



## Regular Board Meeting

### Minutes

April 14, 2016

The regular meeting of the Board of Directors was convened by Chair Judy Dawson 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, Torlakson, Hudson, Mason  
Staff Present: Long, Rodrigues  
Audience Present: Approx. 12

2. **Pledge of Allegiance:**

The Pledge of Allegiance was led by Director Torlakson.

At this point Director Mason stated that the Closed Session items a. & b. were not written correctly on the agenda according to the Brown Act. District Counsel Kidder stated that there was substantial compliance.

3. **Approval of Agenda:**

**Motion:** Approve the Agenda as presented.  
**Motion:** Torlakson **Second:** Hudson  
**Action: Roll Call Vote:** 4 ayes/1 no (Mason)/Motion Passed

4. **Consent Calendar:**

**Motion:** Move to approve the consent calendar as presented.  
**Motion:** Garcia **Second:** Hudson  
**Action: Roll Call Vote:** 5 ayes/Motion Passed

5. **Presentations/Introductions:**

None

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

The General Manager, Doug Long gave brief reports on the following topics:

1. D&H Landscaping – name changed to Pacific Site Management
2. Rec. Coordinator – has a new job; will be transitioning Jackie Santamaria to take her place; will meet next meeting.
3. Restroom Project – Completed and very proud of the project. Applied for another CDBG grant to refurbish the auditorium. Our share will be \$16,000 with the \$60,000 grant.
4. All-in-One Annual Picnic – lots of fun and food.
5. Pool Project – were able to come up with shortfall; County gave \$250,000, City of Pittsburg gave \$227,000 and we contributed \$227,000. Project to start in May and hope to open on Memorial Day 2017.

7. **Legal Counsel Report:**

None

8. **Public Communications:**

Chris Moreno congratulated the District on the pool project and overcoming the large deficit. He also suggested that we should try to get local businesses involved in the project since a lot of the owners live in Bay Point.

**9. Public Hearing:**

None

**10. Board Matters:**

**a. Consider authorizing the Chair to send a letter on behalf of the Board of Directors to the Honorable Hannah-Beth Jackson, Chair of the Senate Judiciary Committee in opposition to Senate Bill 885 related to contract indemnity.** Mr. Long stated that the letter was self-explanatory and explained what the Bill could mean for the District when dealing with contracts with design professionals on projects.

**Motion:** Move authorize the Chair to send a letter on behalf of the Board of Directors to the Honorable Hannah-Beth Jackson, Chair of the Senate Judiciary Committee in opposition to Senate Bill 885 related to contract indemnity.

**Motion:** Hudson **Second:** Torlakson

**Action: Roll Call Vote:** 5 ayes/Motion Passed

**b. Consider directing staff, with the assistance of the General Counsel, to:**

**i. Submit a complaint to the California Department of Justice regarding the actions of the Bay Point Community Foundation.**

**ii Establish a non-profit benefit corporation to assist the District with fundraising to support recreation and park projects within the District's boundaries.**

Director Mason recused himself, as he serves on the Board of the Bay Point Community Foundation.

On item i, filing a complaint, Mr. Long explained how he found out we had a Foundation and the history of the District forming the Foundation. He stated that a member of the Foundation requested that equipment that was purchased with grant funds received by the Foundation be returned to her. Long stated that after reviewing the two grants, they both stated that the equipment was for the Ambrose Teen Center and he told them he would not return the equipment as the grants state they are the Ambrose Teen Center's. After that he asked for copies of the Foundation's by-laws, minutes, etc. District Counsel Kidder expanded on the current issues with the Foundation such as possible falsified documents and by-laws and not being able to go forward with the current Foundation. There was a discussion which included: no reports from the Foundation since the beginning; if the Attorney General investigates we may not want the name of the Bay Point Foundation; starting a new non-profit; the effect on the Foundation that we appointed a Board Member and staff; supporting staff that states that is not her signature on the by-laws.

**Motion:** Move to direct staff, with the assistance of the General Counsel to submit a complaint to the California Department of Justice regarding the actions of the Bay Point Community Foundation.

**Motion:** Torlakson **Second:** Hudson

**Action: Roll Call Vote:** 4 ayes/Mason recused/Motion Passed

On item ii, District Counsel Kidder explained that it would take some time and there would be various fees involved in applying for our own non-profit.

**Motion:** Move to establish a non-profit benefit corporation to assist the District with fundraising to support recreation and park projects within the District's boundaries.

**Motion:** Torlakson **Second:** Hudson

**Action: Roll Call Vote:** 4 ayes/Mason recused/Motion Passed

**11. Closed Session**

At this point Director Mason stated that the General Manager's contract stated an evaluation period before the negotiations and also a letter of interest 3 months prior to the end of the contract.

The Chair adjourned the meeting to a closed session on:

- a. Clearland Property; pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9
- b. Bay Point Community Foundation; pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9
- c. General Manager Contract; provide direction to the District designated representative regarding position of General Manager. District Designated Representative: Trina Hudson, pursuant to Government Code Section 54957.6

The Chair reconvened the meeting and reported that no final decisions had been made on any of the three items. There was a public comment from Chris Moreno said that if they decide to create a new non-profit, they should weigh the pluses of going to the Attorney General.

**12. Committee Reports and Board Comments and Items for Next Agenda:**

Director Dawson said on April 19<sup>th</sup> in Brentwood there is going to be a free seminar on faith based non-profits. Director Hudson said the Sheriff's Dept. will hold their annual bike rodeo on April 23<sup>rd</sup> at 10 a.m. where they give out bikes and helmets for kids and families. Director Mason said he was glad to see the pool project go forward but it was not because of this Board or the General Manager but the decision of Federal

Glover. Director Torlakson stated that when we talk about this Board, it is all five. She also said that she is happy with what this Board has accomplished. Director Garcia said that collaboration is good and she is very happy with the collaboration of us with the County and the City of Pittsburg. Director Hudson said that if Federal Glover didn't have faith in this Board, he wouldn't have supported it. She said it is good for everyone. Director Dawson said she was happy to see the community attending the meetings.

**13. Closing Ceremonies:**

Adjournment

**Motion:** Move to adjourn the meeting.

**Motion:** Torlakson **Second:** Hudson

**Action: Roll Call Vote:** 5 ayes/Motion Passed

Approved by the Board of Directors on \_\_\_\_\_

\_\_\_\_\_  
Signature of Board Member