[approved]

Rancho Simi Recreation and Park District
Board of Directors Meeting
MINUTES

Wednesday, February 15, 2023 at 6:30 p.m.

Rancho Simi Recreation and Park District
4201 Guardian Street, Simi Valley, CA 93063 • Activity Room 3
(805) 584-4400 • www.rsrpd.org

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE – Chair Gray called the Meeting to Order at 6:31pm. The Pledge of Allegiance was led by Zach Miller.

2. ROLL CALL – Directors Abele, Dennert, O'Brien, Vice Chair Freeman, and Chair Gray were in attendance. Staff in attendance included: Laura Ballantoni, Sandee Covone, Zen Flores, Tricia Frederich, David Kern, Danielle June, Richard Lemmo, Jeannie Liss, Lee Martin, Zach Miller, Wayne Nakaoka, Dan Paranick, Theresa Pennington, Brian Reed, Santiago (Jim) Rosales, Jennifer Santos, Alex Stumfall, and District Counsel Brian Hamblet. Guests in attendance at this evenings meeting are listed under the appropriate item below.

3. AGENDA REVIEW – A supplemental packet of information including several letters from members of the Conejo Valley Multisport Masters (CVMM) swim club was provided to the Board this afternoon. Director Abele asked why certain items were not included on the agenda. Paranick responded that he arranged items between upcoming meetings to keep the meeting schedule balanced, noting the Kiosk Staff Report needed additional work before coming to the Board.

4. PUBLIC STATEMENTS (ITEMS NOT ON THE AGENDA) – Gary King is a marathon swimmer with CVMM who was informed their time was reduced at the pool and read the letter that was sent to Staff.

   Chenxu He – Came here from China and supports CVMM program at the pool so he and his son can learn how to swim.

   Mark Losinsky – Thanked the Board for the opportunity and would like to find an equitable solution.

   Shelly Marshall – CVMM has changed her life and feels it's a great program that she hopes continues.

   Ani Sarich – Member and coach of CVMM states access to the pool is very meaningful to her family.

   Tom Pani – Is a senior member of CVMM who appreciates the coaching of Nancy Reno and feels there is no better program.

   Bill Marshall – Competitive swimmer since 1965 commented on the importance of the CVMM program stating they need the facility.

   Helen Cox – Sent a letter and is mystified why their time was cut with such short notice. Asked the item to be agendized, noting a meeting has been scheduled for CVMM to meet with District staff.

Robert Perry – Focused his house hunting in Simi because the pool offered swim workouts during the pandemic through CVMM. Asked the District to work with them to build a robust aquatics program.

Dawn Crosby – Lives in Woodland Hills and swims with CVMM and feels their program brings people to Simi and is an incentive for them to purchase homes here.

Owen Lubow – Enjoys swimming at the pool and has gotten into much better shape. Lives in Thousand Oaks but shops here now.

Becky Cleavenger – Born in Simi in 1963, her mom was on the committee that helped to build the pool at RSCP. It's one of few 50-meter pools in the area which is a significant draw.

Terry Hurst on Zoom – Lived in Simi since 1987, was a collegiate swimmer, and found CVMM twelve years ago which brought his wife through her cancer journey.

Matthew Biondi on Zoom – Olympic swimmer and teacher that feels the CVMM program is good for the community.

Praveen Kumar on Zoom – Lives in Oak Park and found CVMM which is popular and world renowned. Requests that we not reduce their time and provide more time and lanes to CVMM.

Allison Kerr on Zoom – She's a new swimmer and appreciates being welcomed by CVMM.

Nancy Reno – Owner of CVMM states six hours of pool time is not a big ask and feels CVMM brings a lot to the community. Feels six weeks is short notice before a big swim meet. Asked for a meeting with Staff and that the item be added to a board meeting agenda.

Director Dennert asked that the item be added to the agenda if the issue is not resolved at the meeting on February 27. Director Abele asked staff to try to resolve the issues. Chair Gray agrees. Vice Chair Freeman thanked everyone for coming and is looking forward to hearing about the issue in more detail.

Chair Gray called a two-minute recess to allow CVMM members to clear the room.

5. APPROVAL OF MINUTES

   a. Rancho Simi Recreation and Park District Board of Directors Meeting – February 1, 2023 – Motion: Vice Chair Freeman moved to approve the Minutes as written. Director O'Brien seconded the motion. The motion carried with the following Roll Call Vote:

      Ayes: Abele, Dennert, Freeman, Gray, O'Brien
      Noes:
      Absent:
      Abstain:

6. CONSENT AGENDA (Matters listed under the Consent Agenda are considered routine and shall be acted upon without discussion by one motion approving the Consent Agenda. If discussion is desired the item may be removed from the Consent Agenda upon a Director's request.)

   a. Approval of 1/31/23 Accounts Payable Check Register and 1/27/23 Payroll Check Register

b. Approval of First Amendment to Communications Site Lease Agreement between the Rancho Simi Recreation and Park District and PTI US Towers II, LLC (dba T-Mobile) for the Conveyance of an Additional 132 Square Feet to the Original Communications Site Lease Agreement and Installation of a Back-Up Emergency Generator at the Conifer Water Tank Site

c. Ratification of Appointment of Members to the Oak Park – Park and Recreation Planning Committee – new committee member Brian Trushinski was in attendance via zoom and introduced himself.

Motion: Director Dennert moved to approve the Consent Agenda. Director O'Brien seconded the motion. The motion carried with the following Roll Call Vote:

Ayes: Abele, Dennert, Freeman, Gray, O'Brien
Noes:
Absent:
Abstain:

7. PRESENTATIONS, SCHEDULED ITEMS AND PUBLIC HEARINGS

a. Presentation of the Part-Time Employee of the Month for February 2023 to Tricia Frederich, Specialist Instructor – Theresa Pennington, Director of Administration, gave the report. Tricia has worked for the District for 16 years and this is her first Employee of the Month award. She is a preschool instructor and assists with special events at OPCC and goes above and beyond in a professional manner. Tricia loves serving the communities and thanked everyone for the award. Zach Miller thanked her for wearing multiple hats noting she has served hundreds, possibly thousands of preschool age children during her tenure and is helping with the new preschool program. The Board Members thanked her for her service.

b. Presentation of the Annual Park Ranger Program Update – Verbal Report – Theresa Pennington, Director of Administration, gave the verbal report and provided a PowerPoint presentation. The District hired another full-time Ranger, conducted Ranger team building activities led by an outside consultant, and multiple trainings within the last year. Ranger equipment enhancements over the last two years include the purchase of new vehicles, tasers, storage boxes, supplies, safety vests, Narcan, Trac Force reporting software, and Ranger-to-Ranger radios. Chief Ranger Santiago (Jim) Rosales provided an overview of the 2022 Ranger Activity Statistics. Paranick noted that the Rangers received 190 calls for service in 2022, noting our parks are safe and our Rangers are doing an excellent job. 2022 is the first year we have complete Trac Force software data, which will be compared to future years. Chair Gray asked Chief Rosales his opinion of body cameras. Rosales feels they are a positive tool, however it's very costly to store the data. Director Dennert prefers hiring full-time Rangers and is open to the use of e-bikes along the Arroyo. Director Abele appreciates the Rangers' cooperative efforts with the SVPD. Each Board Member thanked Chief Rosales and the Rangers for all that they do.

8. CONTINUED BUSINESS - NONE

9. NEW BUSINESS

a. Review of Expanded Learning Opportunities Program (ELO-P) and Potential Service Agreement with Rancho Simi Recreation and Park District and the Simi Valley Unified School District – Zach Miller, Director of Recreation, gave the report. The Expanded Learning Opportunities Program (ELO-P) is derived from Assembly Bill AB130 and provides funding for after school and summer school enrichment programs for transitional kindergarten through sixth grade. Simi Valley Unified School District (SVUSD), a grantee, recently received $5.5 million dollars to launch the program locally and is working with after school care providers including the YMCA and Boys & Girls Club to accomplish the goals of AB130 and hopes to partner with Rancho Simi Recreation and Park District as well.

Vice Chair Freeman asked if the ELO-P program affects all ASC schools – Miller said yes. She also asked how long the $5.5 million in grant funding will be available. Miller said he isn't sure how much will be available each year. Chair Gray asked if future expansion is possible or if we could be removed from certain school sites. Miller said our agreement is focused on the schools where RSRPD currently operates ASC programs. The YMCA and Boys & Girls Club are also being asked to contract with SVUSD as service providers for the respective schools they each currently serve. Vice Chair Freeman recommends we partner with SVUSD as it seems beneficial but hopes we can meet the criteria noting it's a great opportunity. Director O'Brien agrees but would suggest preparing "Plan B" in the event the funding goes away. Director Dennert is concerned that the State will cut funding in the future but wants to help kids now. His goal is to get kids outside. Suggested incorporating the Teachers of Tomorrow and wants the program to focus on homework help. He'd also like to see a portion of the grant funds go toward ASC staff. Director Abele strongly supports it - SVUSD is a great partner and it's great for kids. Chair Gray thinks it's fantastic and agrees that RSRPD should move forward with the agreement.

Motion: Chair Gray moved to approve the Expanded Learning Opportunities (ELO-P) agreement with the Simi Valley Unified School District as presented in the staff report. Vice Chair Freeman seconded the motion. The motion carried with the following Roll Call Vote:

Ayes: Abele, Dennert, Freeman, Gray, O'Brien
Noes:
Absent:
Abstain:

b. Consideration of the Long-Term Management of a 15.44-Acre Riparian Mitigation Conservation Area Located within the Lost Canyons Development in Simi Valley – Senior Management Analyst Jennifer Santos gave the report. In order to move forward with approved plans for Phase 1 of the Whiteface Specific Plan including construction of 184 homes north of Lost Canyons Drive and west of Tapo Canyon Road, the California Department of Fish and Wildlife (CDFW) requires habitat mitigation and conservation easements on 15.44 acres of the land. CDFW also requires the Conservation Area Manager and Long-Term Manager be two different agencies due to a change in state regulations. MRCA has accepted and been approved as the Conservation Area Manager. MRCA prefers that RSRPD accept the role of Long-Term Manager which would require us to maintain the property in perpetuity which will be funded by a self-sustaining endowment initially funded by the developer. MRCA has historically utilized the National Fish and Wildlife Foundation

(NFWF) to hold and disperse its endowment funds for the long-term management of conserved properties as it focuses on endowment management and can generate the highest rate of return. NFWF would act solely as an agent to ensure endowment funds are applied to satisfy the mitigation requirements specified in the applicable laws and long-term land management plans. Ownership of the 15.44 acres will be held by two separate private parties; the developer and the golf course operator. The District will not own the land which may present a burden if there is a catastrophic event that requires a great deal of maintenance to restore the land. The requirements of the Long-Term Manager include vegetation management, invasive species control, removal of trash and debris, signage and fencing maintenance, and erosion control. Reporting will be done by MRCA as the conservation easement holder.

John McClure representing the developer was in attendance. This project has been in process for over 20 years during which time the developer has received approvals from local, county, state and federal agencies to move forward. During that time, California Department of Fish and Wildlife (CDFW) rules have changed at the state level which now requires: 1) The conservation easement must be recorded before the developer can break ground, and 2) The holder and manager of the easement must be two different entities, both of which must be approved by CDFW. Prior to the rule change, MRCA was going to assume both roles. Now they will fulfill the role of Conservation Area Manager, and they would like RSRPD to fulfill the role of Long-Term Manager which has been approved by CDFW.

Director Abele asked what would happen if the District didn't take on the project. Mr. McClure said there are no other approved local agencies that can take on the role. Abele asked what Staff recommends. Paranick said the District is the only local agency that can meet the requirements, however assuming the obligation comes with additional responsibility and risk for the District.

Director Dennert asked what happens when the endowment runs out of money. Staff Santos said the endowment should be set up to be perpetually sustained but there's some level of risk. Dennert also asked if the area will be part of an HOA or gated community. McClure said yes, noting that the mitigation area is not open to public access because it's a protected habitat. Dennert asked if any improvements are planned for Lost Canyons Road – McClure said yes. Dennert asked how long the delay would be if they chose Alternative #3 – McClure said the parcels would need to be remapped which would take some time. McClure confirmed that the golf course and HOA have no authority to demand RSRPD perform maintenance.

Paranick invited RSRPD Director of Planning and Maintenance Wayne Nakaoka to provide his perspective on the issue since the District will not own the property nor hold fee title. Nakaoka indicated a written agreement will be developed between the 3 agencies: (1) The agency that oversees the easement (MRCA); (2) The Long Term Manager who does the work (RSRPD); and (3) The owner of the property (the HOA and golf course) to establish the amount of money to be spent, how the money is to be spent, who will bank the money, and who is responsible for maintaining what parts of the mitigation area. Nakaoka prefers that MRCA hold the easement and the endowment which he feels would allow for more efficient and timely reimbursement to the District. We have no responsibility initially for the first 5 to 7 years; we take over after the mitigation plan is completed by the developer.

Director Abele is concerned about who will manage the endowment in order to receive the maximum rate of return and how to frame that in the motion. Paranick said we need more information on the endowment, noting the final decision regarding who will hold the endowment is not being made today, but will need to be reviewed at a later time or the item can be brought back to the Board.

Director Dennert asked if there are any other public interests not mentioned – McClure said 1700 acres total, 600 acres residential and golf, upland easement protected for bird habitat, improved roads, additional housing, public space including trails, bike paths, and tax revenue.

Paranick noted that the developer will pay the District approximately $1 million in Quimby fees which will be used for park expansion within a 5-to-7-mile radius of the area. The developer is also conveying a few lots to the District that can be used as trailheads or parking lots.

Vice Chair Freeman said it's been a long-term project and wants the District to be protected, and the way the agreement is structured the District is protected. She is in favor of working with them and prefers Alternative #1 or #2 or a combination of those two.

Director Abele feels it's an important development and our relationship with the city is important. He has a strong preference for Alternative #1 but wants to ensure we receive the higher interest rate on the endowment funds.

Director Dennert would like to own the property if we'll be required to take care of it forever. He has strong feelings on it not being gated off in the future and wants to ensure public access to the property and doesn't want the area around the conservation easement to be turned into private property and would like details on that when it's brought back. Paranick suggested reviewing the property monitoring plan which is in place in perpetuity.

Director O'Brien would like to know how easy it is for MRCA to receive funds from NFWF endowments and how to streamline the process.

Chair Gray is concerned that if a catastrophic fire occurs the endowment may not be able to cover the cost of repairs. Noah Shih, a representative with the development company, said the estimated cost of all the planting and invasive removal they are doing is $3 million which encompasses up to 80 acres, a great deal more than the 15.44 acres of easement area they are requesting the District manage.

Motion: Director Abele moved to approve that the District agree to assume the role of Long-Term Manager of a 15.44-acre riparian mitigation conservation area located within the Lost Canyons Development in Simi Valley as presented in the staff report and to ensure we receive the highest rate of return from the endowment fund. Vice Chair Freeman seconded the motion. The motion carried with the following Roll Call Vote:

Ayes: Abele, Dennert, Freeman, Gray, O'Brien
Noes:
Absent:
Abstain:

Paranick asked when McClure expects the final agreements to be complete. McClure responded he expects them to be complete within a few weeks to a few months in hope they can move forward in the fall.

Chair Gray called a five-minute recess at 9:41pm.

c. Update Regarding New Ralph M. Brown Act Provisions Allowing Remote Meeting Attendance Options for Board Members – Theresa Pennington, Director of Administration, gave the report – In March 2020, the Governor of California issued various executive orders which relaxed requirements under the Ralph M. Brown Act allowing public agencies the flexibility to continue conducting public meetings during the COVID-19 Pandemic. On September 30, 2021 the State rescinded those orders. In lieu of the rescinded orders, the State passed Assembly Bill 361 (AB 361) which modified the Brown Act and provided essentially the same flexibility for conducting public meetings during a declared emergency. In conjunction with the end of the COVID-19 State of Emergency effective February 28, 2023, AB361 is no longer in effect. Effective January 1, 2023, Assembly Bill 2449 amends the Brown Act enabling members of legislative bodies to attend meetings remotely. Under the new law, members of a legislative body may attend public meetings without identifying their teleconference site on the agenda in certain instances including: 1) Just Cause, and 2) Emergency Circumstances. Board Members may also still participate via teleconference in accordance with traditional Brown Act rules by identifying the teleconference location on the agenda, posting the agenda at the teleconference location, and ensuring the teleconference location is accessible to members of the public. Director Abele asked Chair Gray if he will be present at the April board meetings. Chair Gray said he will not be at the April meetings because he will be on his honeymoon. District Counsel Hamblet confirmed under AB2449 Chair Gray may attend remotely as long as his address is posted. If his address is not posted, it falls under "Just Cause" which requires Gray to notify the Board, and if he attends remotely due to an emergency, it must be approved by the Board. Director Abele asked if Chair Gray plans to attend the March meetings remotely. Chair Gray responded that he intends to provide his address to post on the agenda and attend remotely.

d. Discussion and Direction Regarding the Calendar, Process, and Protocols for Holding Upcoming Board Meetings in March and April 2023 – Verbal Report – Dan Paranick, District Manager, gave the report. Director Abele asked that the item be placed on the agenda. Abele wanted to clarify Grays participation in the March meetings and asked if Chair Gray had a disability preventing him from attending the March meetings. Gray responded that he does not have a disability. Abele asked when Gray knew that he would not be able to attend the meetings, aside from the first meeting in March. Gray responded a few weeks ago. Abele asked if Gray prefers not to chair the meeting if he attends remotely. Gray feels it's best to chair only if he's in person to better interact with the public. Director Dennert asked if he will be able to attend in person after April when he returns from his honeymoon. Gray said yes. Freeman noted that per Board policy, the Chair is the presiding officer of the District and the Vice Chair assumes the role of Chair in their absence. Abele commented that in Chapter 7, Section 101 of the policy manual, in the absence or disability of the Chair, the Vice Chair will have all the powers and duties of the Chair. At the time they voted for Chair and Vice Chair, Abele felt Gray would be a great Chair, but he didn't know that Gray would miss 5 of the first 8 meetings. Had he known he wouldn't have voted the way he did and would have recommended a rotating Chair in his absence or swapping his Chair position for another year. He also has concerns about Vice Chair Freemans fitness

to be the Chair noting three examples explaining his concern. He recommends the Board hear items that will involve a lot of public input when Chair Gray is present, pushing those items into May, and cancelling the April meetings or consolidating them into one meeting.

Director Gray shared information with the District Manager as he received it. He considered the strong opinion of one member who felt it was best that he not Chair a meeting if attending remotely, however he will chair the March meetings remotely if that is the preferred option by the majority of the Board. In April he will be on his honeymoon and will not attend the board meetings, but will review the agenda items and will submit his comments to Paranick. He is in favor of allowing the Chair the option of designating the Vice Chair to run the meeting in the event the Chair is attending remotely.

Director O'Brien is fine with Vice Chair Freeman chairing the meetings and is also fine with Gray chairing meetings remotely, it's his preference. She suggests having a special meeting in April based on Chair Gray's availability to attend. She is in favor of allowing the Chair to designate the Vice Chair to run the meeting if the Chair is attending remotely.

Director Dennert likes rotating the Chair and Vice Chair positions, is agreeable to canceling one meeting in April, moving agenda items around, and prefers Gray chair meetings in person, or modify the policy allowing the Chair to designate the Vice Chair to run the meeting if the Chair will be attending remotely.

Vice Chair Freeman feels the Board should adhere to District policy authorizing the Chair to designate the Vice Chair to run the meeting in the Chairs absence, or amend the policy. She is agreeable to Gray chairing meetings either remotely or in person, whichever he prefers.

Director Abele prefers that Gray chair meetings remotely if he is unable to attend in person and feels it's a violation of policy if he chooses not to chair meetings if attending remotely. He also prefers the revision to the policy come back to the Board for review.

Chair Gray agreed to chair the March meetings remotely.

Motion: Director Dennert moved to add a line to the District policy manual for review at a future Board Meeting that states if the Board Chair is attending a board meeting remotely, he/she can designate the Vice Chair to run the meeting in person. Director O'Brien seconded the motion. The motion carried with the following Roll Call Vote:

Ayes: Dennert, Freeman, Gray, O'Brien
Noes: Abele
Absent:
Abstain:

Paranick reviewed the items that will be on upcoming board meeting agendas.

10. WRITTEN COMMUNICATIONS OF NOTE – NONE

11. REPORTS BY BOARD MEMBERS

Director Dennert – He and a group of volunteers cleaned up trash and graffiti at Rocky Point Natural Park and Corriganville. Attended the Celebration of Life event for mountain lion P22 – it was very moving. Attended a Boy Scout meeting and spoke about RSRPD service projects. He's looking forward to hiking season.

Director O'Brien – Attended the annual VCSDA awards banquet - Jim Fryhoff is a great new Sheriff. Attended the Historical Society meeting and the Salute to Excellence Awards – a very nice event at the Vineyards. Looking forward to hiking season.

Director Abele – Reviewed a number of board meeting videos and recommends the Executive Staff watch them as well. Commended Staff Jennifer Santos for helping him understand the Lost Canyons mitigation report. Attended Chambers Salute to Excellence Awards event and appreciates that the District presented certificates to the award recipients.

Vice Chair Freeman – Attended the Historical Society meeting. Civil War Days event will be held April 1st and 2nd. Pat Havens Memorial Rock dedication will be held on May 20th at 11:30am at Strathearn. Pat Havens scholarship fund is moving forward. Attended the annual VCSDA awards banquet and gave out the General Manager of the Year award to Mauricio Guardado of United Water. Doug Nichols was awarded Director of the Year. Introduced Raul Avila as new LAFCO member. Kara Ralston is the new president of VCSDA. Attended the Chambers Salute to Excellence Awards. Going to Sacramento tomorrow for the CSDA legislative meeting. Will bring information back to the Board on a new bill that will affect local governments.

Chair Gray – Attended the Leadership Class Local Government Day at the Simi Valley Library.

12. REPORT BY DISTRICT MANAGER – Report was given by District Manager Dan Paranick. Oak Park – Park and Recreation Planning Committee new member orientation will be conducted by Director of Recreation Zach Miller and Oak Park Recreation Supervisor Sandra Salute. Staff met with Soccer Foundation representatives to review plans for RSSCP Phase IV. They asked that storage be prioritized over concessions which will be confirmed with the community at large before any changes are made. Staff met with the equestrian groups again. Paranick met with BMX Board Member Chris Desantis. A Meeting has been scheduled with the CVMM swim club. An RSRPD orientation is scheduled with new Mayor Fred Thomas and new Councilmember Rocky Rhoads, and separately with new Ventura County Supervisors Janice Parvin and Jeff Gorell. No Committee meetings are scheduled. Upcoming board agenda items were discussed under item 9d.

13. CLOSED SESSION – NONE

14. ADJOURNMENT – Chair Gray adjourned the meeting at 11:09pm.

Dan Paranick, District Manager / District Clerk