

UNOFFICIAL COPY

PARK, RECREATION AND COMMUNITY SERVICES BOARD

THURSDAY, September 11, 2008

A regular meeting of the Park, Recreation and Community Services Board was held this date in the Council Chambers in City Hall of Burbank, 275 East Olive Avenue, Burbank, California. The meeting was called to order at 6:11 pm by Garen Yegparian, Chairperson.

ROLL CALL	
Present.....	Members Yegparian, Layfer and Talamantes
Absent.....	Member Ferguson and Prouty
Staff Present.....	Director Chris Dasté, Deputy Directors Linda Oseransky, Marisa Garcia, Teri Stein, Jan Bartolo; Recording Secretary Jessica Sandoval
APPROVAL OF MINUTES	Minutes approval postponed to October (Mr. Talamantes was not at the August meeting and could not approve minutes)
PLEDGE OF ALLEGIANCE	The pledge of allegiance was recited
WRITTEN COMMUNICATIONS	A letter regarding McCambridge Pool was received by the Board
ORAL COMMUNICATIONS	None
ANNOUNCEMENTS	Medicare information is available at the Joslyn Center on Wednesday, October 15 th from 7-8 pm for those who are unable to access daytime counseling opportunities; classes are offered at for older adults at Joslyn Adult Center in collaboration with Burbank Adult School; the Back to School Middle School teen dance will take place on September 13 at Verdugo Park from 7-10 pm; Trails Committee meetings will reconvene on October 6 at 6 pm at the Nature Center; A hike will take place on Saturday at 8 am featuring Fire Chief Pansini; Volunteer opportunities are available for the Haunted Hike event; a new docent training class wil begin in the near future; the Department celebrated completion of the on shade structure project at Izay Park Diamond 3 thanks to a \$100,000 donation from Garry Marshall (part of the festivities included a co-ed softball game); the Walk of Fame event will take place on October 11 at 9 am at Izay Park; the Colony Theatre and Little Theatre's plays were announced.

NEW BUSINESS

1. Brown Act Information

Assistant City Attorney Juli Scott gave a brief overview on the Brown Act. She noted there are, at times, situations which arise that are not clearly definable. The basic purpose of the Brown Act is to provide that the government of the people be done in front of the people. It is designed to ensure that the actions of legislative bodies (such as the Park Board) are conducted in public and that public is allowed to participate. A Brown Act body is required to have open meetings that are noticed, an agenda posted 72 hours before the meeting in a place accessible to the public at all times, and an agenda that lists items to be acted on or discussed during the meeting. She provided the Board with a memo discussing some points of the Brown Act. The term meeting is specifically defined in the Brown Act; it is, basically, the gathering of a majority of the Boardmembers at the same time and place to hear, discuss or deliberate on any item within the subject matter jurisdiction of Board. Even if they are there to merely watch, they must be conscious of the subject matter's relevancy to the Board. The City Attorney's office strongly cautions members to be careful when there is a majority of members gathered at the same place at the same time. There are some exceptions such as conferences and retreats open to the public, or seminars as long as the members do not discuss amongst themselves matters that fall within jurisdiction of Board. The members may also attend meetings of other public bodies (such as City Council) or joint meetings. Social and ceremonial occasions are also an exception as long as relevant matters are not discussed. She suggested the use of common sense. The Brown Act also contains information on specific requirements of agendas, noticing of meetings, oral communications, and violations.

Mr. Layfer asked if it was acceptable to have a majority of members in one place if one or more of them are there as members of the community and not representing the Board. If they were to discuss and form a consensus outside the confines of a meeting to do so, they would be in violation. Ms. Scott clarified that it would not be acceptable at all if they were there as representatives. If there was a designated representative, and 2 other boardmembers wanted to attend the public meeting just to observe, it could be possible however they could not participate and would need to avoid the appearance of a quorum (by not sitting together, etc). She went on to caution the Board that, according to the Brown Act, a meeting was defined as any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss and deliberate upon any item that is within the subject matter jurisdiction of your legislative body. It may appear to others that they were attending as the Park Board and she strongly cautioned against it. Mr. Layfer asked if receiving status updates and staff reports (note and file) was considered action. Ms. Scott responded that note and file was not typically the same kind of action, but it would depend on the Board. Mr. Layfer went on to give a few scenarios involving three Boardmembers in attendance in different circumstances (getting updates versus receiving information) and asked if they would constitute violations. Again, Ms. Scott cautioned against it because of the appearance and the possibility that a member would speak and turn the situation into a violation. Mr. Yegparian presented the scenario of two members on the Aquatics Committee sitting in deliberations with Mr. Yegparian watching. According to

Ms. Scott, subcommittees do not take action but make recommendations to the Board who then takes full action to City Council. Mr. Yegparian went on to ask about attending this committee meeting and making a comment from the audience during the public comment period. Ms. Scott noted that it could not be done because there would be a majority of Boardmembers in a room all participating in a discussion on a subject matter in the jurisdiction of the Board. Members must refrain from participating in any form, which would create a majority and violate the Brown Act. Mr. Yegparian asked for clarification on *hearing*. She responded the meaning was self explanatory, to "hear".

ACTION

Note and File

2. Counselor in Training Recognition

Ms. Stein introduced Victoria O'Neill who coordinated the program. Ms. O'Neill, Recreation Coordinator, is in charge of the Counselor in Training (CIT) Program. She thanked the participants who successfully completed the CIT program. It is a summer volunteer experience for 15-18 year olds who are assigned to summer camp sites and work closely with staff learning how to plan, supervise and lead camp activities for children. Each CIT receives a shirt, and certificate of completion after fulfilling the following requirements: volunteer a minimum of 40 hours, attend 3 in-service trainings, plan and lead at least 3 different activities in the areas of sports, crafts, science and cooking, and receive a satisfactory or above from their Supervisor. Participant's benefits include; obtaining a valuable learning experience in a fun environment, working with staff to provide positive, fun experiences for children, training and work experience to help CITs enter the workforce, character building experiences while learning the value of volunteerism in our community. The Department benefits with additional support for staff, and a valuable resource and training ground for future employees (many have gone on to be hired as camp counselors). Ms. O'Neill thanked the Board for their support of the program. The CITs in the audience were then awarded their certificates of completion.

Mr. Layfer, who looked forward to these recognitions, felt that staffing and succession planning is at the top of the agenda. This is a great training ground for future employees and a very important program. Mr. Dasté noted that the CITs were developing people skills that would translate to any career they chose. He was proud of the program and those who participated in it. Mr. Talamantes congratulated not only the students but also their parents for being part of their development. Mr. Yegparian thanked them as well and noted that he had also been a CIT at one point.

ACTION

Note and File

3. Burbank Tennis Center Annual Report

Mr. Starleaf briefly discussed some highlights from his annual goals and objectives for the 2007-2008 year at the Burbank Tennis Center (BTC). The 10 year anniversary was a great success. The Mike Tawdy memorial was done in October and the Tennis Center looked beautiful. The courts were

redone in US Open blue and green which looked great. The Jensen-Schmidt Tennis Academy event in June was a huge success and included up to 100 participants from the Down Syndrome group, Burbank Center for the Retarded, and the Tri Valley Special Olympics. Other exciting developments are new operators in the café and pro shop. Deuce Pro Shop is a comprehensive full line shop. In October, they are having a one day women's doubles tournament event on October 4. The new café operator took a survey of what the players wanted to eat, and is serving a lighter fare including smoothies and fresh turkey sandwiches. BTC has landed a six circuit junior tournament series. There were about 100 kids at the first tournament. There are 4 satellites and 2 open tournaments. The satellites are for kids that do not have a lot of tournament experience, which Mr. Starleaf believes to be an important opportunity for them. The courts that were redone look great. He noted his desire for the other 4 courts to be resurfaced in the new matching (US Open) color scheme. The Christmas party is in December and he encouraged everyone to come out and participate. Mr. Starleaf thanked Jan and staff for maintaining the Center and surrounding areas in such great shape.

Mr. Dasté noted that Mr. Starleaf's passion for the Center and for the Burbank residents is incredibly refreshing. Mr. Talamantes thanked Mr. Starleaf and noted that his enthusiasm and love for the sport was nice to have. He asked if the court resurfacing was done on a schedule or on an as needed basis. Ms Bartolo responded that court resurfacing is scheduled every three to five years. The frequency depends on use, and staff's evaluation of the playing surfacing, use, and line wear. This year, projects that need to be accomplished include the courts that Mr. Starleaf was referring to, as well as Brace Park courts, 2 Izay Park courts, and the basket ball courts at Pacific and Brace Parks. The average cost is \$3,500 to resurface the courts. Staff attempts to stage them on a cycle, unless there is a safety concern. The acrylic coating that is utilized on the courts are made to withstand and endure that cycle. Ms. Bartolo and Mr. Starleaf work closely on the courts used by BTC. Other courts are visited along with a professional outside consultant on an annual basis to determine what needs to be done. Mr. Talamantes asked if he had contacted the press regarding his events. Mr. Starleaf noted that, historically, the press coverage is automatic. Sometimes he calls them and they cannot make it out. Mr. Talamantes asked if there was any success in getting the high school champion playoff (CIF championships) to use BTC. Mr. Starleaf responded that they had not since the six new courts were built at Burbank High School and since Burrough's also has courts. However, Village Christian is there with their girls team and next semester the boys team will also play. Mr. Talamantes asked if he had approached them to play the CIF games at BTC. Mr. Starleaf had not and noted that they always travelled to the beach communities. Mr. Starleaf would follow up with CIF. Mr. Layfer noted Mr. Starleaf's passion to help those with special needs and mentioned he was most impressed with the balance of programming at BTC.

ACTION

Note and File

OLD BUSINESS

1. Cultural Arts Planning

Ms. Garcia reported that the Board received an update last month and selected a representative to sit on the Committee. Staff is still working on inviting additional representatives to sit on the Committee through the Chamber of Commerce, business owners and others to develop a cultural arts plan. The first meeting is tentatively planned for October 15. Since this will be a 6-9 month process, it would be staff's recommendation to place this item on the Reports section so that staff can bring back progress reports as available.

Mr. Yegparian deferred moving this item to the Reports section until the next meeting since it was Mr. Ferguson who requested it be placed on old business.

ACTION

Note and File.

2. Aquatics Steering Committee

Mr. Dasté reported that both the McCambridge Park and Verdugo Park pools are very old and damage reports have been provided for the Board. Verdugo Pool had been shut down prior to McCambridge pool and staff was doing everything in their power to keep it going. The pool is losing 3 inches of water per day, which is a significant amount for a pool that size. He reported it was near the end of its life expectancy and a thorough examination had been started. Staff believes that the damage was triggered by the recent earthquake. There have been leakage issues in the equipment room at McCambridge and since the earthquake there were significantly more cracks and seepage. Staff determined they needed to have a structural engineer look at the equipment room since there are employees working in there. There are 480 volts in the room and there is a possibility that the water could get to the voltage or go under the pool. A structural engineer's report did not recommend re-opening the pool. With the public's best interest in mind, the pool was shut down and drained. A Consultant, along with Public Works crew, is analyzing it in the hopes that it can be opened in the summer. Mr. Dasté felt that staff's true responsibility was to teach kids swimming (for safety reasons) and thought it best to shut down the pool now in order to get something going for the summer. This came at the expense of the extension of the lap swimming program. Once it became a safety issue, staff had to move immediately. An email was sent to all lap swimmers. Mr. Dasté apologized for not informing the Board immediately of the closure. Ms. Garcia reported that a community outreach meeting for lap swimmers took place a couple of weeks ago. The Architect and staff were present to obtain input. The lap swimmers expressed their current frustrations and desires for the future. Staff was aware of many of their concerns having to do with resources, funding and conditions of the pools. The first community meeting took place on Saturday. The low attendance was a little disappointing but there was a lot of input from the small diverse group (including parents, kids, lap swimmers, a BAF Boardmember and Boardmember Talamantes). The second community meeting was held last night with a little more of a dynamic group of 30 (including lap swimmers, some parents, participants from the Aqua-Trim program). Attendees expressed recent frustrations at the closure of

McCambridge Pool, worked in teams, and were positive and supportive of each other's thoughts and ideas. Staff will be receiving a report from the facilitator summarizing all of the input received and there will be an Aquatics Steering meeting scheduled. The Architect is doing his analysis of the pools and has met with Public Works staff. Staff's hope is to have conceptual thoughts and ideas with cost figures by the end of the year to present to City Council for their direction.

Mr. Layfer asked if there was a dollar figure for McCambridge Pool repair. There was not, according to Mr. Dasté. He hoped it would be a manageable dollar figure so as not to have to put the City in the position of having to spend money patching something up that is going to be re-done anyway. Mr. Layfer noted it would ultimately be a City Council decision because we are in the process of looking at entire aquatics facilities at this point. The timing is not good because we have just started the process. Councils challenge will be deciding how much they are comfortable with spending to fix the pools on a short term basis and how to meet user's needs. Other pools at the schools have commitments to their own teams so they would not be able to accommodate us to our level of need. Until the Engineers can determine what is wrong and the cost, the Board cannot make any other decisions at this time. He would appreciate a heads up regarding such closures. He mentioned he had been approached by a member of the public regarding the closure which he was not aware of. Mr. Talamantes was concerned and felt if the repair was too expensive, he would rather continue the development of a new facility through the Committee and Council. The pools were very valuable to the community. He attended the first meeting on Saturday to observe and was very disappointed by the turn out. After an hour of being there and participating, he had to leave. Mr. Yegparian asked how long it would take to pin down where the leaks were, how long it would take for Verdugo and what the costs were for McCambridge Pool. Ms. Garcia responded that Park, Recreation and Community Services staff and Public Works staff were moving quickly on this issue. Yesterday, Ms. Garcia and the Architect on the Aquatics Masterplan Project met with the Structural Engineer on site. They will be completing a more in-depth report. A meeting is scheduled for next Thursday, where Ms. Garcia will obtain additional information and, hopefully, some cost estimates. The Board would be kept updated. Mr. Yegparian requested, if another report was obtained by next Thursday, that it be emailed to the Boardmembers. He also asked what alternate plans the City was looking at (other than the school district). According to Ms. Garcia, the City manager and Superintendent have spoken in depth regarding immediate needs and those during the construction stage. Staff is working with the School District to see how many hours they can make available to the community. Hopefully, they will be able to reduce some of their needs or cut down on their usage for the community. The YMCA has been contacted and is very responsive and receptive to making their pool available although it is a lot smaller, indoors, and not ideal for lap swimmers. During the community meetings, the lap swimmers were adamant about not using the YMCA pool. However, staff felt it was their responsibility to make as many options available to the community including possibly subsidizing fees for the YMCA or asking that they accept the fees we charge for usage there. The YMCA pool is also heavily used and more

crowded but they have cut out a window of time for our lap swimmers. Ms. Garcia feels that the community and lap swimmers will have options and opportunities. A lot of them already use other pools in the surrounding areas as it is. As we proceed, staff will explore other options and decipher what the needs are. Mr. Yegparian asked about working with other cities such as Glendale or North Hollywood and suggested staff plant a seed with them. Ms. Garcia would do so. Mr. Talamantes commented that the facilitator was great and got everyone involved. He pointed out that the City has a great relationship with the School District and that they would make the pools available whenever possible since we were in need. He also mentioned he had been asked about the closure of the pool by a member of the public and was unaware of the situation. Mr. Layfer felt that the lap swimmers needed to understand that staff was no happier about the closure of the pools than they were. He understood their frustration but asked that they work with staff since we were working within the constraints and limitations presented to us. Mr. Yegparian suggested that when we go through this process we should consider really late evening hours and really early morning hours since sometimes people could not make it out except for the non-standard hours. He asked that Ms. Garcia provide a rough copy of her notes from the community meetings to the Board via email if possible. Mr. Dasté stated that it was not unusual to have a low turnout at aquatic public processes (which is why one is done on a weekday and one week night). A large majority of those using pools are generally those taking lessons (getting kids water safe) and the other huge number is the general public bringing their child swimming. Those are the core group of users who are at the pools for hours and hours during the summer. The majority of participants using the pools do not necessarily have the time to attend a planning session meeting and as professionals that needs to be taken into consideration. Mr. Dasté wanted to the Board to know that we acknowledge that and know that planning is not geared towards the desires of only those attending the meetings.

ACTION

Note and File

3. City Council Agenda Items

Mr. Dasté noted that on September 9, the City Council and School District had a joint meeting to discuss a number of things including the Joint Use Agreement. Some issues included the terms of the agreement. The City wanted a 50 year term period to allow the investment to pay off. Both entities are very interested in being partners. The joint meeting was very successful. Other upcoming items include Youth Board Appointments (September 16), the Starlight Bowl Sponsor Recognition (September 30), and Military Banner Service Recognition (September 30).

Mr. Yegparian brought up his concern of wanting to include in the agreement a specific statement regarding community organizations use of City and School District facilities. He mentioned that there have been difficulties in scheduling these facilities by outside groups. Mr. Dasté did not believe this would be included in the agreement because the agreement was strictly between the 2 entities (City and BUSD) who handle their facilities separately. He noted that, after the primary entity's use of a facility

	<p>had been established, priority would be given to the other entity. After that, it would be up to each individual entity to determine who could use their facilities. Trying to intertwine the 2 entities would be problematic. The groups were very conscious not to include any third parties into their agreement. Mr. Yegparian felt that the availability of the facilities ought to be knowable and based on the fact that both entities are providers of a service to the community, he felt they should mutually assure that they would do their best to make those facilities regularly available to the community after the prioritized use. He stated that he would put in a call to the City Attorney's Office.</p>
<p>ACTION</p>	<p>Note and File</p>
<p>REPORTS</p>	<p>1. <u>Transit Committee</u> Mr. Yegparian reported that the MTA has made changes in bus service going through Burbank and based on reports from our representative to their sector committee, they seem to have adopted a direction where they would farm out smaller routes and shorter trips to local authorities (such as the Burbank Bus program). There is also a new Burbank Bus operator. We now own all our busses. Expanded services is being looked at, however, there is always the issue of finding money to run them. Some funds may become available to us for having a CNG station built in town. There were various ideas for use of the money at the City Council meeting.</p>
<p>ACTION</p>	<p>Note and File</p> <p>2. <u>DeBell Clubhouse</u> Ms. Bartolo reported that the Contractor has recently brought on a new Superintendent and some of the time lost has been made up. The project is taking shape both on the interior and exterior; putting in ceilings and drywall, infrastructure in, duct system is going in, looking at painting eaves, kitchen equipment has been ordered. We are still anticipating substantial completion slated for the first part of December with a tentative opening celebration sometime in early January.</p>
<p>ACTION</p>	<p>Note and File</p> <p>3. <u>Ovrom Park</u> Ms. Bartolo noted that the Public Works Department has taken the lead on the construction as far as the Recreation Center on the park property. Ms. Stein and her staff have been involved to some extent regarding the interior. In regards to the park property and park site, we have not been asked to take an active role yet. Ms. Bartolo may be able to give a better update on an opening date at next month's meeting.</p>
<p>ACTION</p>	<p>Note and File</p>
<p>ADDITIONAL COMMENTS FROM THE AUDIENCE</p>	<p>None</p>

**ADDITIONAL
COMMENTS FROM
THE BOARD**

In response to a question by Mr. Yegparian at a prior meeting, Ms. Bartolo shared that the majority of our mowers are recycle mowers. They cut the leaf blade twice so when it drops it back to the ground it becomes organic matter. The clippings from our other type of mower are taken to the recycle cycle. Tree limbs and logs are put through the chipper and are taken to the landfill's green waste area for recycling. Unfortunately, producing organic mulch requires special machinery, a substantial amount of labor and a very large working area which we do not have. Many times, mulch also requires a special sterilizing process to prevent the growth of seeds contained within. Staff works closely with the Public Works Department's recycle center and green waste landfill. Mr. Yegparian asked about the sterilization process. Ms. Bartolo did not know the details but noted that mulch purchased at the store is sterilized via a heat or other process. Otherwise, the seedlings or green products from which it originated could begin to germinate. He asked if the material we give Public Works is not turned around when we need mulch. She responded that it did not and that we purchased mulch. He asked if it was less expensive. Ms. Bartolo referred to her previous statement explaining the space needed as well as manpower to process the material because of the acreage we maintain. She noted it was not economically feasible to do and could not imagine the space we would need. Mr. Yegparian suggested that Brand Park had a green mulch program. Ms. Bartolo reiterated that our clippings are recycled as well through our own City's green waste program at the landfill.

Mr. Yegparian asked if agenda the agendas were being posted online. Ms. Garcia would look into it. He announced that there would be a hike on Saturday at Stough Canyon featuring Chief Pansini and invited everyone to join.

Mr. Talamantes noted it was Burbank High Schools 100-year Centennial Celebration and there would be several functions, picnics and a football game at 1: 00 at Burbank High School on Saturday.

Mr. Layfer read a memorial story on the 9/11 tragedy.

ADJOURNMENT

The meeting adjourned at 8:18 p.m.

_____ **Date:** _____
Secretary

_____ **Date:** _____
Chair