

**HONEY LAKE VALLEY RECREATION AUTHORITY
GOVERNING BOARD MEETING
Special Meeting Minutes
April 15, 2014 – 3:00 p.m.
City Council Chambers 66 North Lassen Street Susanville CA 96130**

Meeting was called to order at 3:01 p.m. by President Brian Wilson.

Roll Call of Board of Directors present: Nicholas McBride, David Meserve, Larry Wosick, Vice President Chapman and President Wilson

Staff Present: Jared Hancock, Executive Officer, Gwenna MacDonald, City of Susanville, City Clerk. Project Manager Heidi Whitlock not in attendance.

3: APPROVAL OF AGENDA:

4: APPROVAL OF MINUTES FROM FEB 2, 2014 AND MAR 4, 2014:

Motion by Board member Meserve, second by Vice President Chapman to approve the minutes from the February 4, 2014 meeting; motion carried with one absention: Wosick

Motion by Board member Wosick, second by Vice President Chapman to approve the minutes from the March 4, 2014 meeting; motion carried unanimously.

5: CORRESPONDANCE: No correspondence was presented.

6: PUBLIC COMMENT:

Laurel Marsters commented that she has not spoken with anyone who supports the Credence school site for a swimming pool. She encouraged the Board to learn from past mistakes, and not attempt to bring back a dead horse.

Noelle Briggs stated that the parking availability at the Credence site is too limited to accommodate any large swim events.

Mr. Hancock addressed the concerns and stated that the Credence site was chosen through an analysis of 19 different sites, then a more focused study of the top three sites. The Board has received proposals from many design firms that deal specifically with swimming pool sites, and the firm of Siegfried Engineering was chosen. Once the JPA begins the property escrow process, the firm will begin the preliminary design process which he anticipates to be a very inclusive process involving the Board and community. The site criteria on the original analysis was a minimum of 3 acres and the Credence site has approximately 4.3 acres. The design firm is working on a few different design configurations to accommodate the area that is on a slope, and the site can actually accommodate a lot of parking. For larger events, the high school parking lot across the street or at Bank of America would be considered when overflow parking is needed. Agreements with both entities would need to be established. The first order of business for Siegfried Engineering is looking at the old Roosevelt pool site and determining the actual cost to restore it as a functional pool for the community.

7: MATTERS FOR BOARD CONSIDERATION:

7A Timeline Update

Mr. Hancock reported that at the meeting of March 18, 2014, the Board had approved a project timeline through September of this year. There were a few items that were to be considered and acted upon at the April 1st meeting however there were a number of scheduling conflicts and the meeting had been cancelled. The timeline has been

amended accordingly and most items were pushed back two weeks. He presented a copy of the new timeline to the Board as an information item only.

7B Consider Purchase Policy and Draft Memorandum of Understanding

Mr. Hancock explained that in part due to the fact that City staff are currently serving as executive officers for the Recreation Authority, it was the Boards' direction that the position of Treasurer would be filled by a County staff member. The financial business of the Board would be processed through the County Treasury in processing purchases, payments, and billing, at least through the first two years and the construction stage of the facility. After that point the JPA would be going into operations mode and the Board would be in a good position to consider managing their own accounts.

Mr. Hancock explained that he has been working with County staff to develop an arrangement that will work for both agencies. The first item of discussion was the purchasing policy which he has based primarily on the existing policy that the County uses, with the addition of minor modifications to reflect the different titles and positions. Certain items such as those over \$10,000 would go to the JPA Board not Board of Supervisors for approval. The Board seemed comfortable with the dollar amounts which were discussed at the last meeting. The Auditor has requested that the JPA enter into a MOU with the County to memorialize the actual relationship. It would be a simple agreement that treats the JPA as an extension of a County department. The JPA would submit requests for purchase orders to the County who would then make the purchase and process for payment. The office also provides contract tracking services based upon their current policy. The agreement has been presented to the Board of Supervisors earlier that day. Mr. Hancock requested comments from the Board. There were no comments or questions.

Motion by Board member Wosick, second by Board member Meserve to accept the Purchasing Policy and approve the MOU; motion carried unanimously.

President Wilson requested that Item 7D be heard prior to Item 7C.

7D Use of HLVRA funds for analysis of Roosevelt Pool: Legal Opinion Update

Mr. Hancock stated that throughout the formation of the JPA, the City and the County, with the appointment of a public member, have moved forward in the process of bringing a swimming pool to the community by operating under the governing authority outlined by the JPA agreement. The Board has received a request from the public to obtain a legal opinion to make the determination if the JPA has the authority to spend money on the analysis of the Roosevelt Pool site. The Board has asked County Counsel to provide that legal opinion. Mr. Hancock explained that he has been working with the County Administrative Officer through that process, which has two components; was the County Counsel able to provide the opinion and can the JPA receive the opinion. In his conversations with CAO they have not received confirmation yet on whether the county counsel can or is willing to provide that opinion. Once that is determined, it should be fairly easy to have that opinion drafted.

Richard Egan, Lassen County Administrative Officer, stated he has received the green light and it appears it should be very simple and should be prepared within a week or two.

An unidentified member of the public asked if the Board has already decided on the Credence site, then why look at the Roosevelt site at all.

President Wilson responded that the JPA started on a two track process which included an evaluation of the Roosevelt pool site. Before tearing down the building, they wanted to be sure that it is beyond repair. Ten years ago when the City closed the pool, there was no dollar amount associated with the cost to restore it to a usable facility. In the event that the report and numbers come back that no, it cannot be saved or used, then they will already be further along the road towards building a new pool.

President Wilson asked Mr. Hancock to review how the Board came to the point of needing to obtain a legal opinion. Mr. Hancock explained that he has discussed the issue with the County, reviewed the minutes and documents for

the formation of the JPA, and it is clear that the intent of the City and the County was to give the Board broad authority to build and operate a swimming pool in the community. Whether that meant looking at one site, or 50 sites, the Board evaluated a total of 19 sites. He explained the process used to evaluate the merits of each site, and the Roosevelt Pool was included in that list. He added that while it is clear that the Board was given the authority to do so, neither he or Mr. Egan are attorneys, and a member of the public has insisted that there be a legal opinion drafted to settle the matter.

Board member McBride supported obtaining a legal opinion for the sake of transparency.

Vice President Chapman observed that Councilmember Callegari was a strong supporter of rehabilitating the old pool site, and was opposed to the JPA building a new pool and he represents citizens in the community who have expressed the same opinion. Even if the Roosevelt site was closed there is no way to quantify what it would actually cost to reopen it, and as a board the JPA was tasked with the responsibility to put the question to rest once and for all. He stated that he is not interested in spending a lot of money to build a new facility only to discover after the fact that the old pool could have been restored to a usable condition for a lot less money. He stated that he was tasked by his Board to explore all options, and he has made that promise and will stand by it. There were other Councilmembers and Board of Supervisors members who also supported making the determination, once and for all, if anything could be done with the old pool site, and he is committed to seeing that through to completion.

7C Update on Siegfried Contract

Mr. Hancock explained that the JPA was formed based upon the concept of using taxpayer dollars to construct, fund and operate a community pool. The JPA is tasked with meeting the minimum needs of community while keeping the future needs of the community in mind as money becomes available in the future through various other funding sources. At minimum, the facility is envisioned to be a seasonal outdoor pool. Siegfried Engineering is not only developing a basic design for a seasonal outdoor pool, but is keeping additional features and options in mind so that the design will allow for modification later, and the analysis will ensure that cost estimates have equal comparison in order to provide an apples to apples comparison. The detailed task sheet will include all costs such as permitting and drainage costs.

Included in the analysis of the Roosevelt pool site, Siegfried Engineering will be providing a cost for three possible scenarios: the cost to bring the site up to standards for use as an indoor facility; renovating the office space and dressing rooms, then removing the roof and operating an open air pool and third, clearing the site and rebuilding as an outdoor seasonal facility. The information should be prepared and back to the Board for review within approximately five weeks. They have a lot of experience in this type of project, and when the cost estimates are completed, they will be reviewed by local contractors to make sure the prices are realistic for the Susanville area.

Tony Jonas asked if the JPA has executed a contract and created debt without obtaining the legal opinion what will happen if it is determined that the JPA cannot pay for the analysis.

Mr. Hancock responded that in that case, the Board would go back to the City Council and the Board of Supervisors and request an amendment to the JPA agreement to ensure that it reflected the intent of both Boards.

President Wilson quoted the JPA agreement, citing Article 2 referencing the authority of the JPA stating that at a minimum it is silent regarding the specific question that Mr. Jonas brought up.

Board member Wosick stated that he agreed with the determination to not throw any money at trying to rebuild the Roosevelt pool. It has run its course and as elected representatives, the Board is tasked with considering the opinions of all members of the public. If Siegfried Engineering comes back with a reasonable price to open the old pool it will create a whole new set of problems.

Bill Feirabend commented that it is a terrible waste of money and the cost for repair and renovation should have been determined at the time the pool was closed.

Vice President Chapman commented that he did not like spending money towards something that may or may not ultimately be the site of the new swimming pool. However, the use of private dollars is not the same as public dollars, and regardless of the opinions being expressed, there were some members of the City Council and Board of Supervisors that had a different opinion, and as representatives of those bodies, it is up to the JPA to answer the question once and for all and then move forward. Siegfried Engineering has been hired as the expert to make the determination and while the public is not interested in spending a lot of money if spending twenty thousand saves two million dollars of public money then it is not a waste to have that information.

No further comments.

7E Update on Property Negotiations

Mr. Hancock said that staff had considered a total of 19 potential sites that had been suggested at various times from members of the community. Through a process of analyzing each site based upon approved criteria, it had been narrowed down to three sites and the Credence school site was the top rated site. It was initially believed that the high school owned the property but then it was determined that the elementary school district is the current owner. Lassen College currently has an agreement with the high school to use the facility, and the negotiations with the school district will be continuing in closed session.

Mr. Feirabend asked if anything could be shared as far as what the Elementary District wants.

Mr. Hancock responded by saying they have progressed quite far into the negotiation process and the school district wants a smooth transaction and no additional liability. They want to make sure the agreements are very cut and dry and that they are protected throughout the negotiation process.

Board member McBride confirms that the Board has contacted legal counsel and he read a statement from Education Code 173.88 regarding the sale of school owned property. He believes there is a whole other group that needs to be involved in the decision.

Mr. Hancock confirmed that there is more than one avenue available to secure the property, including a direct transfer option or surplus options and that is why the Board has hired specialized legal counsel knowledgeable in these types of transactions. They are working with the district to make sure that the process meets all of the legal requirements.

8: BOARD MEMBER ISSUES/REPORTS: None

At 3:55 p.m. President Wilson called for a five minute break prior to the recessing to closed session.

PUBLIC COMMENT TO CLOSED SESSION ITEMS: (if any): Any person may address the Board at this time upon any discussion during Closed Session.

CLOSED SESSION: At 4:05 p.m. the Honey Lake Valley Recreation Authority recessed to closed session to discuss the following:

- A. PROPERTY NEGOTIATIONS

RETURN TO OPEN SESSION: At 4:40 p.m. the Honey Lake Valley Recreation Authority reconvened in open session.

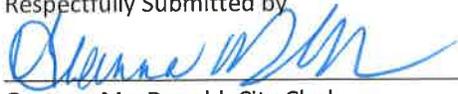
Direction given to staff; no reportable action was taken.

ADJOURNMENT: Meeting adjourned at 4:54 p.m.



Brian Wilson, President

Respectfully Submitted by



Gwenna MacDonald, City Clerk