



**MINUTES  
BOARD OF DIRECTORS  
ROSSMOOR COMMUNITY SERVICES DISTRICT**

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, June 9, 2015**

---

**A. ORGANIZATION**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. ROLL CALL: Directors Burgess, Casey, DeMarco, Maynard  
President Kahlert**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS: None**

**B. ADDITIONS TO AGENDA—None**

**C. PUBLIC FORUM:**

Kevin Pierce had comments relative to the recent restriping of Bradbury Road between Montecito Road and Los Alamitos Blvd. in Rossmoor. He opined that to his knowledge the changes had never been voted on or approved by the citizens of Rossmoor. He added that the County Traffic Bureau informed him that the changes had been made in an effort to control speed which averaged 38 mph. Mr. Pierce stated that Bradbury Road had been without striping for 60 years and the changes were made without notification to anyone. He further opined that the lanes were too narrow forcing cars nearer to the parked cars and homes, damaging his landscaping. He added that the center lane was too wide and the new configuration actually caused traffic problems. He concluded that the design was poorly planned and executed. He asked the District to advise him as to the next steps.

President Kahlert thanked Mr. Pierce for his comments and stated that the Board would take them under advisement.

**D. REPORTS TO THE BOARD**

**1. REPORT OF THE GENERAL MANAGER RE: WATER CONSERVATION**

Recommendation to receive the General Manager's report on water conservation. The General Manager briefed the board on the District's progress in response to the AquaSave water audit and relative drought resistant information. Discussion ensued. The report was received and filed.

**E. CONSENT CALENDAR**

**1a. MINUTES REGULAR BOARD MEETING—May 12, 2015**

**2. REVENUE AND EXPENDITURE REPORT—April 2015**

Discussion ensued relative to the format of the report.

Motion by Director Maynard, seconded by Director DeMarco to approve the Consent Calendar Items as submitted. Motion passed 5-0.

**F. PUBLIC HEARING:** None

**G. RESOLUTIONS:**

**1. RESOLUTION NO. 15-06-09-02: ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS**

Recommendation to approve Resolution No. 15-06-09-01, select three nominees and direct the General Manager to submit an Official 2015 Election Ballot to the SDRMA. Discussion ensued relative to candidate qualifications.

Discussion ensued. Director Casey stated that after reading the candidate statements he felt that only two were qualified enough for the position. Motion by Director Casey, seconded by President Kahlert to vote for only the two incumbent candidates, Ed Gray and Sandy Seifert-Raffelson. Director Maynard disagreed and opined that the Board should vote for all three candidates. Based on Director Maynard's comments, Director Casey agreed to a friendly amendment. Amended Motion by Director Casey, seconded by President Burgess to vote for the following three candidates: Robert Swan, Ed Gray and Sandy Seifert-Raffelson. Motion failed 2-3, with Directors Maynard, DeMarco and Burgess Voting No.

It was the consensus of the Board to vote for the two incumbents and have a separate motion for the third candidate.

Motion by Director Maynard, seconded by Director DeMarco to vote for the two incumbents, Ed Gray and Sandy Seifert-Raffelson. Motion passed 5-0.

Motion by Director Maynard, seconded by Director Casey to vote for Robert Swan as the third candidate as he had the strongest resume and direct the General Manager to submit an Official Election Ballot to the SDRMA. Motion passed 5-0.

**2. RESOLUTION NO. 15-06-09-02: SETTING OF APPROPRIATIONS LIMIT FOR FISCAL YEAR 2015-2016.**

The General Manager reported that Article XIII B of the State Constitution requires that the District Board of Directors establish the Fiscal Year appropriations limit by calculating population and inflation factors. The 2015-2016 Fiscal Year appropriations limitation shall be \$1,934,537. Recommendation to approve by roll call vote, Resolution No. 15-06-09-02 by reading the title only and waiving further reading as follows:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2015-2016.**

Motion by Director DeMarco, seconded by Director Casey to approve Resolution No. 15-06-09-02 by roll call vote. Resolution No. 15-06-09-02 was approved by roll call vote 5-0.

**ORDINANCES—None**

**H. REGULAR CALENDAR:**

**1. PRELIMINARY 2015-2016 ANNUAL BUDGET AND SALARY PLAN.**

Recommendation to receive the report of the General Manager, set date of public hearing and provide direction regarding the formulation of FY 2015-2016 Final Budget.

Brief discussion ensued. Motion by Director Burgess, seconded by Director DeMarco receive the report of the General Manager, set date of public hearing to July 14, 2015 and provide direction regarding the formulation of FY 2015-2016 Final Budget. Motion passed 5-0.

**2. APPROVAL OF A ONE-YEAR EXTENDED TERM AGREEMENT WITH MR. FERNANDO MOLINA FOR TENNIS INSTRUCTION AT ROSSMOOR PARK.**

Recommendation to authorize the General Manager to execute the first of two one-year Extended Term Agreements to provide tennis instruction by Mr. Fernando Molina.

Motion by Director Maynard, seconded by Director DeMarco to authorize the General Manager to execute the first of two one-year Extended Term Agreements to provide tennis instruction by Mr. Fernando Molina.. Motion passed 5-0.

**3. APPROVAL OF PROPOSED THREE-YEAR TERM AGREEMENT WITH WEST COAST ARBORIST INC. FOR PARK AND PARKWAY TREE ARBORIST AND TREE MAINTENANCE SERVICES.**

The General Manager reported that the current Agreement with West Coast Arborist (WCA) is set to expire on July 1, 2015. The General Manager was prepared to submit a recommendation for a new three-year agreement at this Board meeting. However, staff was informed on June 3<sup>rd</sup> by WCA that due to a new labor agreement, just executed, there would be a substantial increase in their cost of doing business. This increase applies not only to WCA, but for the tree industry State wide. Therefore the recommendation is to refer the matter of a proposed three-year agreement with West Coast Arborist Inc. (WCA) to the Budget Committee for review.

The General Manager reported that there had been no increase in the contract for the last 6 years. West Coast Arborist was proposing a 16% increase which amounted to approximately \$14,000 phased in over a period of 3 years. He stated that the District was happy with the excellent level of service received by WCA. The District also benefited from their sophisticated reporting system, cost controls, fleet management and risk management. Discussion ensued relative to the timeline for approval of the proposal.

Motion by Director Maynard, seconded by Director DeMarco to refer the matter of a proposed three-year agreement with West Coast Arborist Inc. (WCA) to the Budget Committee for review.

Motion passed 5-0.

#### **4. INVESTMENT COMMITTEE RECOMMENDATIONS ON RE INVESTMENT OF RUSH PARK BOND RESERVES.**

Recommendation Discussion and possible action on the Investment Committee's recommendations on the reinvestment of Rush Park bond reserves. The General Manager reported that the Investment Committee met on May 28, 2015 and reviewed the District's Investment Portfolio. Of particular note was their review of the Rush Park Fund 20 Reserve Account. No recommendations for new investments were made due to current market conditions.

Motion by Director DeMarco, seconded by Director Casey to, per bond covenants, to invest one-half of the amount of the Fund 20 Bond Reserve (\$632,770.00) in a two-year U.S. Agency note [currently yielding 0.46% yield to maturity (ytm)] and invest the other half in a three-year U.S. Agency note (currently yielding 0.80% ytm). Motion passed 5-0.

#### **5. LETTER PROTESTING PASSAGE OF AB 57 RE: APPROVAL OF WIRELESS TOWERS AND EQUIPMENT.**

Recommendation to authorize Board President Kahlert to submit a letter protesting the potential passage of AB 57.

Brief discussion ensued. Motion by Director Maynard, seconded by Director DeMarco to authorize Board President Kahlert to submit a letter protesting the potential passage of AB 57. Motion passed 5-0.

#### **6. PROPOSED POLICY NO. 3040: UTILIZATION OF DISTRICT RESOURCES.**

Recommendation for discussion and possible first reading of new Policy No. 3040 Utilization of District Resources to address the fiscal management and allocation of District resources.

Motion by Director Maynard, seconded by Director DeMarco to waive first reading and approve new Policy No. 3040 Utilization of District Resources, to address the fiscal management and allocation of District resources. Motion passed 4-1, with Director Burgess voting No.

### **I. GENERAL MANAGER ITEMS:**

The General Manager reported that at the request of the RHA, President Kahlert had appointed Director DeMarco to be the RCSD representative of the RHA Traffic Committee. He announced that the first meeting of the Los Alamitos Unified School District/RCSD Working Group Committee would be held this Wednesday at 1:30 p.m. He stated the County restriping improvements on Montecito Road would conclude tomorrow and the Rush Park Canopy Project had recently undergone some mandatory permitting alterations and structural modifications leading to slight delays in the starting date. Regarding Committee Alternates, he opined that the Board may want to consider giving President Kahlert the authorization to appoint an alternate in emergency situations. He recommended that staff create a committee alternate policy to be brought to the Board for review and possible action.

Director Maynard expressed concerns about appointing alternates. He inquired as to what prompted the suggestion. The General Manager replied that scheduling committee meetings was

sometimes a challenge. Director Burgess asked if meeting telephonically was an option. General Counsel stated that a clear policy needed to be in place to address alternates and telephonic meetings. He stated that he would work with staff to draft a policy.

The General Manager announced that he had met with the RHA President Mark Nitikman and Erwin Anisman regarding their proposal to create a drought resistant landscaping demonstration project at Kempton Park. The RHA has agreed to make a \$10K grant contribution toward the project. The grant was provided by a private donor with the stipulation that the money be used to improve parks. The redesign would conserve water and act as an educational resource for children and the community by identifying various native and drought resistant plants. Valleycrest has agreed to provide some conceptual designs which would then be brought to the Parks and Facilities Committee for review.

## **J. BOARD MEMBER ITEMS**

Director Burgess reported that he had attended both of the public workshops held by Golden State Water Company which were quite informative. He stressed the importance of the drought situation. He added that the current environment is not good for grants, however, it would be beneficial to explore additional funding solutions.

Director Casey provided the board with an update of the I-405 project. He stated that CalTrans had chosen Alternative 3; the same alternative the corridor cities adamantly opposed. He added that CalTrans had affirmed authorization to acquire right-of-way for the project which involved easements on 314 parcels for the purpose of either temporary construction or partial construction. Therefore the adjacent land of many property owners who opposed the project would be encroached upon. Six of the parcels were located in Rossmoor on Yellowtail Road. Westminster had 119 properties impacted. Actions thus far had come from Seal Beach who officially challenged the decision and hired an EIR Engineer, analyzed and compiled a 60 page document entitled "Substantive Defects" and are fighting the issue. Out of 60 pages most of concerns were related to the soundwall, emissions, construction impact and traffic issues at College Park East. Seal Beach Councilmember Gary Miller was leading the charge and adamantly going through the process to oppose the property encroachments and project impacts. He added that RCSD General Manager will meet with their General Manager soon. Should we decide to go forward with the 30 day notice of determination to challenge the CEQA. The cities of Huntington Beach, Costa Mesa, Fountain Valley, Seal Beach, Los Alamitos and Rossmoor. (see tape).

Director DeMarco had comments about the County's restriping of Bradbury Road. He stated that he had received many complaints from residents regarding the new road configuration and he encouraged them to attend the board meeting to express their viewpoint—he thanked Mr. Pierce for expressing his views. He added that moving forward, at the very least, the County should notify the RCSD General Manager prior to making these types of changes. He opined that the median was too wide, the lanes were too close to parked cars and the striping didn't make sense. He stated that this was an example of what can occur without local control. He provided a status report on the restriping of Montecito Road, stating that the paint illumination had been greatly improved thanks to the diligence and follow up of the General Manager and staff. He thanked President Kahlert for appointing him to the Traffic Committee, there were many traffic issues and the County was doing a traffic study at this time. The good news is, the County and the school district were taking action to improve these situations. He opined that these agencies are concerned about whether they are

getting enough buy-in from the community. He expressed a need for the RHA Traffic Committee to better utilize RCSD staff and the public forum of the board meetings to engage the community on traffic issues. He concluded by saying that the Los Alamitos School District and County Representatives had expressed concerns relative to community representation for Rossmoor on traffic issues as there seemed to be confusion as to whether RHA or RCSD was the lead agency in the matter. He added that he will be attending the next Traffic Committee meeting on July 1, 2015 and will report back to the Board.

Director Maynard thanked Mr. Pierce for his comments on the Bradbury Road restriping and agreed with his assessments. He opined that the new design was unsafe for cyclists as well and he objected to the fact that the community was not notified or given the opportunity to provide input.

The General Manager stated that he had spoken with the County regarding the restriping and lack of notification and would report back his findings.

President Kahlert concurred with his fellow board members relative to the Bradbury restriping issue. He suggested asking them to restripe the road and add a bike lane. He encouraged the community to take advantage of the District's upcoming free Stellar Summer Events with Movies, Concerts and Shakespeare in the Park. He reminded the community that school was out and Los Alamitos High School Graduation night was Thursday with ceremonies being held at the Carson Tennis Center. He congratulated the class of 2015 and cautioned drivers to be careful and mindful of the many celebrations. President Kahlert concluded his comments by congratulating his two daughters who were graduating from Los Alamitos High School and UCSB this year.

**K. CLOSED SESSION—None**

**L. ADJOURNMENT:**

Motion by Director Casey, seconded by Director Maynard to adjourn the regular meeting at 8:45 p.m. Motion passed 5-0.

**SUBMITTED BY:**

**James D. Ruth**  
**General Manager**