin getting bids for these projects.

The drinking fountain at Modjeska Park has been vandalized again and needs replacement. Phil McWilliams will obtain prices for a replacement fountain and durable trash receptacles for both parks.

**CLOSED SESSION** was entered into at 9:00 PM, pursuant to Government Code 54956.9 (a) and (b) - Conference with Legal Counsel regarding SMRPD, RCCF and Ray Chandos vs. County of Orange and CCRC Farms, Case No. 37-200800087783-CU-WM-CTL.

### **RETURN TO OPEN SESSION**

The Board returned to open session at 9:30 PM. President Hunt announced that there were no reportable actions or items from the Closed Session.

### **ADJOURNMENT**

The meeting was adjourned at 9:35 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, October 27, 2009.

**LOCALLY GOVERNED DISTRICT  
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 10/14/09  
REPORT 10-09A**

Sil-Mod Rec. and Parks Dist.  
PO Box 8  
Silverado, CA 92676

THE COUNTY AUDITOR IS AUTHORIZED TO  
DRAW THIS CHECK FROM  
**FUND: 728 BUDGET CONTROL: 728**

PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID	DATE INVOICE #	DEPT V700	OBJT REV/ BS ACCT	UNIT 900	AMOUNT	AC'S USE ONLY	
						DOC NUMBER	SC
<b>VC-3280</b> Robert Hunt 28371 Modjeska Canyon Road Modjeska, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
<b>VC-4543</b> Martin Weel 28614 Modjeska Canyon Road Modjeska, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
<b>VC-2824</b> Mark Levy 17452 Olive Hill Road Modjeska Canyon, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
<b>VC-4415</b> Brett Peterson P.O. Box 613 Silverado, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
<b>VC-735</b> Tricia Evans P.O. Box 464 Silverado, CA 92676	9/22/09	V700	0100	900	\$ 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 BY

\_\_\_\_\_  
ATTESTED AND/OR COUNTERSIGNED



**LOCALLY GOVERNED DISTRICT  
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 10/20/09  
REPORT 10-09C**

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

PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID	DATE INVOICE #	DEP V700	OBJT REV/ BS ACCT	UNIT 900	AMOUNT	AC'S USE ONLY	SC
						DOC NUMBER	
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1664</b> <b>PAID TO: JANI-KING</b>						
	INVOICE #LAX10090608	V700	1400	900	\$210.00		
	INVOICE #LAX10090596	V700	1400	900	\$210.00		
	INVOICE #LAX09091382	V700	1400	900	\$300.00		
					<b>\$720.00</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1665</b> <b>PAID TO: WASTE MANAGEMENT</b>						
	INVOICE #0053639-2515-6	V700	2800	900	\$159.14		
					<b>\$159.14</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1666</b> <b>PAID TO: SCE</b>						
	INVOICE DATED: 10/09/09	V700	2800	900	\$562.50		
					<b>\$562.50</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1667</b> <b>PAID TO: IRWD</b>						
	METER #51441202 09/12/09	V700	2800	900	\$192.42		
	METER #55418830 09/12/09	V700	2800	900	\$31.88		
					<b>\$224.30</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1662</b> <b>PAID TO: JANI-KING</b>						
	INVOICE #LAX09091320	V700	1400	900	\$210.00		
					<b>\$210.00</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1663</b> <b>PAID TO: IRWD</b>						
	METER #56569388 09/10/09	V700	2800	900	\$273.06		
					<b>\$273.06</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF DEBITS</b> <b>PAID TO: AT&amp;T</b>						
	714-649-2850 10/10/09	V700	702	900	\$36.98		
	714-649-2428 10/10/09	V700	702	900	\$26.21		
					<b>\$63.19</b>		
<b>VC-1672</b> SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	<b>REIMBURSEMENT OF CHECK #1671</b> <b>PAID TO: IRWD</b>						
	METER #51441202 10/14/09	V700	2800	900	\$192.42		
	METER #55418830 10/14/09	V700	2800	900	\$22.92		
	METER #56569388 10/08/09	V700	2800	900	\$261.86		
					<b>\$477.20</b>		

The claims listed above totaling **\$2,689.39** 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 \_\_\_\_\_