



Calwa Recreation & Park District

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Mary L. Rosales Board Member Chair
Raul Guerra Board Member Vice-Chair
Sandra Celedon Board Member Secretary
Paul H. Garcia Board Member
Felicia Salcido Board Member

Luis O. Mendoza
 District Administrator

www.calwarecreation.org

Hilda Cantú Montoy
 District Counsel

REGULAR BOARD MEETING Draft Minutes Thursday, July 16, 2015

1. CALL TO ORDER

Meeting was called to order at 6:37 PM.

2. ROLL CALL

Directors present: Chairwoman Mary L. Rosales, Vice Chairman Raul Guerra, Sandra Celedon (arrived at 6:58 PM) and Paul H. Garcia

Also present were District Administrator Luis Mendoza and District Counsel Hilda Cantu Montoy

3. INVOCATION

Board Member Garcia delivered the invocation.

4. FLAG SALUTE

Held

5. ACTION ITEM: APPROVAL OF THE AGENDA

District Administrator Mendoza asked if the Board would move item 10A so that it was heard after item #7, for sake of better understanding when the Board takes up the budget hearing.

Action Taken: Vice Chairman Guerra made a motion to move item 10A to after #7 on the agenda. The motion was seconded by Chairwoman Rosales and carried by a 2-0-1 vote as follows:

Rosales: Aye, Guerra: Aye, Garcia: Abstained

6. PUBLIC FORUM:

A. COMMENTS FROM THE PUBLIC.

No members of the public were present.

7. ACTION ITEM: APPROVAL OF MEETING MINUTES

1. June 18, 2015 Regular Board Meeting

Chairwoman Rosales asked that the minutes reflect that she requested a picture of the Calwa Rocket be placed on the District's website.

Action Taken: Director Garcia made a motion to approve the minutes of June 18, 2015 with the change proposed by Chairwoman Rosales. The motion was seconded by Vice Chairman Guerra and carried by a 3-0 vote as follows:

Rosales: Aye, Guerra: Aye, Garcia: Aye

10. NEW BUSINESS

A. INFORMATIONAL ITEM: Presentation and discussion regarding District's Financial Reports:

1. Account Reconciliations for June

Administrator Mendoza reviewed the information presented in the agenda packet for all three District bank accounts and responded to questions from Director Garcia about why certain deposits were being coded as withdrawals and vice versa.

2. Current Account Balances

Mr. Mendoza reported that there were \$118,671.26 in the Fresno County Account, \$3,980.39 in the Bank of the West Revenue Account and \$2,216.43 in the Bank of the West Payroll Account.

3. Financial Position on June 30, 2015

Reviewing the staff report for that agenda item, Administrator Mendoza told the Board of Directors that the District would carry over \$121,064 into the 2015-16 Fiscal Year.

8. PUBLIC HEARINGS

A. ACTION ITEM: Workshop on FY 2015-16 District Budget and Direction to Staff

Administrator Mendoza reviewed the timeline of the board's consideration of the District's 2015-16 Budget which included the initial presentation on May 21st, adoption of the preliminary budget on June 18th, the July 16th workshop and the August 20th date the Board scheduled for final adoption. He also reviewed the material in the agenda packet and advised the board that the District would need to use \$2,998 of the carryover for the ADA restroom remodeling project because it wasn't spent, as budgeted, in the previous fiscal year. He went through all the line items, describing the expenses in each category and how he reached the estimated expense. He responded to questions from Chairwoman Rosales and Vice Chairman Guerra about potential rate increases from PG&E. Because they didn't feel there was adequate cushioning, Chairman Guerra made a motion to increase the Electricity line item later in the meeting.

Vice Chairman Guerra expressed his concern that the Repairs & Maintenance category was also underfunded, considering the numerous things that needed to be fixed around the park. Mr. Mendoza concurred and went on to describe a report by SDRMA that listed the numerous issues posed by not fixing items that were getting deferred. Considerable discussion ensued about this point among the board members with Mr. Mendoza responding to questions. The administrator stated that while he understood that some things need to get fixed as soon as possible, he wasn't comfortable spending money needed just to keep the park open into the fall and winter of 2016, when no additional property tax or redevelopment carryover funds were expected. He committed to spend more time searching and applying for grants to pay for the more expensive repair and maintenance projects around the park. He said that once the District has

bylaws, policies and procedures and a stable budget he should be able to focus on funding opportunities he hasn't had time to pursue in the past.

A few members of the audience briefly interrupted the hearing, thinking they could speak about another matter. They left several minutes later.

Director Celedon made a motion to adjust the carryover amount the Board approved from at the last meeting from \$115,381 to \$121,064. She further moved to allocate \$2,998 of those funds to the Community Center Outdoor Restroom Remodeling Project, funding that wasn't expended as planned in the previous fiscal year. The motion was seconded by Director Garcia but failed 2-1-1 by the following vote:

Celedon: Aye, Garcia: Aye, Rosales: Abstained, Guerra, No

Vice Chairman Guerra made a motion to increase line item for Electricity to \$30,800. The motion was seconded by Director Garcia and passed 3-1 by the following vote:

Rosales: Aye, Guerra: Aye, Celedon: No, Garcia: Aye

Vice Chairman Guerra made a motion to increase the Repairs & Maintenance line item to \$20,398. The motion was seconded by Director Garcia and passed 3-1 by the following vote:

Rosales: Aye, Guerra: Aye, Celedon: No, Garcia: Aye

Mr. Mendoza and Vice Chairman Guerra clarified that the administrator would need to use his discretion to decide when it would be appropriate to spend monies based on the cash available in any given month.

9. UNFINISHED BUSINESS

A. ACTION ITEM: Approval of District Counsel contract with the Montoy Law Corporation

Administrator Mendoza reviewed the material included in the agenda packet for the item and recommended approval of the District Counsel's contract.

District Counsel Montoy responded to questions from Directors Garcia and Celedon, specifically clarifying that the \$900 retainer is due monthly and covers a \$150/hour rate. Work requiring more than six hours per month would be billed at a \$165/hour rate. Director Celedon asked that the contract reflect that the retainer is due monthly. Upon clarification from Ms. Montoy, Director Celedon asked that the sentences referring to Michael P Slater and the firm of Powell and Poole be deleted from section 7 (bottom of page 3 and top of page 4).

Discussion ensued about the appropriateness of individual Board Members soliciting advice and assigning projects to Counsel without first going through the Board. Director Celedon warned that leaving the possibility open might result in a high bill for services the Board as a whole may not want to pursue. Counsel Montoy advised that she's had clients with rules that govern how counsel is engaged and that it was up to the District to set rules and protocols to be followed by Board Members. She further advised that she would communicate her advice or findings, reached through a request from one Board

Member, if it was appropriate for her to share with the entire Board, through a memorandum.

Board Member Celedon made a motion to change the fourth bullet point in section 3.2 of the contract so that it read "Consultation with the Board," not "Consultation with Board Members..." The motion died for lack of a second.

Vice Chairman Guerra made a motion to approve the District Counsel's contract as amended. The motion was seconded by director Garcia and passed 3-1 by the following vote:

Rosales: Aye, Guerra: Aye, Garcia: Aye, Celedon: No

B. ACTION ITEM: Consideration and approval of resolutions outlining the governing policies and procedures of the District and Board of Directors

1. Resolution Adopting District Bylaws

2. Resolution Adopting District Code of Conduct

Administrator Mendoza reviewed the material in the agenda packet for the item, including the history of how the current drafts of the Bylaws and Code of Conduct came to be and what the documents achieve. District Counsel Montoy told the Board that in addition to reviewing the draft Mr. Mendoza had written, she incorporated some best practices that other public agencies she's worked with have used. After their presentations, Ms. Montoy offered to answer questions from the Board.

Director Garcia said that he reviewed the documents and took considerable notes. He then made a motion to table the agenda item to a Special Meeting. Director Celedon questioned the need for a Special Meeting since the material was ready and the agenda item could be dealt with in the course of the Board's regular business. Discussion ensued. Vice Chairman Guerra seconded Director Garcia's motion after a brief discussion on a potential date.

On a motion by Director Garcia, seconded by Vice Chairman Guerra, the Board voted to schedule a Special Meeting for July 30, 2015 on the following vote:

Rosales: Aye, Guerra, Aye, Celedon: No, Garcia: Aye

B. ACTION ITEM: Consideration and approval of Resolution Adopting District Expense and Reimbursement Policy

Administrator Mendoza reviewed the issue and recommended approval, all as contained in the agenda packet. Ms. Montoy indicated that she took a lot of the policy from the Institute for Local Government that deals with a lot of ethics and transparency in government issues.

Director Celedon asked that items 6, 7 and 8 under "A" on page 1 of the policy be changed to strike "board chair" and "president" so as to place the responsibility on the whole board and not just the Chair. She also asked for clarification on the Credit Card Use Policy with Mr. Mendoza advising that a more comprehensive policy would be brought back for Board consideration as a follow up to Board action that gave the

Administrator and two employees the sole authority. He indicated that the issue of Board Members using credit cards would be addressed there. Director Celedon then asked that that entire section be stricken (letter E on page 4).

Director Garcia made a motion to approve the resolution adopting the District Expense and Reimbursement Policy. The motion was seconded by Director Celedon and it passed 4-0 with all members voting affirmatively.

C. ACTION ITEM: Consideration and approval of resolution and ballot to elect representative for District on the SDRMA Board of Directors

Administrator Mendoza briefly reviewed the material contained in the packet sent by the SDRMA and informed the Board that they had the authority to vote for up to three candidates to serve on the SDRMA Board of Directors. After a short discussion the Board agreed on three candidates.

On motion by Director Garcia, second by Director Celedon, the Board on a 4-0 vote, adopted Resolution 2015-5, selecting Robert Swan, Ed Gray and Sandy Seifert-Raffelson as their choices to serve on the SDRMA Board of Directors.

12. DISTRICT ADMINISTRATOR REPORT (taken out of order)

Mr. Mendoza briefed the Board on some of the activities that took place over the past month, including the participation of about 50 students per day eating lunch through FUSD's Summer Lunch Program, the enrollment of 136 students in the District's Summer Recreation Program (with about 35 participating on a daily basis) and the distribution of food to 90 families through the District's Food Distribution Program. The administrator responded to questions from Chairwoman Rosales and Vice Chairman Guerra about some of the specifics of the Summer Recreation Program. Mr. Mendoza also took suggestions from Director Celedon and Chairwoman Rosales about potential sources of books for the District's small library.

11. DIRECTOR COMMUNICATIONS/AGENDA ITEMS

Directors present commended Mr. Mendoza for his dedication and work with the District over the past several months, crediting high employee morale on his leadership and expressing their comfort with the direction of the District with him and Ms. Montoy working in their respective positions. Director Celedon asked that the Board schedule a performance evaluation at Mr. Mendoza's one-year mark.

13. ADJOURNMENT

Meeting was adjourned at 9:28 PM.