

ORANGEVALE RECREATION & PARK DISTRICT

Minutes of Meeting of Board of Directors July 20, 2023

A Regular Meeting of the Board of Directors of the Orangevale Recreation and Park District was held on July 20, 2023, at the District Office. Director Stickney called the meeting to order at 6:30 p.m.

Directors present: Stickney, Meraz, Brunberg, Presinal
Directors absent: Montes
Staff present: Barry Ross, District Administrator
Jennifer Von Aesch, Finance/HR Superintendent
Horacio Oropeza, Park Superintendent (arrived 6:34pm)
Jason Bain, Recreation Supervisor
Melyssa Woodford, Admin. Services Supervisor

3. **PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was conducted.

4. **APPROVAL OF AGENDA**
MOTION #1 On a motion by Director Brunberg, seconded by Director Meraz, the agenda was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz voting Aye. There were no Nays or Abstentions. Director Montes was absent.

5. **PUBLIC DISCUSSION** No one wished to address the Board during public discussion.

6. **MINUTES**
MOTION #2
 - a) Approval of Minutes of the Regular Meeting on June 15, 2023 (pg. 1-10): On a motion by Director Brunberg seconded by Director Meraz, the Minutes of the Regular Meeting on June 15, 2023, were approved by a vote of 4-0-0 with Directors Stickney, Meraz, Brunberg, and Presinal voting Aye. There were no Nays or Abstentions. Director Montes was absent.

 - b) Approval of Minutes of the Special Meeting on June 29, 2023 (pg. 11): On a motion by Director Brunberg seconded by Director Meraz, the Minutes of the Special Meeting on June 29, 2023, were approved by a vote of 4-0-0 with Directors Stickney, Meraz, Brunberg, and Presinal voting Aye. There were no Nays or Abstentions. Director Montes was absent.
MOTION #3

7. CORRESPONDENCE

MOTION #4

- a) Confidential Envelope – Attorney Billing May 2023: On a motion by Director Brunberg, seconded by Director Stickney, the attorney billing was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz voting Aye. There were no Nays or Abstentions. Director Montes was absent.
- b) Ads in the June 9 & 30 issues of the Orangevale View to promote upcoming programs (pg. 12-13): Admin Ross shared the advertisements recently published to promote upcoming OVparks programs.
- c) An article in the June 9 issue of the Orangevale View about the sign installed at Orangevale Community Park commemorating the California Central Railroad (pg. 14): Admin Ross mentioned the article regarding the installation of the historical sign.
- d) An article in the June 30 issue of the Orangevale View about the success of the Summer Palooza event at Orangevale Community Park (pg. 15): Admin Ross shared the Orangevale View article and photo regarding the successful Summer Palooza event.
- e) A brief article in the June 30 issue of the Orangevale View promoting The Wizard of Oz theatrical performances at the Orangevale Community Center and a “thank you” to our community sponsors who are supporting our Tropical Escape event (pg. 16): Admin Ross shared the article promoting the Wizard of Oz performance presented by Valkyrie Theatre Company which is a new contractor with OVparks. Supervisor Woodford advised that youth participants in the three-week Summer Theatre Workshop to prepare for the Wizard of Oz gave an amazing performance. The performances, which were held on Friday, June 30 and Saturday, July 1, were both sold out.
- f) A complimentary email from Brendan Chase, the contractor who offers Top Notch Basketball for youth at the Orangevale Community Center. This is one of the most successful programs offered through OVparks (pg. 17): Admin Ross shared an email from Top Notch Basketball Coach Brendan Chase. His program is one of the most popular and longest running programs at OVparks. His email extended appreciation to Supervisor Bain, Supervisor Woodford, and Custodian/Host II Danny Rodriguez for all their contributions to the success of his programs.

g) A letter from California Association for Park & Recreation Indemnity (CAPRI) acknowledging that Orangevale Recreation & Park District is a recipient of the Ted Winslow CAPRI Safety Award reflecting we had the highest rating possible in 2022 (pg. 18): Admin Ross shared the Ted Winslow CAPRI Safety Award plaque OVparks received. The Board of Directors suggested placing an article in the Orangevale View to share this accomplishment with the community.

**8. CONSENT
CALENDAR**

MOTION #5

a) On a motion by Director Brunberg, seconded by Director Meraz, the consent calendar was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz voting Aye. There were no Nays or Abstentions. Director Montes was absent.

**8.1. CONSENT
MATTERS
GENERAL FUND**

- a) Ratification of Claims for June 2023 (pg. 19)
- b) Budget Status Report for June 2023(pg. 20-22)
- c) Revenue Report for June 2023 (pg. 23)

**8.2. OLLAD
CONSENT
MATTERS**

- a) Ratification of Claims for June 2023 (pg. 24-25)
- b) Budget Status Report for June 2023 (pg. 26--27)

**8.3. KENNETH GROVE
CONSENT
MATTERS**

- a) Ratification of Claims for June 2023 (pg. 28)
- b) Budget Status Report for June 2023 (pg. 29)

**9. NON-CONSENT
MATTERS
GENERAL FUND**

MOTION #6

- a) Ratification of Claims for May 2023 (pg. 30)

On a motion by Director Brunberg, seconded by Director Stickney, the Non-Consent Ratification of Claims for May 2023 was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz, voting Aye. There were no Nays or Abstentions. Director Montes was absent.

- b) Ratification of Claims for June 2023 (pg. 31)

MOTION #7

On a motion by Director Brunberg, seconded by Director Stickney, the Non-Consent Ratification of Claims for June 2023 was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz, voting Aye. There were no Nays or Abstentions. Director Montes was absent.

**10. STANDING
COMMITTEE
REPORTS**

- a) Administration and Finance: This committee expects to meet between August 3-17. The meeting is tentatively scheduled for Tuesday, August 8 at 6pm. An email will be sent to committee members to confirm availability.
- b) Maintenance and Operation: No report.
- c) Recreation Committee:
This committee met on June 23 at 10am at the Community Center. See the meeting recap (pg. 32-33):
The primary topic at this meeting was to discuss options for future Activity Guides. This topic will be discussed further in 13d of this agenda.
- d) Personnel & Policy: No report.
- e) Government: No report.
- f) Planning Committee: This committee met on June 9 at 9:30am at the Community Center and Shady Oaks. See the meeting recap (pg. 34-37). This committee met again on July 13 and was attended by Bruce Knisley from Final 9. The recap notes will be provided at the August 17 Board of Directors meeting. The main purpose was to prioritize projects and improvements necessary at the Shady Oaks Disc Golf course. Grooved 5' x 12' tee pads will be replaced where needed. Repairs will be made to holes #1, #2, #4.
- g) Trails Committee: This committee met on July 14, and the recap notes will be provided at the August 17 Board of Directors meeting. Supervisor Bain to email the strategies and tactics spreadsheets to Director Brunberg. In addition, a soft copy of the Master Plan will be emailed to Directors Brunberg and Presinal.
- h) Ad Hoc: No report. Admin Ross requested an Ad Hoc committee be formed for the recruitment of the District Administrator position. Director Stickney to discuss further with Admin Ross the first week of August.

**11. ADMINISTRATOR'S
REPORT**

- a) Monthly Activity Report – June 2023 (pg. 38-45):
Admin Ross advised of an incident at the Orangevale Community Park of a truck doing donuts in the horse arena parking lot. The Fulton-El Camino Police issued a citation to the individual.

Park Supt. Oropeza advised that CMP have been renovating at the campus. Construction crews hit the infrastructure to the irrigation clock which was repaired after about five days. A drain line was installed on the west side of the soccer field. They damaged the main line and repaired it. Supt. Oropeza conducted an inspection of the

line repair prior to covering it. A manhole cover was altered to accommodate the necessary level for safety at the edge of the soccer field. Director Stickney inquired of the two valves at the horse arena. Supt. Oropeza advised that they were installed due to broken equipment, not due to damage.

Recreation Supervisor Jason Bain advised that program registrations have been strong. Most of the swim lessons and Rec'ing Crew camp sessions are full. Rec'ing Crew is being held at Building 1. Revenue for the fiscal year was approximately \$735,000 which exceeded projections. TigerSharks Championships will be held on Saturday, July 22.

12. UNFINISHED BUSINESS

None discussed.

13. NEW BUSINESS

- a) Presentation of a certificate to Judy and Steven Long recognizing them for the donation of a memorial bench at Shady Oaks Disc Golf Course in honor of their son Jeffrey Long (pg. 46):

Judy Long contacted OVparks in April 2022 to inquire about opportunities for donating a memorial bench in honor of her son, Jeffrey Long. Jeffrey was an avid disc golfer at Shady Oaks since it was established in the 1980s. He passed away on October 7, 2021. Over the course of a year, Judy worked with staff on selecting the bench and the location on the course to install it. Judy and Steven ended up selecting a concrete bench that looks like a tree stump. The bench sits one person, so they decided to donate a second bench. The benches fit perfectly within the landscape of Shady Oaks. They selected a location near the tee pad of hole #18 which can be seen clearly from Hazel Ave. Staff installed the benches in May. Judy and Steven held a gathering of family and friends at Jeffrey's memorial benches on June 24.

Admin Ross thanked Judy and Steve Long on behalf of the District. The Board of Directors and staff presented a certificate to Judy and Steven Long as a symbol of gratitude for their generous donation of the two benches to the District. Jeffrey's memorial benches bring added value to the Shady Oaks Disc Golf Course and those who play there. The total cost for both benches was approximately \$1400. At the suggestion of Director Stickney, Admin Ross will be sending framed prints of pictures of the presentation taken this evening to Judy and Steve Long.

- b) Approval of the Letter of Engagement from Auditor Larry Bain for the fiscal year 2022/23 audit in the amount not to exceed \$10,400 (pg. 47-51):

Larry Bain has served as the District's auditor for several years and has submitted a letter of engagement to conduct the Fiscal 2022/23 Audit in the amount not to exceed \$10,400. The "not to exceed" threshold has increased by approximately \$500. The

2022 rates increased by \$1,000 due to new requirements from the Governmental Accounting Standards Board (GASB). In addition to the auditing responsibilities of our capital/property leases, Auditors are now responsible for implementing GASB 87 which covers operating leases such as our cell towers and copy machine. This requires extra steps and accounting software for the Auditor.

MOTION #8

On a motion by Director Brunberg seconded by Director Meraz, the Letter of Engagement from Auditor Larry Bain for the fiscal year 2022/23 audit in the amount not to exceed \$10,400, was approved by a vote of 4-0-0 with Directors Stickney, Meraz, Brunberg, and Presinal, voting Aye. There were no Nays or Abstentions. Director Montes was absent.

- c) Discuss lease extension for cell tower that is currently leased to American Tower (pg. 52-56): Admin Ross advised of an error in the provided report. The current lease agreement expires in 2034, not 2024. American Tower would like to extend the lease by June of 2024. American Tower began corresponding with Admin Ross about extending the lease in February 2022. Their wish is for our lease extension to cover as many future years as we are comfortable with. In their letter dated February 14, 2022, they are requesting a 30-year extension with 20% escalators at every 5-year interval. This also included a \$10,000 signing bonus, and their desire of adding a “non-compete” and “limited right of first refusal” clauses in the contract. Another offer was a 99-year term easement in exchange for a one-time payment of about \$510,000.

More recent communications in May 2023 revealed that the one-time signing bonus could increase to as much as \$30,000 and the 99-year term easement could now provide a one-time payment up to \$650,000.

On June 9, the Planning Committee reviewed these options. The math shows that the one-time payment option hurts the District financially in the long run. The committee expressed concern about a long-term agreement that lasts 30 years citing how changes in technology could eventually put us at a disadvantage. The committee also expressed concern with the “non-compete” and “limited right of first refusal” clauses and would like a clear explanation on how that impacts the District. The committee would also expect that American Tower covers the District’s legal fees during this process. In short, this is what the committee desires:

- 15-year lease agreement
- \$28,000 signing bonus to help offset the high inflation over the past two years
- Clear definition of the “non-compete” and “limited right of first refusal” and what that means for the District.

- Add a clause to the agreement stating an expectation of at least 72-hour notice from American Tower before entering the park to conduct work on the tower. This will allow our staff to prepare grounds that American Tower's heavy vehicles would be driving on.
- Review the agreement for language regarding sub-letting tower space to other cell companies, and what that means to the District.
- American Tower is to cover the District's legal fees in solidifying the lease agreement, as was done in 2019 with our lease with the cell tower near Final 9.

Admin Ross has presented these committee desires to American Tower. American Tower has requested a 20-year extension. They have approved a \$30,000 signing bonus but not our attorney fees. They explained that the signing bonus could be used for legal fees if we desire. American Tower approved the expectation of at least 72-hours' notice before entering the park to conduct work on the tower and would work with OVParks to come to an agreement regarding subletting. There is sublease language in the current agreement. The original 20-year agreement was established in 2000 with two seven-year extensions. Attorney David McMurchie created an agreement with Crown Castle in 2019 for the cell tower at the Shady Oaks Disc Golf. Crown Castle covered the District's legal fees (approximately \$33,000) in 2019. Admin Ross to research and potentially put it on the agenda for the next planning committee meeting. This topic to be discussed at the September BOD meeting.

- d) Staff plans on producing and distributing our Activity Guides (pg. 57): At the May 18 Board of Directors meeting there was discussion about converting the Activity Guide from hardcopy format that is mailed to each residence to a digital format that would be viewed online. At that meeting it was decided to move this topic to a Recreation Committee meeting for more discussion to determine the best course of action.

The Recreation Committee met on June 23 where there was healthy and productive discussion with staff that talked through options ranging from mailing only, digital only, and various hybrids. The committee was confident that the staff had done the required research to make the decision that will work best for them and the District.

It is the staff's intention to produce the Activity Guide in the following manner:

Fall/Winter 2023 Issue: Because the deadline is fast approaching, we will print and mail this issue in the normal

manner. We will include an ad in this guide alerting our customers of digital guides in upcoming issues.

Winter/Spring 2024 Issue: Staff will print and mail postcards to all residences. The postcard will direct them to view our new Activity Guide online and will include a QR code to take them there with their mobile device. The postcard will also give them an option to call or email us if they wish to have a hardcopy mailed to them. We will print about 1,000 hard copies to help reach those customers. We expect a savings to the District between \$5,000 - \$7,000.

Spring/Summer 2024 Issue: We will continue to print and mail postcards to all residences. This postcard will give them an option to call or email us if they wish to have a hardcopy mailed to them but will also notify them that we will no longer print and mail the guides beginning with the next issue (Fall/Winter 2024). We will print about 1,000 hard copies or less to help reach those customers wishing for one in the mail. We expect a savings to the District between \$5,000 - \$7,000.

Fall/Winter 2024 Issue: We will continue to print and mail postcards to all residences, so they know to find the Activity Guide digitally. We intend to print a small number of copies in-house for our counter for in-person registrations, and to send to a limited number to customers without internet access. We expect savings for the District between \$7,000 - \$8,500.

e) The financial impacts of Education Revenue Augmentation Funds (ERAF) on the District since 1993 (pg. 58):

The Educational Revenue Augmentation Fund (ERAF) was implemented by the State of California in 1993 to help them meet their legal obligation to fund public schools. ERAF shifted a portion of property tax revenue that had previously gone to Counties, Cities, and Special District and funneled those dollars into the State Department of Education. This has continued annually for the past 30 years.

The first year of the shift was the most severe as \$1,012,654 was diverted from our District to the State. It is estimated that between \$100,000 - \$200,000 has been shifted each year since, and this is considered a low but safe estimate. If we take the average of \$150,000 per year, it will mean that our District has surrendered approximately \$5,360,000 over the 30 years of ERAF.

Admin Ross has asked the California Special Districts Association (CSDA) to include OVParks in a study they are conducting about the impact of ERAF on California's special districts. We are also seeking data from the State so we can have

a more accurate tally of these fiscal impacts. Admin Ross will update the Board of Directors as new information becomes available.

- f) Consider including Juneteenth as a District holiday (pg. 59)
Juneteenth National Independence Day is a federal holiday commemorating the end of slavery in the United States on June 19, 1865. Juneteenth (celebrated on June 19) became a federal holiday in 2021. It became an observed paid holiday with the State of California in 2022, and with the County of Sacramento in 2023. The County of Sacramento currently observes seventeen holidays. The District would like to consider adding Juneteenth as an observed holiday for the District and a paid holiday for District staff beginning in the calendar year 2024. The Board of Directors requested research be conducted to determine which other Districts currently have Juneteenth as a District holiday. A Policy Committee meeting, attended by Directors Meraz and Montes, will likely be scheduled to discuss this topic further and be presented at the September BOD. The Board of Directors intends to make a decision by the end of the year.
- g) Swimming Pool project timeline and update (pg. 60): The project was announced on June 7 and is now open for bid. The full packet is posted on our website and a public notice will be posted in the Citrus Heights Messenger on June 16 and June 23. The Notice to Invite Bids was sent to 11 Bid Boards and seven contractors.

Key Dates:

6/27: Mandatory Pre-Bid Meeting at the pool. Representatives from four companies were in attendance: Burketts, Advanced, Tricon, and Bobo's.

7/13: Last day contractors could call with questions.

8/3: Bids are due by 2pm and opened at that time.

8/10: Special Board Meeting at 6pm to review bids and make recommendation to award the contract.

- h) Driveway/Trail project timeline and update (pg. 61):
These are now two separate projects. We have the Parking Lot Connection Project (known to us as the Driveway Project), and the Trails Project. The Driveway Project requires County permits, which we are now preparing for our third submittal.

With our next submittal, the County is requiring us to submit topographical drawings that show the borders of the four parcels that the driveway intersects. The Project Engineer is working on this. They will also require the District to submit a security bond in the amount of \$19,500 because this is considered a "Frontage Project" due to its proximity to Hazel Ave. District staff are currently working to secure this.

The templates for the bid documents are ready for both projects. Specific dates will be added once we hear back from the County.

It is very likely that construction on these two projects will have some overlap with construction for the pool project. This project may also affect rentals on the new property. Admin Ross will update Frank Babcock with Terror in the Night for any adjustments necessary at his open space rental beginning in August through November 2023.

- i) Arcade Cripple Creek Trail project update (verbal):
- Woodmore Oaks Corridor: The contractors have cleared, graded, and installed the aggregate base for most of the trail in this area. They are almost ready for the asphalt paving and striping, but we don't know yet when that will begin. The fencing for the four Orangevale properties is near complete.
 - Streng Park: The contractors have cleared, graded, and installed the aggregate base for most of the trail in this area. They are almost ready for the asphalt paving and striping, but we don't know yet when that will begin.
 - Sundance Park: The contractors have cleared, graded, and installed the aggregate base from Fair Oaks Blvd. up until about 150' west of the bridge. Very little trail work has been done from the bridge east to Highwood Way. The bridge is being constructed in the eastern United States and is expected to be delivered in early October. Work near the creek needs to be completed by October 15, so there is a good chance that this section of the trail and bridge will need to be delayed until after April 15, 2024. Admin Ross has met with Citrus Heights City Engineer Leslie Blomquist to discuss options available.

14. DIRECTOR AND STAFF COMMENTS

Admin Ross extended appreciation to the Board of Directors for attending the grand opening of the Orangevale History Project Museum. Admin Ross will forward a copy of the OVparks end-of-fiscal-year list of accomplishments to the Board of Directors for their information.

Recreation Supervisor Bain advised that swim lessons, TigerSharks swim team, and public swim sessions are wrapping up for the season. The pool will close for the season on August 8. The Pool Manager Maryanna Matista has been doing an amazing job making sure everything is being accomplished at the pool. He mentioned to Director Meraz to plan to bring his apron and tongs to the Hot Dog Hoe Down on Friday, August 4.

Admin Services Supervisor Woodford extended appreciation to the wonderful sponsors for their donations and participation in the Tropical Escape senior event. Forty-five seniors attended and eleven ukulele players performed at the event. Collette Trip enrollment is going very well.

Parks Maintenance Supt. Oropeza extended appreciation to the Parks Maintenance staff and the Recreation staff for their assistance throughout the summer. Parks Maintenance is currently hiring to replace a staff member that recently left to accept another job offer. Director Stickney requested that the irrigation be turned off at the fields throughout the parks on Saturdays in August to accommodate soccer games.

Finance/HR Supt. Von Aesch attended a webinar provided by CAPRI to introduce the Employee Assistance Program (EAP) now offered to all full time and year-round part-time OVparks staff and the Board of Directors. Supt. Von Aesch will provide a presentation to the staff to provide the information and will pass the information on to the BOD also. The EAP offers counseling, legal and financial consultation, ID recovery assistance, emotional well being resources, dependent care & daily living resources through Anthem. Crisis consultation, many online webinars, articles, podcasts, financial calculations, and a pass to create a living will are also included. This is a good benefit for employee recruitment and retention.

Supt. Von Aesch spoke with a Sacramento County representative regarding medical benefits. The representative advised they will be presenting to their Board of Directors on August 8 and suggested she follow up with her on August 9 for further information. Upon receipt, Admin Ross will include the information in the final budget. The State of California has said they will raise premiums by about 10%. Admin Ross advised that OVparks had budgeted an increase of 7.5%. Supt. Von Aesch advised that Recreation Supervisor Bain had sixteen new employees this summer, each of whom were required to complete and submit seventeen new hire documents. Recreation Coordinator Andrew Gross had sixteen new employees and several returning employees. Finance Clerk Sue Myren had to review and process five hundred and thirty-nine documents.

Director Meraz mentioned EAP works well. He agreed that the premiums do seem to be increasing across the board.

Director Stickney mentioned parks are looking really good.

Director Presinal thanked all the staff for the behind the scenes work they do.

Director Brunberg urged all to stay cool in this heat.

**15. ITEMS FOR NEXT
AGENDA**

- a) Approval of Final Budget for Fiscal Year 2023/24
- b) Holiday closure schedule

16. ADJOURNMENT

MOTION #9

With no further business to discuss, the general meeting of the Board of Directors was adjourned at 8:10 p.m. On a motion by Director Brunberg, seconded by Director Stickney, the adjournment was approved by a vote of 4-0-0 with Directors Stickney, Presinal, Brunberg, and Meraz, voting Aye. There were no Nays or Abstentions. Director Montes was absent.

Mike Stickney, Chairperson