

October 21, 2019

REGULAR MEETING OF THE BOARD OF DIRECTORS

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. October 21, 2019 at the District Office, 901 W. Esplanade Avenue, San Jacinto, California, by President Schouten

2. PLEDGE OF ALLEGIANCE

- 2.01. The Pledge of Allegiance was led by President Schouten

3. INVOCATION

- 3.01. The Invocation was led by Vice President Bragg

4. ROLL CALL

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

BOARD ABSENT: Steve Simpson (Arrived at 5:37PM)

STAFF PRESENT: Dean Wetter, James Salvador, Lanay Negrete, Kirk Summers, Missy Galloway, Maria Vivanco

OTHERS PRESENT: Nick Dayhoff; NBS, Jennifer O'Leary; DR Horton, Barbara Murakomini; DR Horton, Kelly Restelli; DR Horton Consultant from DPFPG, Patty Romo; County of Riverside, Jeff Tilton; NDC, San Jacinto Sheriff Deputy, Howard Tounget

5. AGENDA APPROVAL

- 5.01. Item No. 6 was removed from the agenda due to the Independent Pool & Spa Association, Inc. being unable to attend the meeting

On a motion by Director Bragg, seconded by Director Rau the Board approved the agenda as amended

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Rau

Abstain: Bissell

7. PUBLIC COMMENTS – NON AGENDA ITEMS

7.01. None

8. BOARD COMMENTS

8.01. Director Schouten shared highlights from attending the CAPRD Board Meeting. Director Bissell shared that Oldlympics set a record with over 600 participants this year. Director Bissell also commended Supervisor Keri Price of the Valle Vista Community Center for doing a great job growing the Youth Volleyball Program from 27 teams last season to 32 teams this season; and stating we are doing some positive things in kids' lives.

9. VALLEY-WIDE CLEARING ACCOUNTS CHECK LIST

9.01. **On a motion by Director Bissell, seconded by Director Bragg** the Board approved the clearing accounts check list for September 2019

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Rau

Noes: None

Absent: Simpson

Abstain: None

10. FINANCIAL STATEMENTS FOR SEPTEMBER 2019 – Received and Filed

11. PRESENTATION

11.01. Missy Galloway, Supervisor – Diamond Valley Lake Aquatic Center/Echo Hills Golf Course provided the Board an update of the operations of the DVL Aquatics Center and Echo Hills Golf Course. As well as announced the upcoming events at the DVL Aquatic Center.

Director Simpson arrived at 5:37pm

12. CONSENT CALENDAR

12.01. **On a motion by Director Rau, seconded by Director Bissell** the Board approved the Minutes for the Regular Meeting of September 16, 2019

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

13. CONSENT ITEMS HELD OVER

13.01. None

14. PUBLIC HEARING

14.01. Board Election District Demographic Boundaries – DRAFT Maps

- Jeff Tilton, of National Demographics Corporation (NDC), reviewed the District Demographic Boundary Maps for the Board and public to prepare for the November 18, 2019 meeting of adoption. He discussed the three maps, Green, Orange and Purple, stating they can do some minor adjustments to the maps and took questions with regard to the Public Hearing.
- At 6:05 p.m. President Schouten announced the Public Hearing was open and that that this is the time to hear any protest, comments and questions from interested persons.
- No Public Comments. At 6:06 p.m. President Schouten stated the Public Hearing is now closed.
- No action taken.

14.02. Winchester Community Facilities District (CFD) Zone 17 (Pleasant Valley Ranch)

Director 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 6:07 p.m. Director 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. At 6:08 p.m. Director Schouten stated the Public Hearing is now closed

Director 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

Director 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 Rau, second by Director Simpson** the Board approved Resolution No. 1100-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the formation of a Community Facilities District. Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 17 (Pleasant Valley Ranch)

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 Bissell, seconded by Director Simpson** the Board approved Resolution No. 1101-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, calling a special election for a Community Facilities District. Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 17 (Pleasant Valley Ranch)

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

Director 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

Director 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 Bragg, seconded by Director Rau** the Board approved Resolution No. 1102-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, declaring results of a Special Landowner Election and directing the recording of a Special Tax Lien for Winchester Community Facilities District Zone 17 (Pleasant Valley Ranch)

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. 2019-2** – An Ordinance of the Board of the Valley-Wide Recreation and Park District, authorizing the levy of special taxes in Community Facilities District Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 17 (Pleasant Valley Ranch)

14.03. French Valley Community Facilities District (CFD) Zone 15 (French Valley Car Wash)

Director 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 6:15 p.m. Director 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. At 6:16 p.m. Director Schouten stated the Public Hearing is now closed

Director 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

Director 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 Rau, second by Director Bissell** the Board approved Resolution No. 1103-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, establishing the formation of a Community Facilities District. Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 15 (French Valley Car Wash)

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 Simpson, seconded by Director Bragg** the Board approved Resolution No. 1104-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, calling a special election for a Community Facilities District. Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 15 (French Valley Car Wash)

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

Director 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

Director 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 Simpson, seconded by Director Bissell** the Board approved Resolution No. 1105-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, declaring results of a Special Landowner Election and directing the recording of a Special Tax Lien for French Valley Community Facilities District Zone 15 (French Valley Car Wash)

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. 2019-3** – An Ordinance of the Board of the Valley-Wide Recreation and Park District, authorizing the levy of special taxes in Community Facilities District Valley-Wide Recreation and Park District French Valley Community Facilities District Zone 15 (French Valley Car Wash)

15. ACTION ITEMS

15.01. Detachment of Territory within Tract 30989 from the Winchester LMD

- **On a motion by Director Rau, second by Director Simpson** the Board approved Resolution No. 1106-19 – 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

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.02. Winchester Community Facilities District (CFD) Zone 16B (Aspen Pointe Overlay CFD)

- Members of the Board had numerous questions and concerns regarding the options presented by DR Horton while reconsidering approval of the project.
- Public Comment: Barbara Murakomi, from DR Horton submitted a Request to Speak card to provide information and be available for questions from the Board of Directors, while representing DR Horton's preference of alternate option #3.
- Kelly Restelli from DPF (a DR Horton consultant), provided additional information regarding Director Bragg's question of DR Horton's tax liability for

the proposed 10-year period. Stating the liability is \$56 per property which would be a 10-year tax liability of \$56,000.

On a motion by Director Rau, second by Director Bissell the Board of Directors opted to take no action on Resolution No. 1096-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District, declaring its intention to establish a Community Facilities District and to authorize the levy of special taxes. Valley-Wide Recreation and Park District Winchester Community Facilities District Zone 16B (Aspen Pointe Overlay CFD) and in place, accept an endowment from DR Horton in the amount of \$186,886 with a 2.34% interest bearing account that would provide earned interest of \$4,400 annually, matching the maximum allowable revenue the District could receive in FY 20/21 of the Overlay CFD for tract number 30809.

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.03. Application for Per Capita Grant Funds

- **On a motion by Director Rau, second by Director Simpson** the Board of Directors consideration to approve Resolution No. 1107-19 – Authorizing the filing of application(s) to the State of California, Department of Parks and Recreation for the Proposition 68 Per Capita Program, committing to comply with all requirements for the project(s) and stating assurances of Valley-Wide Recreation and Park District to execute the grant agreement(s) and complete the project(s) if awarded

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.04. Heritage Heights Pocket Park Parcel and Parkways Parcel Transfers of Fee Title Deed (TM 31582)

- **On a motion by Director Schouten, second by Director Rau** the Board of Directors approved:
- Grant Deed accepting ownership upon Lot 129 in Tract 31582 (Heritage Heights Pocket Park) from Lennar Homes;
 - Grant Deed accepting ownership upon Lots 123, 124, 125, 126, and 127 in Tract 31582 (Parkways) from Lennar Homes; and
 - Authorized the General Manager to execute the Grant Deed Certificate(s) of Acceptance

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.05. Bella Sol Parkway Parcel Transfers of Fee Title Deed (TM 32049)

➤ **On a motion by Director Simpson, second by Director Bissell** the Board of Directors approved:

- Grant Deed accepting ownership upon Lot 3 in Tract Map 32049 (Bella Sol Parkways) from Meritage Homes; and
- Authorized the General Manager to execute the Grant Deed Certificate of Acceptance

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.06. CEQA Notice of Exemption

➤ **On a motion by Director Bissell, second by Director Simpson** the Board of Directors consideration to approve Resolution No. 1108-19 – Resolution of the Board of Directors of Valley-Wide Recreation and Park District Adopting Notice of Exemptions Pursuant to CEQA Guidelines Section 15303

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.07. Notice of Completion – Parks and Facilities Parking Lot Improvement Project

➤ **On a motion by Director Simpson, second by Director Rau** the Board of Directors approved:

- The work constructed by NPG, Inc. for the Parks and Facilities Parking Lot Improvement Project; and
- The Notice of Completion (NOC) and authorize the District Clerk to execute and file the NOC with the Riverside County Recorder's Office

Motion carried by the following roll call vote:

Ayes: Schouten, Bragg, Bissell, Simpson, Rau

Noes: None

Absent: None

Abstain: None

15.08. Diamond Valley Lake (DVL) Memorandum of Intent (MOI) Implementation Committee Appointment

- Board President Schouten appointed Director Bissell and Director Rau to an AD HOC Committee to representative and serve on the Diamond Valley Lake (DVL) Memorandum of Intent (MOI) Implementation Committee.

15.09. Memorandum of Understanding by and Between the County of Riverside and Valley-Wide Recreation and Park District

- **On a motion by Director Rau, second by Director Simpson** the Board of Directors approved:
 - The Memorandum of Understanding (MOU) By and Between the County of Riverside and Valley-Wide Recreation and Park District for the Establishment of Protocols for Coordinating Developer-Initiated Development Projects; and
 - Authorize the Board President and General Manager to execute the MOU, barring there are no substantial substance content revisions by the County of Riverside, subject to minor revisions as may be agreed upon by the General Manager and Legal Council

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.** Mr. Wetter acknowledged and thanked Director Bissell for attending the dedication ceremony for the Carl Boronkay East Dam at Diamond Valley Lake on October 16th.

Mr. Wetter commended the work of the staff team for their efforts and success of the Soap Box Derby, recoating of the Michael Paul Gymnasium floor, Oldlympics, enhanced training, the District Annual Audit, grant applications submitted, work on the Master Plan, the District Election process, software evaluations for maintenance, the Community Accessibility Project, and the work completed on meeting rooms and storage areas.

He also spoke of the California Special District Association offering kind words and the Institute for Local Government (ILG) seeking a recommendation for special district leaders to serve on a panel. And pointed out the fall brochure highlights of Larry Minor, Tom Wilson and Exchange Club. As well as announced Autumn Elegance being held on November 2nd.

- 16.02.** Report from Board of Directors Ad Hoc Committees – nothing to report

17. EXECUTIVE SESSION

The Board entered executive session at 7:04 p.m. regarding the following items and closed executive session, reopening the meeting, at 7:38 p.m. with no reportable action.

- 7.01. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code section 54956.9(d)(4): 1 Case
- 7.02. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d)(1)
City of Menifee v. All Persons Interested
Riverside County Superior Court Case No. RIC 1722064

18. ADJOURNMENT

On a motion by Director Simpson, seconded by Director Bissell the Board voted to adjourn the meeting at 7:38 p.m.

Minutes Approved this 18th day of November 2019



Nick Schouten, Board President



Lanay Negrete, Clerk of the Board