



# Sun Valley G.I.D. Board Meeting Minutes of August 28, 2014

## **Board Members Present:**

|                    |             |
|--------------------|-------------|
| Sandra Ainsworth   | Chairperson |
| Garth Elliott      | Vice-Chair  |
| Margaret Reinhardt | Secretary   |
| Susan Severt       | Trustee     |

## **Board Members Not Present:**

|                |                  |
|----------------|------------------|
| Joseph Barstow | Treasurer (sick) |
|----------------|------------------|

## **Staff Present:**

|                  |                                    |
|------------------|------------------------------------|
| Mike Ariztia     | SVGID, Public Works Director       |
| Erin Dowling     | SVGID, Customer Service Supervisor |
| Maddy Shipman    | SVGID, Legal                       |
| Jennifer Merritt | SVGID, Staff                       |

## **Others Present:**

|                    |   |
|--------------------|---|
| Alexis Berney      | Audience                                    |
| Lauren Going       | Audience                                    |
| Vicky Maltman      | Audience                                    |
| Michael Rider      | Audience                                    |
| Jim Severt         | Audience                                    |
| Glenda Walls       | Audience                                    |
| John Crabtree      | Battle Born BMX                             |
| Mr. & Mrs. Obregon | Sun Valley Cal Ripken                       |
| Dave Solaro        | Washoe County Community Services Department |
| Bill Ware          | Washoe County Regional Parks and Open Space |
| Barney Arneson     | Western Nevada Supply                       |

**The meeting of the Sun Valley GID was called to order by Chairperson Ainsworth at 6:00 p.m. in the Sun Valley District Administrative Building, 5000 Sun Valley Blvd, Sun Valley, NV.**

### **Item#1. Roll call and determination of a quorum.**

Board members present; Vice Chair Elliott, Chairperson Ainsworth, Secretary Reinhardt, and Trustee Severt. A quorum was present.

### **Item#2. Pledge of Allegiance.**

Led by Trustee Severt

### **Item#3. Motion to approve agenda.**

Chairperson Ainsworth requested to move agenda item# 16 after agenda item# 10 to accommodate Ms. Maltman's schedule.

*Secretary Reinhardt made a motion to approve the agenda as amended. Trustee Severt seconded the motion. The motion carried unanimously.*

### **Item#4. Certify posting of agenda.**

Jennifer Merritt certified posting of agenda.

**Item#5. Public Comments for items not on the agenda.**

None

**Item#6. Trustee/Manager's announcements, request for information, and statements relating to items not on the agenda.**

Mike Ariztia, Public Works Director announced Regional Transportation Commission is hosting a public meeting on Thursday, September 4, 2014 at the Sun Valley Neighborhood Center from 6pm until 8pm regarding the Sun Valley Boulevard Corridor Project.

Vice Chair Elliott commented he had attended the Washoe County Commission meeting on Tuesday. During the meeting the Truckee Meadows Fire Protection District was seeking approval to purchase of a new fire engine for Sun Valley. Mr. Elliott reported the request was approved and he thanked the Commissioners and Chief Moore for considering Sun Valley for the new fire engine. He stated he later learned that the new engine would not be available for another year and according to the Fire Station #15 Chief, the type of engine does not fit the Fire Station's needs. He continued and talked about various types of fire engines and their accessibility in the Sun Valley community. Mr. Elliott also stated he went completely electronic for the District's board meetings and stated the District's website is very user friendly.

Audience member Vicky Maltman commented she received a notice from Truckee Meadows Fire Protection District stating they have special equipment to perform immediate smoke ventilation relief.

**Item#7. Discussion and motion to approve accounts payable and customer refunds for August 28, 2014.**

Vice Chair Elliott gave a brief report of the accounts payables for August 28, 2014.

*Vice Chair Elliott made a motion to approve the accounts payable for August 28, 2014 in the total amount of \$141,760.14. Trustee Severt seconded the motion. After discussion the motion carried unanimously.*

Vice Chair Elliott gave a brief report of the customer refunds for August 28, 2014.

*Vice Chair Elliott made a motion to approve the customer refunds for August 28, 2014 in the total amount of \$737.61. Secretary Reinhardt seconded the motion. The motion carried unanimously.*

**Item#8. Discussion and motion to approve minutes of August 14, 2014.**

*Trustee Severt made a motion to approve the minutes of August 14, 2014. Vice Chair Elliott seconded the motion. The motion carried unanimously.*

**Item#9. Presentation by the Sun Valley General Improvement District Board of Trustees to the Community Service Award recipients.**

On behalf of the District, Chairperson Ainsworth presented Community Service Awards to the following; Barney Arneson representing Western Nevada Supply for their continued dedication to the Sun Valley community and residents, Bill Ware with Washoe County Regional Parks and Open Space for his guidance and assistance in making Sun Valley GID recreational events a success, Jessica Obregon representing Sun Valley Cal Ripken Baseball League for their dedication to the success of the Sun Valley youth. The Summit Christian Church was also recognized for their generous donation and volunteerism to the Sun Valley community.

**Item#10. Presentation by the Sun Valley General Improvement District Board of Trustees to the District Lifeguards.**

On behalf of the District, Chairperson Ainsworth acknowledged all of the 2014 Sun Valley lifeguards' for their dedication and professionalism to the success of the 2014 pool season. Chairperson Ainsworth presented a Certificate of Appreciation to Aquatic Supervisor Lauren Going and Lifeguard Alexis Berney.

Mike Ariztia, Public Works Director stated he gave multiple pool updates regarding the operation of the pool and its success. He stated the District had a professional pool staff this year and the District received multiple compliments regarding the pool staff. He also stated the Sun Valley Pool lifeguards competed in the American Red Cross Northern Nevada/California Lifeguard Competition and placed first place.

**Item#16. Discussion and possible motion to approve a District youth pilot program, Crafts For Kids, operated by the District.**

Vicky Maltman stated she is a District Volunteer and she has been working on a craft program for the youth. Ms. Maltman respectfully requested to add a brief article in the District's pipeline to help advertise for the craft program. She stated the article would notify the community that the craft program would be held on Saturday's at the Sun Valley Neighborhood Center. She anticipates that each class would be no longer than one hour. The article would provide contact information for those who are interested in registering for the program. She stated she would like to start with a small class no more than fifteen participants and if the interest becomes greater, then she would either offer an additional class or bring in another volunteer instructor to assist with the program.

Mike Ariztia, Public Works Director stated Ms. Maltman came before the Board a few months ago and her original request was to use the Neighborhood Center for two Monday's to offer a pilot craft program as a trial basis. His understanding tonight's request is just following up with the original pilot craft program; continuing with the pilot program using the Neighborhood Center and working as a District Volunteer.

Secretary Reinhardt inquired how successful was the original pilot craft program.

Ms. Maltman responded the first day she had confirmation of four children to attend the class, but nobody showed up for the class. She believes that the lack of attendance was due to the lack of advertisement. She stated she called the families on a Friday and notified them the class would be held on that following Monday, but it was too short of notice. She believes by announcing an actual schedule, providing days and times, will hopefully provide better interest/participation results. She reported the second class was canceled. Ms. Maltman stated she was originally approved to use the small meeting room at the Neighborhood Center and when she went to set up for the first class, she noticed the room was already occupied by the Family Resource Center. The Family Resource Center is using the room for storage and it limited the use of the room. She held her first class in the multipurpose room, but she does not want to take up that much space for the program and would like to use the Head Start room for the program.

Chairperson Ainsworth inquired if the volunteers would be covered under the District's insurance and if they would be background checked.

Mr. Ariztia responded the volunteers that would conduct the program have already been background checked. The District would assume all liability for the craft program since it would be a District sponsored program.

Maddy Shipman, District counsel inquired if the concept is to offer the class to whomever shows up or would there be some kind of preregistration. She also inquired what would be the duration of the program.

Ms. Maltman is requesting for preregistration so she has an idea of how many participants to plan for and how much material she needs to plan for. She also stated she would like to offer six classes commencing in November.

Erin Dowling, Customer Service Supervisor stated the newsletter is scheduled for distribution for the month of October, during that month the District could collect any preregistration and will work directly with Ms. Maltman regarding the class schedule.

There were no public comments.

*After additional discussion Vice Chair Elliott made a motion to proceed with the District offering a craft program ran by District volunteers. Trustee Severt seconded the motion.*

During discussion Vice Chair Elliott stated the Sun Valley community has a lot of talent. He thinks it a great opportunity for the District to offer an alternate activity other than a sport activity. He also commended Ms. Maltman for taking the initiative to assist the District with a craft program.

Secretary Reinhardt suggested for consideration the use of the new Gepford Park building for a location for the craft program since it is centrally located. If the program was held at Gepford Park the program might receive more interest from other park users.

Ms. Shipman stated the reason why she asked if there was going to be a set amount of participants and preregistration was because of liability concerns. The District volunteers need to know who is dropping off and picking up a child. She recommended some kind of sign in sheet identifying who will be responsible for picking up the child.

Ms. Maltman shares the same concern as Ms. Shipman and hopes that with her being an ex-juvenile police officer, she will be able to assure everyone that she will make sure that each child would be looked after. She suggested guidelines to be set in place requiring everyone to come into the room to drop off or pick up, no child can be left outside. She would also invite parents to stay for the program.

Ms. Dowling stated she would like to continue offering this program as a pilot program. The District staff will keep an interest/registration list that would be shared with Ms. Maltman as well as having each participant complete a registration form to participate in the program.

Mr. Ariztia responded to Ms. Reinhardt's suggestion regarding the use of the new Gepford Park building. The District does not have actual dates yet as to when the building will be delivered and installed. He would recommend the use of the Head Start room in the Neighborhood Center at this time and consider other options at a later time.

*After additional discussion the motion carried unanimously.*

**Item#11. Review of Bighorn BMX Lease Agreement with possible direction to staff.**

Mike Ariztia, Public Works Director stated this agenda item was requested by Mr. Crabtree with Battle Born BMX. He stated Mr. Crabtree brought to the District's attention that the current BMX Lessee Bighorn BMX, nonprofit status had expired which is a requirement in the existing Lease Agreement. He stated District staff investigated the nonprofit status for Bighorn BMX and

confirmed it has been expired since 2011. Mr. Ariztia provided a copy of the current signed Lease Agreement along with a copy of a letter that was mailed to Mr. Proctor with Bighorn BMX. He stated the letter notified Mr. Proctor that the District is aware of Bighorn BMX nonprofit status which is considered a violation of the existing agreement between the District and Bighorn BMX. The letter notified Mr. Proctor that Bighorn BMX has thirty days to obtain new or reinstate the nonprofit status with the Secretary of the State. Failure to provide the District confirmation of the Bighorn BMX nonprofit status within the thirty day period would likely result in, pursuant to Section II, a termination of the Lease Agreement. He stated after the thirty days, District staff will revisit the violation and confirm that nonprofit has been obtained or proceed forward in another direction.

Mr. John Crabtree thanked the Board and staff for looking at the agreement and investigating the Bighorn BMX nonprofit status. Mr. Crabtree stated he is not at the District Board Meeting in any capacity other than to benefit the BMX Track, the community of Sun Valley and the kids. He is not attending for personal reasons and he stated he does not have a vendetta against Mr. Proctor. He stated when Mr. Proctor took over the BMX Track six or seven years ago there used to be a higher attendance at the track compared to the attendance today. He stated per the agreement Mr. Proctor is supposed to supply the District with a report of attendance. He stated if the District reflects on those reports, the District will see where the decline in participation started.

Chairperson Ainsworth inquired if staff has been receiving attendance report from Bighorn BMX.

Maddy Shipman, District counsel responded the District continues to receive the attendance reports and proof of insurance each year. Ms. Shipman stated the current agenda item is regarding the existing Lease Agreement.

Mr. Crabtree stated the current agreement states that Bighorn BMX is supposed to be interacting with the Sun Valley community and advertising accordingly. He believes that the low attendance is a direct reflection on no advertisement or community involvement. He personally advertised for Bighorn BMX on each of his Battle Born BMX team jerseys. He stated there is a reason why when people go to the track they turn around; the track is unsafe in his opinion, there is a forty-five year old concession trailer that is sunken into the dirt, there is grass only on one side of the fence, and a lot of other things need to be done in his opinion to better the park, the community, the kids, and the District. Mr. Crabtree stated he wants to see the track succeed, he has had cordial conversations with Mr. Proctor over the past years, but they have become less cordial in the last six months. He stated he doesn't understand why the District would give Mr. Proctor thirty days to obtain and/or renew his nonprofit because he basically perjured himself by signing an agreement knowing that he did not have a nonprofit; he can understand to a certain extent in order to keep the BMX Track open for the kids. He also stated he spoke with a gentleman by the name of Trevor Stinger who was also offered to operate the track next year. Mr. Stinger shared with Mr. Crabtree he too is concerned how Mr. Proctor might leave the track when he is done with it.

Mr. Ariztia inquired when the official end of the racing season is.

Mr. Crabtree responded the BMX season ends on December 15<sup>th</sup> of each year and it starts back up in the beginning of January. He stated two years ago racing continued into December at the Bighorn BMX track and everything was going good. Traditionally as long as the weather cooperates tracks are open for racing all year long. Mr. Crabtree stated before anyone takes over the track whether it be him or somebody else, the track needs to be made safe. He stated he is very proactive and he wants to see the track remain open for everyone to enjoy.

Mr. Ariztia responded and stated the District shares the same concern and wants to be able to provide the best facility and the best recreational opportunities for the Sun Valley youth. He stated

that the District did address the nonprofit status and staff will look into the other potential breaches as mentioned and bring it back at a future board meeting.

Vice Chair Elliott stated he is sorry that the thirty days was included in the letter because he thinks that is more than generous. He remembers seeing the race gate full many times as he has driven by the track. He stated now that the District is aware of the violations; staff will proceed quickly regarding the situation. He inquired with Mr. Crabtree if he would be in position to assume the responsibilities if Mr. Proctor was to default.

Mr. Crabtree responded he will do anything he can to help make the BMX Track safe and successful. He will work with anyone that is willing to take over the track; he just wants to make sure that it stays open for the kids.

Vice Chair Elliott stated he would like to consider a future agenda item to hear Mr. Crabtree's plans for the BMX Track.

Mr. Ariztia stated the liability insurance for Bighorn BMX is current and valid under the umbrella of USA BMX/ABA.

*After further discussion Trustee Severt made a motion to bring this agenda item back on September 25<sup>th</sup> for further discussion with possible action since the District gave Bighorn BMX thirty days to respond. Vice Chair Elliott seconded the motion.*

During discussion Vice Chair Elliott inquired instead of extending out the existing agreement another two weeks, if action is needed, can the District also include a motion to award a new contract to someone else.

Ms. Shipman responded and stated the District cannot initiate a new contract at the next meeting. The District is obligated to the current agreement which has provisions in the agreement regarding the term of the agreement as well as termination.

Audience member Jim Severt Jr. inquired if the nonprofit status was not active since 2011 and Mr. Proctor reinstates his nonprofit status, what happens to the voided time period in between. He inquired if that puts the District on the hook for the nonprofit during the lapse time.

Ms. Shipman stated the nonprofit status requirement is a policy of the District and not by the law. She stated she assumes the District Board will take in consideration the current nonprofit status when making a decision how to proceed. She stated District staff felt that minimally, Bighorn BMX should be given the opportunity to correct the violation. She stated in most cases the reason why a nonprofit is required is because a lot of insurance agency will not provide the required amount of insurance coverage unless the organization is a nonprofit.

Mr. Severt stated the track has always been recognized as a USA BMX Track and the insurance has always come from the USA BMX organization. Mr. Severt didn't want to see the District be held responsible for the nonprofit violation. He also inquired if a new track operator would be responsible for the current nonprofit violation; if the Secretary of State would make whoever rectify the nonprofit status and also make them responsible for Bighorn BMX nonprofit status.

Ms. Shipman responded there is very little required to reinstate a nonprofit to good standing. Bighorn BMX can reinstate their nonprofit status by paying a fee. There is no penalty and there would be no retroactive fees required to her knowledge.

Mr. Severt stated he just doesn't want to see the track closed for a period of time while resolving the nonprofit issue.

Additional discussion ensued regarding NRS 318 and nonprofit requirements.

Mr. Elliott requested for clarification; is the District requiring Bighorn BMX to become current with their nonprofit status or provide the District with documentation that they are and/or have been current with their nonprofit status.

Ms. Shipman responded the District is asking Bighorn BMX to become current and in good standing with the Secretary of State.

Mr. Elliott stated he has a problem with that since they willingly knew that they weren't current.

Trustee Severt inquired when the District discusses this item on September 25<sup>th</sup>, does the Board have the opportunity to invoke the clause of terminating the existing agreement.

Ms. Shipman responded she assumes the agenda item would be an action item and the Board could take any necessary action as needed.

*After further discussion the motion carried unanimously.*

**Item#12. Marketing update by Nancy Eklof Public Relations, Inc.**

Erin Dowling, Customer Service Supervisor provided a copy of Nancy Eklof, Public Relations marketing report regarding the activities she has been working on for the District.

There were no public comments.

**Item#13. Review of District's fall pipeline newsletter articles with possible direction to staff.**

Erin Dowling, Customer Service Supervisor provided a copy of the draft summer pipeline newsletter. Ms. Dowling stated the final draft will be presented at the next board meeting for approval with distribution starting in October. She stated there is a lot of information with this newsletter and staff would like to dedicate a half page or a full page to the Customer Satisfaction Survey results. She stated based on the length of the other articles, staff might have to shorten them in efforts to include everything or consider postponing and/or eliminating some articles.

Secretary Reinhardt wanted to make sure to include any articles in the newsletter that might be time sensitive.

Chairperson Ainsworth stated the article regarding the feral cat program is incorrect. She stated the feral cat program is strictly for feral cats; the Nevada Humane Society will not spay/neuter or vaccinate any domesticated cat for free or for a donation as the article indicates.

Ms. Dowling responded the feral cat program was requested to be included in the newsletter. She stated the District needs to be careful with the District's non-solicitation policy that the District is not giving specific information and overstepping our own policy. She suggested referring readers to the Nevada Humane Society for more information regarding the feral cat program.

Trustee Severt suggested staff to include a community link on the District's website how to find out more information regarding the feral cat program and include any articles that are eliminated from this newsletter to have the articles highlighted on the District's website.

There were no public comments.

*After further discussion Trustee Severt made a motion to approve the draft newsletter. Secretary Reinhardt seconded the motion. The motion carried unanimously.*

**Item#14. Reader Board update by Garth Elliott.**

Vice Chair Elliott stated he had a meeting with Washoe County staff regarding a potential new reader board. He stated Washoe County's new sign ordinance has height restrictions which would require a reduction in height of all the proposed designs including the height of the existing marquee. He stated the height requirement defeats the purpose of replacing the existing marquee. He stated there are different height allowances for the installation of a new sign located at the Community Park versus installation at the District's office. If the sign was installed at the District office then the sign can be taller but that does not help with advertising at the various programs at the Community Park. He stated he would like to have signs at both locations, but that is not for him to decide. He stated he will continue to work with Washoe County regarding their new sign ordinance. He also stated that he has been speaking with potential businesses for funding for a new sign.

There were no public comments.

**Item#15. Discussion regarding vendor trucks at Sun Valley Parks with possible direction to staff.**

Mike Ariztia, Public Works Director stated currently the District's policy is that the District does not permit vendor trucks within the parks. The District has in the past, in conjunction with the League Agreements, allowed for specific vendors in the park to assist with the leagues fundraising. Any vending trucks that have been approved to be in the parks were specifically requested by the league(s). He stated that he checked with both Washoe County Parks and the City of Sparks and they both don't permit vendor trucks in their parks.

Secretary Reinhardt inquired if there is a current problem with vendor trucks in the District's parks.

Mr. Ariztia responded there is currently not a problem with vendor trucks during the week, but there is a problem with vendor trucks during the summer months and on the weekends. He stated staff does not like vendor trucks in the parks especially during the summer months because it competes with the District's concessions sold at the pool in efforts to help generate revenue to cover expenses. If staff sees a vendor truck in a park, staff will let them know that they are not permitted and that they have to leave. This does not prohibit the vendor from parking on the side of the street outside of the park. He stated that it is difficult to enforce the rule because the District does not have a full time park ranger. He also stated even without the permitting of vendor trucks, there are conflicts at times between vendors who arrived at the park first. Mr. Ariztia stated he would recommend leaving it up to the leagues who they would like to have at the parks to offer concessions during games for fundraising purposes only.

Vice Chair Elliott requested this agenda item because while he was attending the Sun Valley Cal Ripken Board Meeting when three separate ice cream vendors showed up at the Community Park and parked in front of multiple handicap parking spots. He approached one of the vendors to ask if they were permitted and also notified them that they were blocking the handicap parking spots. He stated when he walked around the truck he saw a piece of cardboard stuffed between the bumper and the license plate disguising the fact that the truck was not even licensed. Mr. Elliott stated he thinks the vendor trucks in the parks are a problem and does not know how to enforce it.



Mr. Ariztia responded the District notifies all the leagues that if an unauthorized vendor truck parks in the park, the league has the right to ask them to leave and if they don't leave the league has been instructed to call the Sheriff's Department.

Audience member Michael Rider representative of the Sun Valley Cal Ripken stated the league has always had a problem with vendor trucks. He stated the vendor trucks cause a safety concern when the kids start running in the streets after the ice cream truck. He stated this year was even a bigger problem trying to keep the vendors out of the park with the absence of the concession building. When the league had a concession building, league representatives would always chase the vendors away because it takes away from their fundraising. Funds raised through concessions are what pay for a lot of the field improvements and equipment for the league. He stated he thinks the more activities at the park and proactive members will be able to assist the District with policing the parks.

Vice Chair Elliott inquired if there is any interest having a presentation by the Sheriff's Department how to properly report unpermitted vendors.

Mr. Ariztia responded the Board could direct staff to meet with the Sheriff's Department to discuss the issue and bring back a report to the Board.

Trustee Severt stated she likes Mr. Elliott's idea and would also like to discuss how to provide additional enforcement making sure the vendors are properly permitted by the Washoe County Health Department and have current business licenses.

Mr. Ariztia inquired how quickly would the Board want a presentation regarding enforcement.

Trustee Severt suggested later this year, but before the next recreation season.

Chairperson Ainsworth suggested creating a flyer that lists the rules of the park and it could serve as a warning/notice. The flyer can be handed out by staff and the leagues. She thinks this will help with the abundance of vendor trucks.

Secretary Reinhardt agrees the flyer could be very effective.

**Item#17. Financial report by William Short.**

None

**Item#18. Legal report by Maddy Shipman.**

None

**Item#19. Field report by Mike Ariztia.**

Mike Ariztia reported on the following items;

- The District has had a rash of graffiti recently. The welcome sign located on Highland Ranch Parkway was graffiti as well as one of the tanks and the Community Park. He also reported the windows at the Teen Center were busted out. Staff filed a police report for the damages.
- He wished Margaret Reinhardt a Happy Birthday on behalf of the District.

**Item#20. Public Comments.**

None

**Item#21. Board Comments.**

None

**Item#22. Future Agenda Items.**

Mike Ariztia reported the following items will be on the next agenda;

- Update by Washoe County Senior Services Grady Tarbutton
- Discussion regarding the new proposed Community Development Block Grant projects
- Approval of the final fall newsletter
- Review of the benefit and compensation comparison
- Determination of possible wage increases and/or consideration of alternative incentive

Mr. Ariztia reported a review of the BMX Lease Agreement will be brought back at the September 25<sup>th</sup> board meeting. And a future agenda item will be brought back later this year regarding vendor trucks in the parks.

Audience member Michael Rider requested an agenda item for the District's November meeting to discuss Sun Valley Cal Ripken's request to present a proposal for possible modifications at the Gepford Park.

**Item#23. Adjournment.**

*Secretary Reinhardt made a motion to adjourn at 7:42 pm. Vice Chair Elliott seconded the motion. The motion carried unanimously.*