



**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 “15th and” and “published in” insert “notice of same” so that the final passage reads “...15th 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, SEPTEMBER 22, 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
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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
VC-3280 Robert Hunt 28371 Modjeska Canyon Road Modjeska, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
VC-4543 Martin Weel 28614 Modjeska Canyon Road Modjeska, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
VC-2824 Mark Levy 17452 Olive Hill Road Modjeska Canyon, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
VC-4415 Brett Peterson P.O. Box 613 Silverado, CA 92676	9/22/09	V700	0100	900	\$ 50.00		
					\$ 50.00		
VC-735 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: 10/14/09
REPORT 10-09B**

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 #	DEPT V700	OBJT REV/ BS ACCT	UNIT 900	AMOUNT	AC'S USE ONLY	
						DOC NUMBER	SC
VC-2027 COOKSMITH LANDSCAPING 630 N. TUSTIN AVE #1518 ORANGE, CA 92867	INVOICE #7082	V700	1400	900	\$340.00		
	INVOICE #7068	V700	1400	900	\$235.00		
	INVOICE #CS7854	V700	1400	900	\$180.00		
	INVOICE #CS7853	4700	1400	900	\$95.00		
						\$850.00	
VC-2760 MEGHAN WARNER P.O. BOX 177 SILVERADO, CA 92676	INVOICE #09-139	V700	1900	900	\$250.00		
						\$250.00	
VC-6773 LEWIS BRISBOIS BISGAARD & SMITH 221 N. FIGUEROA STREET, STE 1200 LOS ANGELES, CA 90012	INVOICE #722699	V700	1900	900	\$1,341.62		
						\$1,341.62	
VC-4647 RICHARD L. HALE, CPA 17502 IRVINE BLVD #F TUSTIN, CA 92780	INVOICE DATED: 09/30/09	V700	1900	900	\$2,500.00		
						\$2,500.00	
VC- ???? PHIL McWILLIAMS 28331 MODJESKA CANYON ROAD MODJESKA, CA 92676	INVOICE DATED: 05/01 THRU 08/25/09	V700	1900	900	\$487.50		
						\$487.50	
					\$0.00		
					\$0.00		
					\$0.00		
					\$0.00		
					\$0.00		
					\$5,429.12		

The claims listed above totaling **\$5,429.12** 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	
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1664 PAID TO: JANI-KING						
	INVOICE #LAX10090608	V700	1400	900	\$210.00		
	INVOICE #LAX10090596	V700	1400	900	\$210.00		
	INVOICE #LAX09091382	V700	1400	900	\$300.00		
					\$720.00		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1665 PAID TO: WASTE MANAGEMENT						
	INVOICE #0053639-2515-6	V700	2800	900	\$159.14		
					\$159.14		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1666 PAID TO: SCE						
	INVOICE DATED: 10/09/09	V700	2800	900	\$562.50		
					\$562.50		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1667 PAID TO: IRWD						
	METER #51441202 09/12/09	V700	2800	900	\$192.42		
	METER #55418830 09/12/09	V700	2800	900	\$31.88		
					\$224.30		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1662 PAID TO: JANI-KING						
	INVOICE #LAX09091320	V700	1400	900	\$210.00		
					\$210.00		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1663 PAID TO: IRWD						
	METER #56569388 09/10/09	V700	2800	900	\$273.06		
					\$273.06		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF DEBITS PAID TO: AT&T						
	714-649-2850 10/10/09	V700	702	900	\$36.98		
	714-649-2428 10/10/09	V700	702	900	\$26.21		
					\$63.19		
VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676	REIMBURSEMENT OF CHECK #1671 PAID TO: IRWD						
	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		
					\$477.20		

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 _____