

Regular Board Meeting

Minutes

March 8, 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, Dawson, Hoagland, Kopitar, Cendaña-Torlakson
Staff Present: Smith, Rodrigues
Audience Present: Approx. 7

2. **Pledge of Allegiance**

The Pledge of Allegiance was lead by Chair Steve Hoagland.

3. **Approval of Agenda**

Motion: Move to approve the agenda as presented.

Motion: Garcia **Second:** Dawson

Action: Voice Vote: 5 ayes/Motion Passed

4. **Consent Calendar:**

Motion: Move to approve the Consent Calendar as presented.

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

Action: Roll Call Vote: 5 ayes/Motion Passed

5. **Presentations:**

a. **Yard of the Month Awards**

1 of the 3 winners for this month were present to accept their awards

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

None

7. **Public Communications:**

Mr. Clarence Wickers stated that in October he had started working on the safety training classes and had requested some dates for space at the community center through April. He said that since he started he now has 6 volunteers, a facebook page and a web page and have been able to notify the public about the classes. Mr. Wickers said that he will need more dates as this will be ongoing and thanked the Board.

8. **Legal Counsel Report:**

None

9. **Board Matters:**

a. **Consider approval and award a construction contract to Pacific Coast General Engineering, Inc. for the Ambrose Aquatic Center Storm Drain Improvements (Smith)** Mr. Smith explained that there were problems at Ambrose Park with the storm drain, that sections had collapsed and the drain would have to be replaced. He stated that based on the bids he recommended approving the low bid of \$69,682 from Pacific Coast General Engineering, Inc and adding a 20% for contingencies not to exceed a total contract amount of \$83,600. Debra Mason said she had a clarifying question and asked if Mr. Smith would be overseeing the project. Mr. Smith stated that Pittsburg would be inspecting the project, but he would approve any change orders. Mr. Smith also stated that this project was not originally in the pool project so it will need to be added to the total.

Motion: Move to accept the bid and award a construction contract to Pacific Coast General Engineering, Inc for the Ambrose Aquatic Center storm drain improvements.

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

Action: Roll Call Vote: 5 ayes/Motion Passed

b. Consider approval of a Joint Exercise of Powers Agreement for the transfer of funds and a Settlement and Property Transfer Agreement and Release of Claims between Ambrose Recreation & Park District and Contra Costa County. (Smith) Mr. Smith stated that in 2009 the District requested to receive \$400,000 in Quimby Funds that are held by Contra Costa County to be used for the Ambrose Park Pool Project. He stated that the County denied the request and the District subsequently commenced litigation against the County to recover the funds. Mr. Smith read his staff report which said that in the negotiations part of the agreement was that the County would transfer all Quimby funds to the District but would also transfer 5 county parks for maintenance by the District that would include a transfer of \$51,428 total funds for the maintenance of those 5 parks. Mr. Smith stated that if they approve these items, then they have to bring it before the County Board of Supervisors for approval and if and when they approve it, a date will be set for the transfer to happen. Debra Mason asked Mr. Smith if he knew what the water bills for the county parks were. He said he didn't but the County didn't have the figures either. Mrs. Mason said she had asked the water company and they said the minimum fees every month would be \$250 per month for each park, that is just service charges before any water use is added. She stated that for the 5 parks, that would add up to \$15,000 per year even if no water was used and that would already bring the total to over the \$51,428 per year we would receive after subtracting the D& H maintenance contract. Mrs. Mason also asked if he knew what the electric would cost and he said no and the county didn't have those figures either. She asked about the fibar for the playground equipment and said she knew that the amount of fibar there and at our parks was not up to the safety standards required by law. She said it didn't sound like they have a lot of information to make the decision right now. Mr. Smith stated that they knew from the start that it wouldn't cover the amount they were getting from the county but thought it was worth having all the parks in Bay Point under Ambrose and getting the \$400,000 to get the pool open. There was a short discussion on the \$51,000 and Director Hoagland stated that according to the residents, the County is not maintaining the parks. He also stated that we didn't want the pocket parks but we have to take them to get what we need. Director Cendaña-Torlakson asked Mr. Smith if the insurance would go up. Mr. Smith said it would go up some.

Motion: Move to approve the Joint Exercise of Powers Agreement for the Transfer of Funds and the Settlement and Property Transfer Agreement and Release of Claims between Ambrose Recreation and Park District and Contra Costa County.

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

Action: Roll Call Vote: 5 ayes/Motion Passed

c. Consider approval and select a maintenance contract option with D&H Landscaping for maintenance services of newly acquired County Parks located within District boundaries. (Smith) Mr. Smith reviewed his staff report and mentioned the total acres were 5.59 and thought they would be best maintained by an independent contractor. He stated that \$51,428 would be transferred from the County to maintain the parks. Mr. Smith said that D&H had presented an option for basic care of ground cover, flowers, shrubs, weed control, cleanup and garbage pickup for \$42,298.50 per year which he recommended they approve and the second option presented was for \$50,465.92 per year which would add irrigation servicing to include repair above the tee, repair of lateral lines broken after the valve and sprinkler head and/or rotor replacement. He said that either contract could be extended for three years without an increase and extended for two more years after that with a possible increase. Marcia Lessley stated that she was concerned with the water cost and did they know that we pay the most in the nation and will we keep those parks green? She said that in addition to that have you considered the cost of the vandalism, irrigation repairs and liability. Ms. Lessley asked if they knew there is playground equipment at those parks and Mr. Smith said that he thought there were two or three with equipment but it would be easier on us if they didn't. Ms. Lessley said that they shouldn't sacrifice 5 parks for \$400,000 to be used in Ambrose Park. Director Cendaña-Torlakson asked Mr. Smith how soon we had to award the contract and Mr. Smith replied that they didn't have to tonight but they would have to before signing the contract with the County. Director Dawson asked if there was any wiggle room with D& H and Mr. Smith said no, that he had to ask them to lower their original proposal. Director Hoagland stated that he was appointed as the Board representative in the negotiations and that the County knew they had the upper hand. He said that the Supervisor has us over a barrel and will make us bend as far as he can but we need to do what we have to.

Motion: Move to approve the \$42,298.50 per year contract proposed by D&H Landscaping for maintenance services of the newly acquired County Parks located within District Boundaries.

Motion: Garcia **Second:** Kopitar

Action: Roll Call Vote: 5 ayes/Motion Passed

10. **Public Hearing:**

None

11. **Closed Session:**

None

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

Director Cendaña-Torlakson stated that she is a consultant in the planning of putting up bicycle signs from the BART station to the waterfront and they will hopefully be up before summer. Director Dawson stated that she was excited with how many people are using the building and about the new classes and the Easter Egg Hunt. Director Garcia wanted to congratulate Master Isidro for his appointment to the Filipino Marshall Arts Hall of Fame. She also said last year Mr. Hagata had brought an important group from Japan. Director Garcia said she would like to send a card from the Board to congratulate Mr. Isidro. She said the Easter Egg Hunt will be on April 7th. Director Hoagland stated that the Egg Hunt is at 9:00 a.m. with a breakfast put on by Brighter Beginnings. He said there will also be a public dedication of the mural in the mat room with a book reading and signing by the artist and author Inky. He also thanked PG&E for the chairs. Director Hoagland asked that the Aquatic Center discussion be brought to the budget committee.

13. **Items for Next Regular Meeting Agenda:**

None

14. **Closing Ceremonies:**

a. Adjournment.

Motion: Move to adjourn the meeting.

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

Action: Voice Vote: 5 ayes/Motion Passed

Approved by the Board of Directors on _____.

Signature of Board Member