



REGULAR MEETING OF THE BOARD OF DIRECTORS OF VALLEY-WIDE RECREATION AND PARK DISTRICT

November 26, 2018

MINUTES

1. CALL TO ORDER

1.01. The meeting of the Board of Directors of Valley-Wide Recreation and Park District was called to order at 5:31 p.m. November 26, 2018 at the District Office, 901 W. Esplanade Avenue, San Jacinto California, by Vice President Bragg

2. PLEDGE OF ALLEGIANCE

2.01. The Pledge of Allegiance was led by Vice President Bragg

3. INVOCATION

3.01. The invocation was led by Vice President Bragg

4. ROLL CALL

BOARD PRESENT: John Bragg, Steve Simpson, Nick Schouten, Jan Bissell

BOARD ABSENT: None

STAFF: Dean Wetter, James Salvador, Gustavo Bermeo, Kirk Summers, Craig Shultz, Calen Daniel

OTHERS PRESENT: Nick Dayhoff; NBS, Irene Jauregui, John Tribelhorn, Noah Rau, Tim Williams, Howard Tounget, San Jacinto Sherriff Deputy

5. AGENDA APPROVAL

5.01. **On a motion by Director Schouten, seconded by Director Simpson** the Board approved the agenda

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

6. RECOGNITION, PROCLAMATION

6.01. None

7. PUBLIC COMMENTS – NON AGENDA ITEMS

- 7.01. Howard Tounget voiced his concerns regarding the District and handed the Board a 28 page document for review

8. BOARD COMMENTS

- 8.01. Director Bragg stated that he enjoyed attending the Exchange Club and Friends of Valley-Wide Autumn Elegance and that there was a great turnout. He also mentioned his excitement for all the upcoming holiday events.

9. VALLEY-WIDE CLEARING ACCOUNTS CHECK LIST

- 9.01. OCTOBER 2018: 97816 – 98242; 2520, 2523; EFT100318, EFT100918, EFT101618, EFT101918, EFT102218

On a motion by Director Schouten, seconded by Director Bissell the Board approved the clearing accounts check list for October 2018

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

10. FINANCIAL STATEMENTS FOR OCTOBER 2018 – Received and Filed

Item No. 11 was postponed until after Item No. 12 awaiting the arrival of Lake Meniffee Women’s Club representatives

12. CONSENT CALENDAR

- 12.01. Approval of Minutes for the Regular Meeting of October 15, 2018
- 12.02. Waiver of reading in full any and all Ordinances listed on this Agenda and provide that they be read by title only

On a motion by Director Bissell, seconded by Director Schouten the Board approved the Consent Calendar

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

11. PRESENTATION

- 11.01. Linda Delfin gave a brief presentation about the Lake Meniffee Women’s Club history and current fundraising and philanthropy efforts in the City of Meniffee

community. Ms. Delfin presented a \$250 donation to the Valley-Wide Youth Scholarship Program to benefit youth living within the City of Menifee.

13. CONSENT ITEMS HELD OVER

13.01. None

14. PUBLIC HEARING

14.01. Community Facilities District (CFD) Winchester Zone 13 (Conestoga VII)

Director Bragg asked the Board Clerk to report on the Proof of Publication for the public hearing

The Board Clerk announced possession of the Proof of Publication for the Public Hearing

At 5:50 p.m. Director Bragg announced the public hearing is now open and that this is the time to hear any protest, comments and questions from interested persons

No Public Comments. At 5:50 p.m. Director Bragg stated the Public Hearing is now closed

Director Bragg asked the Clerk how many landowners are within the proposed Community Facilities District

The Clerk responded that there is one landowner within the proposed Community Facilities District

Director Bragg announced the Board has received zero written protests, and asked the Board Clerk if such written protests, if any, constitute a majority protest of the landowners

The Board Clerk stated a majority protest does not exist

- **On a motion by Director Simpson, seconded by Director Bissell** the Board approved Resolution No. 1064-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the formation of a Community Facilities District: Winchester Community Facilities District Zone 13 (Conestoga VII)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

- **On a motion by Director Simpson, seconded by Director Schouten** the Board approved Resolution No. 1065-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, calling a special election for a Community Facilities District: Winchester Community Facilities District Zone 13 (Conestoga VII)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

Director Bragg asked the Clerk to announce the result of the property owner vote

The Clerk announced that the landowners have voted in favor of the measure

Director Bragg stated that at least 2/3rds of the property owner votes are in favor of the levy of the special taxes and the establishment of the appropriation limit

- **On a motion by Director Bissell, seconded by Director Schouten** the Board approved Resolution No. 1066-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, California, declaring results of a special landowner election and directing the recording of a special tax lien: Winchester Community Facilities District Zone 13 (Conestoga VII)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

- **The Board Introduced Ordinance 2018-4** – An Ordinance of the Board of Directors of Valley-Wide Recreation and Park District, authorizing the levy of special taxes in a Community Facilities District: Winchester Community Facilities District Zone 13 (Conestoga VII)

14.02. Community Facilities District (CFD) Winchester Zone 14 (Las Praderas)

Director Bragg asked the Board Clerk to report on the Proof of Publication for the public hearing

The Board Clerk announced possession of the Proof of Publication for the Public Hearing

At 5:54 p.m. Director Bragg announced the public hearing is now open and that this is the time to hear any protest, comments and questions from interested persons

No Public Comments. At 5:55 p.m. Director Bragg stated the Public Hearing is now closed

Director Bragg asked the Clerk how many landowners are within the proposed Community Facilities District

The Clerk responded that there is one landowner within the proposed Community Facilities District

Director Bragg announced the Board has received zero written protests, and asked the Board Clerk if such written protests, if any, constitute a majority protest of the landowners

The Board Clerk stated a majority protest does not exist

- **On a motion by Director Schouten, seconded by Director Simpson** the Board approved Resolution No. 1067-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the formation of a Community Facilities District: Winchester Community Facilities District Zone 14 (Las Praderas)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

- **On a motion by Director Schouten, seconded by Director Bissell** the Board approved Resolution No. 1068-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, calling a special election for a Community Facilities District: Winchester Community Facilities District Zone 14 (Las Praderas)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

Director Bragg asked the Clerk to announce the result of the property owner vote

The Clerk announced that the landowners have voted in favor of the measure

Director Bragg stated that at least 2/3rds of the property owner votes are in favor of the levy of the special taxes and the establishment of the appropriation limit

- **On a motion by Director Bissell, seconded by Director Schouten** the Board approved Resolution No. 1069-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, California, declaring results of a special landowner election and directing the recording of a special tax lien: Winchester Community Facilities District Zone 14 (Las Praderas)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

- **The Board Introduced Ordinance 2018-5 – Introduce** – An Ordinance of the Board of Directors of Valley-Wide Recreation and Park District, authorizing the levy of special taxes in a Community Facilities District: Winchester Community Facilities District Zone 14 (Las Praderas)

14.03. Community Facilities District (CFD) Winchester Zone 15 (Autumn Winds)

Director Bragg asked the Board Clerk to report on the Proof of Publication for the public hearing

The Board Clerk announced possession of the Proof of Publication for the Public Hearing

At 5:59 p.m. Director Bragg announced the public hearing is now open and that this is the time to hear any protest, comments and questions from interested persons

No Public Comments. At 5:59 p.m. Director Bragg stated the Public Hearing is now closed

Director Bragg asked the Clerk how many landowners are within the proposed Community Facilities District

The Clerk responded that there is one landowner within the proposed Community Facilities District

Director Bragg announced the Board has received zero written protests, and asked the Board Clerk if such written protests, if any, constitute a majority protest of the landowners

The Board Clerk stated a majority protest does not exist

- **On a motion by Director Schouten, seconded by Director Simpson** the Board approved Resolution No. 1070-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the formation of a Community Facilities District: Winchester Community Facilities District Zone 15 (Autumn Winds)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

- **On a motion by Director Schouten, seconded by Director Bissell** the Board approved Resolution No. 1071-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, calling a special election for a Community Facilities District: Winchester Community Facilities District Zone 15 (Autumn Winds)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

Director Bragg asked the Clerk to announce the result of the property owner vote

The Clerk announced that the landowners have voted in favor of the measure

Director Bragg stated that at least 2/3rds of the property owner votes are in favor of the levy of the special taxes and the establishment of the appropriation limit

- **On a motion by Director Simpson, seconded by Director Schouten** the Board approved Resolution No. 1072-18 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, California, declaring results of a special landowner election and directing the recording of a special tax lien: Winchester Community Facilities District Zone 15 (Autumn Winds)
- **The Board Introduced Ordinance 2018-6** – An Ordinance of the Board of Directors of Valley-Wide Recreation and Park District, authorizing the levy of special taxes in a Community Facilities District: Winchester Community Facilities District Zone 15 (Autumn Winds)

15. ACTION ITEMS

15.01. **Board of Directors' Vacancy Appointment**

Public Comment: Mr. Tounget informed the Board of his pending records request for the submitted Board vacancy questionnaires and voiced his frustrations about the District

- The Board conducted the interview process for interested vacancy applicants: Irene Jauregui, John Tribelhorn and Noah Rau

Following the interviews, the Board discussed the applicants' interviews and filling the vacant seat. Vice President Bragg called for nominations, whereas Noah Rau and John Tribelhorn were nominated

On a motion by Director Schouten, seconded by Director Bissell the Board appointed Noah Rau to the Valley-Wide Recreation and Park District Board of Directors

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell

Noes: None

Absent: None

Abstain: None

The Oath of Office was administered to Noah Rau by the Board Clerk

Meeting recessed at 6:54 p.m. and reconvened at 7:02 p.m.

15.02. **Change Orders – Butterfield Park, Sheffield Park, Benton Road and Pourroy Road Streetscapes Recycled Water Retrofit Project**

- **On a motion by Director Schouten, seconded by Director Simpson** the Board authorized the General Manager to issue Change Order No. 3 and 4, totaling \$11,240.00, increasing the total contract amount with Adame Landscape, Inc. to \$341,669.81

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None

15.03. **Acceptance of Heroes Park Property Transfer**

- **On a motion by Director Schouten, seconded by Director Bissell** the Board ratified the acceptance of property transfer and ownership of Heroes Park (APN: 480-090-085)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None

15.04. Acceptance of Victory Park Property Transfer

- **On a motion by Director Simpson, seconded by Director Schouten** the Board ratified the acceptance of property transfer and ownership of Victory Park (APN:480-890-011)

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None

15.05. Termination of JCFA Agreement

- **On a motion by Director Simpson, seconded by Director Schouten** the Board approved the termination of Joint Community Facilities Agreement (JCFA) 2007-2 between Hemet Unified School District, Griffin Communities and Valley-Wide Recreation and Park District

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None

15.06. Parks and Facilities Parking Lot Improvement Project

Public Comment: Mr. Tounget voiced his concerns of the Board taking action on awarding a public project where there is only one bidder

- **On a motion by Director Rau, seconded by Director Schouten** the Board approved to:
 - Adopt the Plans and Specifications for the Parks and Facilities Parking Lot Improvement Project;
 - Award bid to NPG, Inc., the lowest responsible bidder, and waive any and all minor irregularities in the bidding documents as submitted by said bidder;
 - Authorize the General Manager to execute the Construction Agreement and Purchase Order between Valley-Wide Recreation and Park District and NPG, Inc. in the amount not to exceed \$491,707.33; and
 - Authorize the General Manager to approve appropriate Change Order(s) necessary for the execution of the work, in accordance with the signature authorization policy

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None

16. ITEMS FOR BOARD INFORMATION, DISCUSSION, DIRECTION

- 16.01.** The Automated External Defibrillator (AED) Ad Hoc Committee was formed with Director Bragg and Director Bissell

- 16.02. General Manager's Report
 - District Updates
 - Marketing Strategy Update
- 16.03. Report from Board of Directors Ad Hoc Committees – None

17. EXECUTIVE SESSION

The Board entered executive session at 7:30 p.m. regarding the following:

- 17.01. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d)(1)
Name of case: (1 case; 5:16-cv-00088 JGB (KKx) Carol Tounget v. Valley-Wide Recreation and Park District)
- 17.02. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d)(1)
H. Suttle v. Valley-Wide Recreation and Park District
- 17.03. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation pursuant to Government Code section 54956.9(d)(4):
1 Potential Case

The Board closed executive session and reopened the meeting at 8:26 p.m. with no reportable action

18. ADJOURNMENT

On a motion by Director Schouten, seconded by Director Simpson the Board adjourned the meeting at 8:26 p.m.

Motion carried by the following roll call vote:

Ayes: Bragg, Simpson, Schouten, Bissell, Rau

Noes: None

Absent: None

Abstain: None