

Regular Board Meeting

Minutes

December 12, 2012

The regular meeting of the Board of Directors was convened by Chair Steve Hoagland at 6:30 p.m. at the Ambrose Community Center, 3105 Willow Pass Road, Bay Point, CA.

1. Opening Ceremonies:

Roll Call: Board Members Present: Garcia (6:35), Dawson, Hoagland, Cendaña-Torlakson, Mason
Staff Present: Smith, Giles
Audience Present: Approx. 15

2. Pledge of Allegiance

The Pledge of Allegiance was led by Ed Diokno of Supervisor Glover's office.

3. Swear in newly elected Board Members

Terrillynn Kopitar, Board Member leaving office, gave some comments thanking the Board for appointing her and how much she enjoyed working with this Board and Tarry Smith, the General Manager. Supervisor Glover thanked Director Kopitar and the other Board Members for their service to their constituents. Supervisor Glover swore in newly elected Directors Eva Garcia and Lee Mason. He commented that he and the County look forward to working better this year with the Board for a better quality of life for the people of Bay Point. Directors Garcia and Mason took their seats.

4. Election of Officers

Director Hoagland stated that he had served one year and has one more year to serve according to the by-laws and entertained a nomination for Vice-Chair. Director Garcia nominated Director Cendaña-Torlakson and the nomination was seconded by Director Dawson. A Roll Call vote was taken and it was unanimous to appoint Director Cendaña-Torlakson as Vice-Chair.

5. Approval of Agenda

Director Mason requested that the Public Comment item be moved to after the General Manager's report as it is stated in the by-laws. Chair Hoagland stated that tonight's agenda will stand but can be changed on the next agenda. Director Garcia requested Director Cendaña-Torlakson to recount the events that led to the rearrangement of the Public Comments item on the regular board meeting agenda. Director Cendaña-Torlakson explained that in May 2007 three members of the Board voted to move the start time of the regular board meeting from 7:00 pm to 6:30 pm, which she and Director Magleby opposed because they wanted to be sure that the start time was convenient for the public to attend and speak during board meetings. Immediately after the Board meeting start time was set to 6:30 p.m. Director Cendaña-Torlakson moved that Public Comments be moved to after the Consent Calendar to keep the agenda item consistent within the time frame when it (Public Comments) would be heard when the Board meeting started at 7:00 p.m. That motion was unanimously passed and approved by the Board. There was a short discussion after which it was suggested that the item be further discussed at the next meeting.

Motion: Move to approve the agenda as presented.

Motion: Garcia **Second:** Dawson

Action: **Voice Vote:** 5 ayes/Motion Passed

6. Consent Calendar:

Director Mason requested that item 6b be removed for questions. He also requested that staff reports include a Maintenance Report on the maintenance crew and what they were doing.

Motion: Move to approve the Consent Calendar without item 6b.

Motion: Garcia **Second:** Dawson

Action: Roll Call Vote: 5 ayes/Motion Passed

Director Mason questioned two warrants to Brentwood Ace Hardware and asked if maintenance workers were going there and if so, why to Brentwood. Mr. Smith said it would be a maintenance worker but he would find out why and get back to him. Director Mason also questioned a warrant to Bay Point Chamber of Commerce for the yard sale. Mr. Smith explained that we collect the proceeds and cut a check to the Chamber for their share.

Motion: Move to approve item 6b - warrants #37980 through #38118.

Motion: Garcia **Second:** Cendaña-Torlakson

Action: Roll Call Vote: 5 ayes/Motion Passed

7. **Presentations:**

a. **Yard of the Month Awards**

One of the five winners for this month were present to accept their awards

b. **Bay Point Pony Baseball League Presentation to the Ambrose Board**

A representative of the Bay Point Pony Baseball League presented the Board with a plaque and thanked them for use of our fields. She said it has been wonderful and they are growing. She asked if they could display some of their trophies and Mr. Smith said to see him and Ken Gray.

8. **General Manager's Report:**

None

9. **Legal Counsel Report:**

None

10. **Public Hearing:**

None

11. **Board Matters:**

a. **Consider approval and acceptance of the 2011-2012 Annual Audit by Fechter & Company (Rodrigues)** Mr. Smith said that this is Mrs. Rodrigues' item but she couldn't be here tonight. Mr. Smith stated that the most important note is that there were no exceptions or findings by the auditor for this year and that is what you strive for. He said we finished about \$34,000 in the hole which has been about the same for 4 years in a row, but our reserve is still strong at \$387,000. Mr. Smith said the auditors say we are still doing well and Mr. Fechter was present to answer any questions. Director Mason had questions and comments on GASB 45, retention of the reserve and what the auditor looks for in an audit. Mr. Fechter explained an auditor's basic process and the specifics to a small district like Ambrose. He stated that no one in the District is above being audited and he doesn't always like it but if he thinks there is something wrong he will investigate it. Director Mason had some questions for Mr. Smith regarding the County Parks and the Prop 1a Refund. There was a short discussion after which Director Cendaña-Torlakson thanked Mr. Fechter for his work.

Motion: Move to approve the 2011-2012 Annual Audit as completed by Fechter & Company

Motion: Garcia **Second:** Cendaña-Torlakson

Action: Roll Call Vote: 5 ayes/Motion Passed

b. **Consider approval and award of contract to Luhdorff & Scalmanini (Smith)** Mr. Smith stated that the water bill for Lynbrook Park is running about \$3,000 per month. He stated that he had done an informal bid without knowing how much it would be. He stated that any project over \$25,000 has to be a formal bid and we now need to have specs and plans done and he recommended Luhdorff & Scalmanini who proposed \$10,000 to do them. Director Mason asked how Mr. Smith found the company and he said he talked to City of Pittsburg and they recommended them. Director Mason asked if he had looked for any other companies that may have had a lower proposal and he said no. Director Mason asked Mr. Smith that when he knew the bids were over \$25,000, why he allowed the Board to vote on them. Mr. Smith answered "I didn't look at it until after the meeting, okay?" He said it didn't matter because he had not signed the contract. There was a discussion regarding there not being many companies in that field and consequences of tabling until next meeting.

Motion: Move to table approval of the contract proposal from Luhdorff & Scalmanini until the General Manager researches other companies and receives other possible proposals.

Motion: Mason **Second:** Dawson

Action: Roll Call Vote: 4 ayes/1 no (Hoagland)/Motion Passed

c. Consider adoption of Resolution #12/13-02 rejecting all bids for the Ambrose Park Pool Project Phase 1 (Smith) Mr. Smith stated that we received nine bids on Phase 1 of the pool project. He said that the base budget was 1.5 million and the lowest bid was for 2.129 million which was way out of whack. He said this Resolution is to reject all the bids. Mr. Mike Kerr spoke on the original Master Plan, being told it would cost \$750,000 to repair the existing pool, no plans on the website since 2009 and asking the Board to finally inform the public and hold town hall meetings to get input on a new project. Director Cendaña-Torlakson said she agrees with Mr. Kerr and would like to go back to the public and see what they want to do with the money we have right now.

Motion: Move to adopt Resolution #12/13-02 rejecting all bids for the Ambrose Park Pool Project Phase1

Motion: Garcia **Second:** Cendaña-Torlakson

Action: Roll Call Vote: 5 ayes/Motion Passed

12. **Closed Session:**

None

13. **Public Communications:**

Marcia Lessley congratulated Director Mason. She stated that they were put there by the people and the people of Bay Point have spoken electing Director Mason. She said that things have to change for the betterment of the taxpayers and the board members may not like each other but they have to get along. Ms. Lessley stated that they need to focus on the issues in Bay Point and make sure the community gets what they want in the parks, pool and things they are asking about now. Mr. De'Shawn Woolridge congratulated the Directors on their election and thanked Terrillynn Kopitar for her service. He said whether we like each person up there or not it takes a lot to sit up there and give your service to the community. Mr. Woodridge said he is looking forward to a new year and to see what they do as a board. He also stated that it is not just the Director's responsibility but the public also has to ask questions.

14. **Committee Reports and Board Comments:**

Director Mason thanked the voters and said he wants to hopefully bring open communication and set a higher standard. He said they all learned through ethics training that what resonates through all is that the 6th person that sits up there is the public and they have as equal a voice as any board member. Director Mason said he would like to thank the one person he admires most and has learned so much from her. He said he loves her with everything he has and would do anything for her and that is his wife of 32 years Debra Mason. He said this is a new year and we can have different opinions and even be confrontational and ask questions and that is not wrong but actually healthy communication. Director Mason stated they should have a workshop in January or February to go over the bylaws, ethics and open meeting rules. He said he has stacks of e-mails that may be serial meetings and said he thinks it will be helpful to review how business is conducted. He also said it would be helpful for the Board to have a monthly calendar with the General Manager's scheduled hours and meetings and as he is an employee of the Board they should like to know what is going on. He stated he would like to have a monthly maintenance report of what the crew is doing every month. Director Garcia said that we held the Breakfast with Santa last Saturday for the 3rd and best year. She said the Boy Scouts did a great job and would like us to send a thank you card to Tim Corona who comes a long way and does a great job as Santa. She stated that the tree lighting ceremony is tomorrow at 5:30 pm and invited everyone to come. She also said the Sheriff's dinner is on Saturday from 4 – 7 pm and they do a great job providing gifts for the kids. Director Dawson said Ambrose is making a difference making the residents happy and they are coming out to our events to celebrate with us. Director Cendaña-Torlakson thanked Terrillynn Kopitar and welcomed Director Mason. She thanked the Board Members who helped with the Breakfast with Santa. She mentioned a fundraiser for an iPad for Gloria Magleby and Mike Kerr has any information. She also stated that the Garden Club will have a Master Gardener speaking on February 2nd at La Finca from 10-12 noon. She said she is looking forward to a better year. Director Hoagland welcomed Director Mason and welcomed back Director Garcia. He stated that the Breakfast with Santa food, drinks, tablecloths and decorations were provided by Henkel Corp. and the Riverview Middle School band provided entertainment. Director Hoagland mentioned the tree lighting ceremony where the band would be performing again and there will be 2 carriage rides available. Director Dawson welcomed Director Mason and thanked Terrillynn Kopitar for her service. Director Mason asked how to get an item on the agenda and Director Hoagland said to e-mail or contact Mr. Smith.

15. **Closing Ceremonies:**

a. Adjournment.

Motion: Move to adjourn the meeting.

Motion: Cendaña-Torlakson **Second:** Dawson

Action: Voice Vote: 5 aye/Motion Passed

Approved by the Board of Directors on _____

Signature of Board Member