

NEWPORT BAY CONSERVANCY  
MINUTES OF THE BOARD OF DIRECTORS MEETING  
September 4, 2013 Back Bay Science Center  
OPEN SESSION

**Call to Order/Roll Call**

**Present:** Pres Howard Cork, VP Peter Fuhrer, Sec Holly Fuhrer, Treas Donna Flower, Cathey Bertot, Peter Bryant, Virginia Hayter, Dennis Kelly, Rob Ellis, Angie Vazirian

**Absent at the time of Roll Call:** Debbie Moore

**Absent with Apologies:** Rita McCoy

**Attendees:** Jack Keating, Frances Cork, Betsy Flynn

The meeting was called to order by Pres Cork at 5:03 pm.

**Secretary's Report**

Sec Fuhrer presented the Minutes of the July 3, 2013 Board Meeting. Mmbr Hayter made a motion to approve, seconded by Dennis Kelly. All were in favor.

**Treasurer's Report**

Treas Flower reported that we have \$283,000 in restricted funds and \$82,000 in unrestricted funds (of which \$30,000 is in our reserve fund). In the next two months we have to consider next year's projected budget. We need to get the membership renewal drive underway immediately. That function is now under the umbrella of the Fundraising Committee led by Chair Ginger Hayter. Corporate donors also need to be solicited. We have the Marisla Grant of \$25,000 for the Volunteer Coordinator. We can use \$10,000 from the Gimbel Grant to help pay for staff.

Pres Cork reported that we received eight responses to our ad for an Operations Director and have interviewed six candidates. The search committee expects to make a choice by next week. Advertising for the Volunteer Coordinator will soon follow.

**Board Development Committee Report**

Chair Peter Fuhrer reported that the Board Development Committee is working now to find new candidates to run for next year's Board. The Annual Meeting date and election calendar have been determined. The Annual Meeting is traditionally held on the first Thursday of November which would be November 7 this year. A number of changes in the election procedure are dictated by the new 2013 Bylaws. All candidate applications must be submitted no later than 28 days prior to the election which puts the deadline at October 10, 2013. No nominations can be accepted from the floor since the Board Development Committee has to review them ahead of the election. The voting membership will be determined according to the membership eligibility requirements agreed upon and approved in June 2011 by the Board and the membership. All volunteer hours must be reported for this purpose no later than October 1, 2013. A Special Election Committee will be appointed to carry out the mechanics of the election. The election will be conducted by secret written ballot. A nominee must receive a majority of the votes present in order to be elected. The Board will have its regular monthly meeting on the first Wednesday, October 2, 2013 and then an additional meeting on October 16, 2013 at which time the

Board Development Committee will present to the Board the vetted candidates along with its recommendations.

Mmbr Hayter moved to accept the calendar for the Annual Meeting and the elections for the 2013-2014 Board of Directors. Mmbr Kelly seconded the motion. All were in favor.

Sec Fuhrer requested Board approval for two minor changes to the Board Application form. Mmbr Kelly moved to approve. Mmbr Bertot seconded. All were in favor.

Three changes to the Code of Involvement were also proposed. Two involved refinements of wording. The other involved a change of policy, raising the number of hours required of Board members from 12 a month to 20 a month. A motion was made by Mmbr Bryant to approve all three suggested changes to the Code. Seconded by Pres Cork. All were in favor.

### **Pacific Life Grant Report**

Chair of the Grant Writing Committee, VP Fuhrer, reported that he submitted the Pacific Life Grant this year for \$10,000 to cover equipment needed to expand and upgrade our education programs. Mmbr Ellis, Mmbr Bryant, Mmbr Kelly, and volunteer Rita Phillips helped to identify what would be needed. Last year we applied for \$5,000 to be used for the Outrigger program. The current grant application represents a change of focus determined by the Board.

VP Fuhrer announced that NBC would not be eligible this year to reapply for the Gimbel Grant which funded the Outrigger program last year. Gimbel Grants are by invitation only and change focus every year.

VP Fuhrer also reported that planting for the Bayview Project was scheduled to begin in October by our contractor Barry Nerhus. A meeting with community members was supposed to be held in September. However, permits from the Coastal Commission have yet to be obtained and may hold up the project as the process is bureaucratically complex and moves slowly.

### **Lands Pass Update**

Pres Cork reported that a meeting occurred last month with representatives and higher ups of DFW, NBC, OC Parks, the City of Newport Beach, and the NAC. The meeting was described as friendly and constructive. DFW was apologetic for the recent upheaval after notice of the Lands Pass was posted without warning to the community. The possibility of substituting a voluntary donation for a mandatory fee was discussed. The City made it clear that they would not sanction collection of fees on their property which definitively includes Back Bay Drive. The difficulty of collecting any fees with so many entry points in the Bay was pointed out. The group agreed that a "working party" should be established to examine the issue in more detail and evaluate possible alternative ways of raising funds for the Reserve. Pres Cork has asked Mary Thornton to serve as NBC representative.

Discussion followed. Mmbr Hayter reminded the Board that DFW has invested very little in the Ecological Reserve. The facilities are completely dilapidated and upkeep and maintenance have been very minimal except around the Back Bay Science Center. There is no Visitor Center as they state in their publications. The BBSC is closed to the public except during scheduled events. DFW will not be able to enforce a Lands Pass unless they enclose the Reserve within a fence which would be highly

impractical, exorbitantly expensive, and would arouse hostility and resistance in the community. They don't have staff to police such a policy. Pres Cork advised DFW could not guarantee that they would use collected funds solely to improve the Ecological Reserve. DFW admits that they are bowing to pressure from hunting and fishing constituencies who feel they bear the burden of fees, and also to cutbacks in State Parks funding. Pres Cork recommends that NBC and other like-minded partners keep up the pressure and the momentum to try to dissuade DFW from their current plan and find a satisfactory resolution for all parties concerned.

### **Naturalist Training Class**

At Pres Cork's request, Mmbr Bryant agreed to take over organizing the Naturalists Training Class this year since we do not have staff in place to manage this at the moment. He has lined up the speakers and asked them to concentrate their lectures on how to be an effective interpreter, how facts can be utilized, and how to become involved in our programs on an on-going basis. He suggests the factual materials be placed in a drop box. Discussion followed regarding how to determine whether students are taking the course for their own benefit or because they really intend to become docents for the NBC. There is a need to make this clear to them and perhaps to screen them more carefully regarding their motivations. Our program needs to draw them in and get them excited about the Bay and our teaching and interpretive functions. It was decided that we would raise the price from \$25.00 to \$35.00 this year and increase it to \$50.00 next year.

### **Other Business**

Mmbr Hayter raised the issue of establishing the Volunteer Support Committee which has been suggested previously. Frances Cork presented a proposal outlining the purpose and activities of such a committee "to support the Volunteer and Programs Coordinator in recruiting, training, motivating and retaining volunteers." Mmbr Hayter proposed that it be a standing committee of the Board. This would require an amendment to the Bylaws and will have to be referred to the Bylaws Committee for consideration. In the meantime it can be organized as an ad hoc committee. Mmbr Hayter moved that a Volunteer Support Committee be established according to Frances Cork's proposal (attached). Seconded by Mmbr Kelly. All were in favor. Frances Cork and Peter Ridley have expressed an interest in joining this committee.

Mmbr Hayter also made a motion to create a Membership Sub-Committee of the Fundraising Committee specifically to manage the Membership Renewal Drive due to begin this fall. Seconded by Mmbr Kelly. Passed unanimously.

VP Fuhrer will be holding a meeting this week with Paul Scionti, Jean Whitaker, Frances Cork, and Donna Flower to discuss our database issues and how they can be resolved in time for the Membership Drive. This committee will be dealing with all of NBC's Information Technology needs with the goal of creating an IT system and databases that are up-dated and user friendly.

### **Volunteer Appreciation Dinner**

Pres Cork announced that Matt Yurko volunteered to take over the Volunteer Appreciation Dinner this year with the help of DFW and the City. Mmbr Hayter moved that the Board approve \$500.00 to help pay for the food (\$250.00) and a gift for NBC volunteers (\$250.00). Seconded by Peter Bryant. Passed unanimously.

### **Coastal Clean-Up Day**

Scheduled to be held on Saturday, September 21, 2013. NBC is liaising with OCParks, Sue Stoffel, and DFW, Robin Madrid and Carla Navarro, and providing volunteers.

Mmbr Hayter moved that we adjourn the Open Session and move into Executive (Closed) Session. Mmbr Kelly seconded. All were in favor.

The Open Session was adjourned and continued to a time certain by Pres Cork at 6:36 pm.

The Closed Session was called to order at 6:36 pm.

### **Personnel and Staffing**

Issues of hiring and staffing were discussed.

A motion was made by Mmbr Hayter and seconded by Mmbr Bryant to adjourn the Closed Session. All were in favor.

Motion made by Sec Fuhrer to continue the Open Session, seconded by Mmbr Hayter, and passed unanimously.

Motion made by Mmbr Hayter to adjourn the Open Session, seconded by Mmbr Kelly. All were in favor.

The meeting was closed by Pres Cork at 7:02 pm.

Respectfully Submitted,

Holly Fuhrer  
Secretary, Newport Bay Conservancy