

Valley-Wide Recreation and Park District Board of Directors

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| Division 1 Nick Schouten President | Division 2 Steve Simpson Director | Division 3 Jan Bissell Secretary | Division 4 John Bragg Vice President | Division 5 Noah Rau Director |
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Regular Meeting of the Board of Directors

Minutes

Monday, July 20, 2020, 5:30 P.M.

EXECUTIVE CLOSED SESSION (5:30 P.M.)

The Board entered executive session at 5:30 P.M. regarding the following items and closed session, reopening the meeting at 6:02 P.M. with no reportable action.

1. 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)

REGULAR SESSION (6:00 P.M.)

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 6:02 P.M. on July 20, 2020 via Public Teleconference URL:
<https://us02web.zoom.us/j/84752671717?pwd=ejFnV3lzNWlaSXl0eXFLQWZET1NCUT09>; Or join by phone: US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 Zoom Webinar ID: 847 5267 1717; Password: 048988
2. PLEDGE OF ALLEGIANCE
 - 2.01. The Pledge of Allegiance was led by President Schouten
3. INVOCATION
 - 3.01. The Invocation was led by Director Bragg

4. ROLL CALL

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

BOARD ABSENT: None

STAFF PRESENT: Dean Wetter, Gustavo Bermeo, Lanay Negrete, James
Salvador, Miranda Negrete, Craig Shultz, Joe Walsh, Julia Waltrip, Kirk Summers

OTHERS PRESENT: Nick Dayhoff (NBS), Greg Davidson (NBS), Daphnie Munoz
(WNDECPA), Danielle Wood, Unknown Caller XXX-XXX-7104, Unknown Caller
XXX-XXX-6952, Unknown Web Attendee "Slim Pickins", Unknown Web Attendee
jmyrnre, Danielle Wood, Unknown Call in User 1, Unknown Web Attendee "Eye
Balls"

5. AGENDA APPROVAL

5.01. Mr. Wetter requested to remove Item No. 15.04 from the Agenda prior to
Agenda Approval.

5.02. **On a motion by Director Simpson, seconded by Director Bissell the
Board approved the Agenda as amended.**

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

6. RECOGNITION, PROCLAMATION

6.01. None

7. PUBLIC COMMENTS – NON-AGENDA ITEMS

7.01. None

8. BOARD COMMENTS

8.01. Director Bragg commented on the fireworks display on July 4th, 2020. Noting it
was both "happy" and "sad". "Happy" to be able to present a show to the Valley
but "sad" because people had to struggled to find places to view it. Stating
overall, it was a success and we received positive comments from the
community.

- 8.02.** Director Schouten discussed the conversations that were had in preparation for the fireworks display during the Marketing AdHOC Committee Meeting. He also commented on the passing of Michael Paul and his leadership in the community.

9. VALLEY-WIDE CLEARING ACCOUNTS CHECK LIST

- 9.01.** On a motion by Director Bissell, second by Director Rau the Board approved the clearing accounts check list for June 2020: 106985 – 107330 & 2545; EFT060820, EFT061120, EFT061220, EFT062520, EFT062620, EFT062920

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

10. FINANCIAL STATEMENTS FOR June 2020 – Received and Filed

11. PRESENTATION

- 11.01.** None

12. CONSENT CALENDAR

Mr. Wetter requested to hold over Item No. 12.04 to offer a verbal report to the Board.

On a motion by Director Bragg, seconded by Director Schouten, the Board approved the balance of the Consent Calendar.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

- 12.01.** Waiver of reading in full any and all Ordinances listed on this Agenda and provide that they be read by title only.
- 12.02.** Approval of Minutes for the Regular Meeting of June 15, 2020
- 12.03.** Notice of Completion - Jerry Searl Sports Park Accessibility Improvement Project

➤ **Board of Directors approved to:**

1. Accept the work constructed by IVL Contractors, Inc. for the Jerry Searl Sports Park Community Accessibility Project and authorize the General Manager to execute the attached Notice of Completion; and
2. Authorize the release of retained funds to IVL Contractors, Inc., in the amount of \$4,991.43 for the above referenced work in accordance with contract documents; and
3. Direct the District Clerk to file the Notice of Completion with the Riverside County Recorder's Office.

12.04. This item was moved to Consent Items Held Over, to become Item 13.01

12.05. LMD Annual Levies Intention

- Board of Directors adopted **Resolution No. 1135-20** – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, Amending Resolution No. 1126-20, declaring its intention for the annual levy and collection of assessments within the maintenance districts for Fiscal Year 2020/2021.

13. CONSENT ITEMS HELD OVER

13.01. Tract 35161 (Turtle Ranch) – Acceptance of Irrevocable Offer of Dedication

On a motion by Director Rau, seconded by Director Schouten, the Board approved Resolution No. 1134-20, a Resolution of the Board of Directors of Valley-Wide Recreation and Park District accepting an offer of dedication from KB Home Coastal Inc. for Lots 1, 11, 12, 23, 24, 38, 39 and 47 through 51 and all of Lots 52 and 53 in Tract 35161, modifying section 1 of the Resolution to read: "That the District hereby accepts the IOD contingent on County of Riverside final acceptance".

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

14. PUBLIC HEARING

14.01. Annexation of Zone No. 17 (Spencer's Crossing IV) to French Valley Community Facilities District

President Schouten 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 6:12 p.m. President Schouten 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 were received. At 6:14 p.m. President Schouten stated the Public Hearing is now closed.

President Schouten 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.

President Schouten 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. 1136-20, establishing the formation of a Community Facilities District, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 17 (Spencer's Crossing IV).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

- **On a motion by Director Rau, seconded by Director Bragg** the Board approved Resolution No. 1137-20, calling the special election for a Community Facilities District, Valley-Wide Recreation and Park District Zone 17 (Spencer's Crossing IV).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

President Schouten 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.

President Schouten 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 Rau** the Board approved Resolution No. 1138-20, declaring results of the special landowner election, and directing the recording of a special tax lien, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 17 (Spencer's Crossing IV).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

- **The Board Introduced Ordinance No. 2020-2**, 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, Valley-Wide Recreation and Park District Zone 17 (Spencer's Crossing IV).

14.02. Annexation of Zone No. 18 (Morningstar Village) to French Valley Community Facilities District

President Schouten 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 6:19 p.m. President Schouten 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 were received. At 6:20 p.m. President Schouten stated the Public Hearing is now closed.

President Schouten 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.

President Schouten 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 Bragg, seconded by Director Bissell** the Board approved Resolution No. 1139-20, establishing the formation of a Community Facilities District, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 18 (Morningstar Village).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

- **On a motion by Director Rau, seconded by Director Bragg** the Board approved Resolution No. 1140-20, calling the special election for a Community Facilities District, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 18 (Morningstar Village).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

President Schouten 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.

President Schouten 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 Simpson** the Board approved Resolution No. 1141-20, declaring results of the special landowner election and directed the recording of a special tax lien, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 18 (Morningstar Village).

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

- **The Board Introduced Ordinance No. 2020-3**, 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, Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 18 (Morningstar Village).

14.03. Annexation of Zone No. 19 to Winchester Community Facilities District

President Schouten 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 6:25 p.m. President Schouten 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 were received. At 6:26 p.m. President Schouten stated the Public Hearing is now closed.

President Schouten 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.

President Schouten 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 Bragg, seconded by Director Bissell** the Board approved Resolution No. 1142-20, establishing the formation of a Community Facilities District, Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 19.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson

Noes: None

Absent: Rau

Abstain: None

- **On a motion by Director Bissell, seconded by Director Simpson** the Board approved Resolution No. 1143-20, calling the special election for a Community Facilities District, Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 19.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson

Noes: None

Absent: Rau

Abstain: None

President Schouten 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.

President Schouten 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 Schouten, seconded by Director Simpson** the Board approved Resolution No. 1144-20, declaring results of the special landowner election and directed the recording of a special tax lien, Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 19.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson

Noes: None

Absent: Rau

Abstain: None

- **The Board Introduced Ordinance No. 2020-4**, 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, Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 19.

14.04. Fiscal Year 2020/2021 and 2021/2022 Final Budget, Organizational Chart, Authorized Positions and Salary Schedule

President Schouten 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 6:30 p.m. President Schouten 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 were received. At 6:31 p.m. President Schouten stated the Public Hearing is now closed.

Comment was received from Director Rau. Director Rau advised the Budget AdHOC Committee met virtually on June 29, 2020 to address questions regarding the Draft Budget. These questions consisted of 1) Revenue Stability, 2) Effects of the Pandemic on Revenues, and 3) Staff Strategies to meet the District's Mission. Director Rau reported the Staff took the requests and feedback from the AdHOC Committee and provided a comprehensive informational section to the Final Budget document. Further stating the added informational section made the Final Budget more intuitive and easier to understand.

Director Schouten thanked Director Rau and the Budget AdHOC Committee for their contributions.

- **On a motion by Director Simpson, seconded by Director Bissell** the Board approved and adopted FY2020/2021 and FY2021/2022 Final Budget and the Authorized Positions, Organizational Chart and Salary Schedules

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15. ACTION ITEMS

15.01. 2018/2019 Audit Report

- **On a motion by Director Schouten, seconded by Director Simpson** the Board accepted the 2018/2019 Audit Report from White, Nelson, Diehl, Evans LLP, Certified Public Accountants.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.02. Authorizing CFD Levy

- **On a motion by Director Rau, seconded by Director Schouten** the Board of Directors approved Resolution 1145-20, a Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the annual special tax and levying special taxes for the Community Facilities Districts, for Fiscal Year 2020/2021

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.03. Detachment of Territory within Tract 30808 from Winchester LMD Zone 4

- **On a motion by Director Bissell, seconded by Director Simpson** the Board adopted Resolution No. 1146-20, a Resolution of the Board of Directors of Valley-Wide Recreation and Park District, declaring its intention to order the detachment of territory from the Winchester Park and Landscape Maintenance District, Zone 4

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.04. This item was removed from the Agenda prior to Agenda Approval

15.05. Award of Americans with Disabilities Act (ADA) and California Building Code (CBC) Accessibility Standards and Regulations Design Services

- **On a motion by Director Bragg, seconded by Director Schouten** the Board authorized the General Manager to execute a Professional Services Agreement between Valley-Wide Recreation and Park District and Cozad & Fox, Inc., for \$53,844 and authorize an additional \$8,882 in optional tasks as needed.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.06. NBS Government Finance Group Services Agreement

- James Salvador provided a report to the Board detailing the Service Agreement terms, functions and fee structures. He outlined the differences between the original 2011 Service Agreement to the proposed 2020 Service Agreement.
- Director Bragg questioned if 1) comparison bids had been obtained and if the rates were comparable with other agencies that offer the same services and 2) if the expenses outlined in the Service Agreement were absorbed by the developers or by the District.
- Staff advised a comparison of service fees had been conducted to determine cost reasonableness and the fees are paid by the developer applicants and from the CFD and LMD Budgets.
- **On a motion by Director Simpson, seconded by Director Rau the Board authorized the General Manager to enter into a Services Agreement between Valley-Wide Recreation and Park District and NBS Governmental Finance Group for Finance District formation, annexation, and administration services**

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.07. Award of the Regional Park Accessibility Improvement Project

- **On a motion by Director Bragg, seconded by Director Schouten the Board of Directors approved to:**
 1. Adopt the Plans and Specification for the Regional Park Accessibility Improvement Project; and
 2. Award bid to Roadway Engineering and Contracting, Inc., the lowest responsive and responsible bidder, and waive any and all minor irregularities in the bidding documents as submitted by said bidder; and
 3. Authorize the General Manager to execute the Construction Agreement and Purchase Order between Valley-Wide Recreation

- and Park District and Roadway Engineering and Contracting, Inc. in the amount of \$1,012,091.80; and
4. Authorize the General Manager to approve appropriate Change Order(s) necessary for the execution of the work Not to Exceed 10% of the Contract Amount of \$101,209.18

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

16. ITEMS FOR BOARD INFORMATION, DISCUSSION, DIRECTION

16.01. General Manager's Report

- Mr. Wetter presented a request to the Board to support HR7073, a Garamendi Bill to help Special Districts during the COVID-19 worldwide pandemic. A movement has been led by the California Special Districts Association (CSDA) and the California Recreation Park District (CARPD) to support HR7073 and help Special Districts recover some of their costs. Mr. Wetter requested the District send a letter on behalf of Valley-Wide in support of HR7073.
- Director Schouten agreed it was a good idea to possibly receive a reimbursement to help cover our costs as related to COVID-19.
- Director Schouten asked if Mr. Wetter had an idea of the revenue losses we have faced during the pandemic. Mr. Wetter advised the District has faced additional estimated costs of about \$15,000 - 17,000 per month and nearly all program revenues.

16.02. Report from Board of Directors Ad Hoc Committees

- None

16.03. News Articles, Thank You's, and Recreation Reports

- Director Schouten appreciated the efforts made by the staff for putting in regular news and information to the public.
- Director Bragg commented on the articles that were issued regarding the passing of Michael Paul and felt they represented Michael Paul's accomplishments accurately. Director Bragg stated Michael Paul was a staff leader in the community.
- Director Bragg also recognized the awards James Salvador has received He also thanked Gustavo Bermeo and Lanay Negrete for ensuring the meeting ran well.

17. ADJOURNMENT

On a motion by Director Simpson, seconded by Director Bissell the Board voted to adjourn the meeting at 7:05 p.m.

Minutes Approved this 4th day of August 2020



Nick Schouten, Board President



Lanay Negrete, Clerk of the Board