

**MINUTES OF THE SPECIAL BOARD MEETING
OF THE TEHACHAPI VALLEY RECREATION AND PARK DISTRICT
490 WEST D STREET, TEHACHAPI, CALIFORNIA 93561
TUESDAY FEBRUARY 25, 2014, 5:30 P.M.**

CALL TO ORDER: Board Meeting Convened By Chairperson Stewart at 5:30 P.M.

BOARD MEMBERS:

Gayle Stewart, Chairperson
Paulette Rush, Vice-Chairperson
Nick Cyr, Director
Brian Duhart, Director
Craig Mifflin, Director

1. FLAG SALUTE: Vice-Chairperson Rush led the Flag Salute.

2. ROLL CALL: All present.

3. PUBLIC COMMENTS: None.

4. CONSENT CALENDAR

A. Secretary Declaration of Posting of Agenda 72 hours in Advance of Meeting Held

Declaration by the Clerk of the Board of Directors that the agenda was posted at least 72 hours in advance of meeting. BOARD APPROVED SECRETARY DECLARATION.

Rush - Duhart : Ayes: Stewart; Rush; Cyr; Duhart; Mifflin

Noes: None. Motion carried.

Absent: None

5. AGENDA ITEMS

A. Tehachapi Valley Recreation and Park District West Park Facility Field Tour and Discussion of the 2014 Agreement with Tehachapi Little League.

District Manager Young read a statement outlining his and Tehachapi Valley Recreation and Park District's history, mission, current projects, current partnerships, and future goals.

Statement received and filed.

District Manager Young explained that he and TVRPD Maintenance Foreman Mike Walsh met with Tiffany Ledesma, and three other Board members from Tehachapi Little League to discuss 2014 field improvements. During the meeting the proper process to submit and request approval from TVRPD for any improvements or work to be completed at the West Park fields were discussed.

A couple of weeks after the meeting District Manager Young was informed by Mike Walsh that Tehachapi Little League was working on projects at the West Park fields that had not been submitted to or approved by TVRPD. District Manager Young then contacted Tehachapi Little League's Board President to inform them that the unapproved work to West Park fields was to stop. When District Manager Young did not receive a reply from Tehachapi Little League, he then stopped Tehachapi

Little League operations. Tehachapi Little League practices were approved to continue and were not disrupted. All work to West Park fields by TLL was halted until further notice. District Manager Young stated that some of the unapproved projects pose public safety hazards.

A list of approved field improvements for the 2014 TLL season was given the TVRPD Board members.

Board members and audience took a tour of the West Park fields to see the unapproved projects, and soil compaction damage caused by TLL driving vehicles on park grounds. Infield irrigation, brick dust, fencing, dugout condition, fire hose installation, sprinkler and gopher holes were also toured and discussed.

Meeting resumed in boardroom at 6:15 P.M.

Chairperson Stewart made a statement that we are here this evening to discuss the 2014 contract between TLL and TVRPD. We are here to establish procedures that will help make these two organizations great partners. Every person on this Board sincerely understands and supports the good things that TLL brings to our community.

District Manager Young stated that TLL is in breach of contract and referred to section 13 of the 2014 contract between Tehachapi Little League and Tehachapi Valley Recreation and Park District. Young also stated that we are not here to cancel Tehachapi Little Leagues contract.

District Manager Young referred the matter to legal counsel Marc Dennison from Clifford and Brown Law. Mr. Dennison referred the Board to the contract and read section thirteen. Wording is as follows:

Section 13 –

“Ownership of Improvements. Little League shall not construct any improvements on the Premises without the express written consent of District. In the event such improvements are made to the Premises, said improvements shall become the property of District, without cost, upon the termination of this Agreement. Improvements to fences, dugouts, bleachers, batting cages, walkways, turf and infields are examples of improvements. Little League, shall provide District management with appropriate scope of work, drawings, permits, estimates and timeline for completion for each improvement, prior to District approval. District may, in its sole discretion, request that Little League remove any or all improvements installed on the Premises by Little League, in which case Little League shall remove such improvements and return the Premises to its original condition as nearly as may be practical. Little League shall have thirty (30) days following the date of cancellation or termination of this Agreement by which to remove such improvements.”

Chairperson Stewart suggested a pre-season walk through of West Park fields with District management, staff and Tehachapi Little League’s Board next year in order to improve communication.

Director Duhart stated that we need to prioritize what needs to be done to address the safety issues so we can move forward.

Tiffany Ledesma, President of TLL stated that irrigation was discussed with District Manager Young but infield sprinklers were not specifically discussed. Mrs. Ledesma also stated that TLL is comprised of volunteers and that there were problems with scheduling on

both sides.

A person from the audience made a comment that was out of order. (Name not stated)

Chairperson Stewart called for the meeting to come to order.

Meeting resumed.

Director Cyr stated that the District does have deficiencies that need to be addressed and we are not denying that. Director Cyr also stated that District Manager Young is highly qualified to address the needs of the District and he has confidence in his management of the District. Director Cyr also reminded everyone that District Manager Young has many properties to take care of in the District and meets with many people and organizations.

Susan Wiggins spoke as a grandmother stating that she believes TLL is the gold standard. She encouraged everyone to calmly sit down and work out the partnership.

Joel Peel stated that the women's softball fields need to be maintained better.

Several people in the audience (full names not given) made statements supporting TLL's work and that the problem is miscommunication.

Doug Donkles, TLL Board member took responsibility for driving his vehicle on park grounds and installing the infield sprinkler system. Mr. Donkles stated that he understands that TVRPD is in need of more staff and also understands budget constraints. He stated that we need to come together and work together. He suggested that TVRPD staff go see the fields in Bakersfield that have infield sprinklers and that those fields are the gold standard in Kern County. He said that the sprinklers system is better than using hoses to water the infield. There was discussion and disagreement regarding the communication between Mr. Lee, TLL Board member and TVRPD Maintenance Foreman Mike Walsh.

Mr. Walsh stated that he has been involved with TLL for over thirteen years and is very supportive of the organization. Mr. Walsh addressed the meeting that took place with TLL and that irrigation was not addressed at that meeting. Mr. Walsh also stated that he is available 24/7 for phone calls and that he did not receive any messages from TLL. He stated that there is miscommunication within TLL and that he had established that one person would contact him from both softball and baseball for communication between TLL and himself.

District Manager Young stated that TLL was working on a field and turned off a water valve at West Park without notification last weekend. This turned off water to the West Park Activity Center leaving the facility without water where we had our first and second grade basketball program in session. TLL needs to follow proper procedures so this does not happen.

Director Mifflin said obviously there is miscommunication. Director Mifflin also stated that TLL needs to understand that regardless of how responsive or unresponsive staff is, TLL cannot make changes or improvements to the West Park property without written approval from TVRPD. This is very clear in the contract. We need to make a plan and move forward. Jeff Aarons Little League Regional Representative discussed Little League's chain of command, background check procedure and said that the two agencies need to talk to each other to work together to resolve these issues.

TLL President Ledesma asked what the TVRPD Board wants TLL to do to get back within the boundaries of their contract. We need to move forward because opening day is less than a month away.

Director Duhart directed District Manager Young and Mike Walsh to make a schedule of what needs to be done. Mr. Lee asked that they allow enough time for TLL to make the required changes and to take the volunteers' schedule into account.

LeAnn Williams presented safety hazard research to the Board regarding turf compaction, sprinkler heads and gopher holes. All are hazards and need to be addressed.

District Manager Young directed staff to perform a safety inspection and assessment. Director Cyr suggested purchasing a few sheets of plywood to use as a pathway for vehicles to drive on park property. Director Cyr stated that TVRPD staff will need to show TLL what the best path would be for access to the property.

Mr. Lee stated that he wants to help fix the ruts in the turf.

Director Cyr stated that the problem is communication and to alleviate this problem, TLL and TVRPD needs to have one point of contact to address problems and to communicate effectively.

Director Cyr stated that he is comfortable with the contract and that TLL needs to follow the contract.

Vice-Chairperson Rush stated that we need to start over with open communication to work out the issues and she believes that no one will work harder for TLL than District Manager Young.

TLL President Ledesma asked for clarification on the communication and written approval processes.

Mr. Aarons stated that the fire hose goes against the ASAP program and should be removed.

Director Mifflin stated that all email communication from TLL goes to Matt Young. Mrs.

Ledesma stated that the email communication should be sent to her and the entire TLL Board.

District Manager Young stated that he will coordinate with Mike Walsh and make an action plan and will work with TLL for volunteer efforts to address the safety hazards.

Legal counsel Marc Dennison stated that the preferred method for communication between the two agencies is a written letter and is what he recommends. Both TLL President Ledesma and District Manager Young will need to sign the written letters of communication and agreement.

TLL President Ledesma agreed that everything from this point forward will be in written form.

6. BOARD OF DIRECTORS TIME:

Director Cyr stated that the dugout is high priority and needs to be fixed as soon as possible.

Director Cyr offered his help to repair the dugouts.

7. OTHER BUSINESS: None.

8. ADJOURNMENT

Having no further business the meeting was adjourned at 7:38 P.M. to the Regular Board meeting of the Directors of Tehachapi Valley Recreation and Park District scheduled on March 18, 2014.

Rush - Mifflin : Ayes: Stewart; Rush; Cyr; Duhart; Mifflin

Noes: None. Motion carried.

Absent: None

Respectfully Submitted,

Carrie Champlin
Carrie Champlin, Clerk of the Board

