



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, February 14, 2017

A. ORGANIZATION

1. CALL TO ORDER: 7:01 P.M.

2. ROLL CALL: Directors Casey, Kahlert, DeMarco, Nitikman
President Maynard

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS:

a. Orange County Sheriff's Department Lieutenant Jeff Puckett: Quarterly Crime Statistics

Lt. Puckett reported on the fourth quarter crime statistics for Rossmoor. He stated that overall crime was trending down for Rossmoor and indicated that crimes of opportunity were still a significant factor. The Board expressed their appreciation and gratitude for the Orange County Sheriff Department's service. Director DeMarco stated that he had attended the "Coffee with a Cop" event at Panera Bread in Seal Beach on Thursday, February 9th and was pleased with the law enforcement presence as well as the community engagement. He praised the agency's outreach efforts. The presentation was received and filed.

b. Director Ron Casey Presentation Re: I-405 Improvement Project

Director Casey provided the Board and community with a status report on the I-405 Improvement Project. Discussion ensued relative to project costs, construction phases, projected alternative options for mass transportation, completion and OCTA outreach. The report was received and filed.

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM:

Jody Roubanis, Alex Roubanis and Artis Roubanis opined against allowing the County to remove the Foster Road Bike Lane. Alex and Artis stated that they used the bike lane to travel to school.

Kevin Pearce opined relative to the latest community traffic concerns. He provided an update on the Bradbury Road restriping speed study and indicated that in response to resident opposition the County was considering alternative solutions once the speed study was finalized. Mr. Pearce reported that an LA Fitness Coalition had been formed to contest the resurrection of the LA Fitness Center Project at the Shops at Rossmoor in Seal Beach. He implored the community to attend the coalition's meeting this Thursday at the Rossmoor Park Condominiums and get involved.

D. REPORTS TO THE BOARD:

ITEM D-1 WAS TAKEN OUT OF ORDER AND COMBINED WITH ITEM G-1 RESOLUTION NO. 17-02-14-01 FURTHER DOWN IN THE AGENDA.

2. QUARTERLY STATUS REPORT

The General Manager reported on the fourth quarter status report related to the District's Goals and Objectives. Brief discussion ensued. The report was received and filed.

3. QUARTERLY RECREATION REPORT

Recreation Superintendent Chris Argueta presented the Quarterly Recreation Report to the Board. Brief discussion ensued relative to special event attendance, future programs and fundraising goals for the 2017 Rossmoor Winter Festival. The report was received and filed.

4. QUARTERLY TREE REPORT

Tree Consultant Mary Kingman presented the Quarterly Tree Report to the Board. Brief discussion ensued relative to tree removal and replacement strategies. The report was received and filed.

E. CONSENT CALENDAR:

1a. MINUTES REGULAR BOARD MEETING—January 12, 2017

1b. MINUTES PIFC MEETING—January 12, 2017

2. REVENUE AND EXPENDITURE REPORT—DECEMBER 2016

Motion by Director Nitikman, seconded by Director DeMarco to approve the items on the Consent Calendar as submitted. Motion passed 5-0.

F. PUBLIC HEARING—None

G. RESOLUTIONS:

ITEM D-1 REPORT OF THE BUDGET COMMITTEE WAS DISCUSSED AT THIS TIME.

1. REPORT OF THE BUDGET COMMITTEE RE: FY 2016-2017 MID YEAR BUDGET AMENDMENTS

Discussion ensued relative to the unexpected increase in revenue and unexpected increase in expenditures as well. Budget Committee Members, Director Casey and Director DeMarco reported that there had been additional expenses incurred due to increased facility usage for special events, minor upgrades and mandatory facility improvements at Rush and Rossmoor Parks.

1. RESOLUTION NO. 17-02-14-01 ESTABLISHING THE MID-YEAR ADJUSTED BUDGET REVENUE AND EXPENDITURES TOTALS AMOUNT FOR FISCAL YEAR 2017-2018.

Approve by roll call vote, Resolution No. 17-02-14-01 by reading the title only and waiving further reading as follows:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT ESTABLISHING THE MID-YEAR ADJUSTED BUDGET REVENUE AND EXPENDITURES TOTALS AMOUNT FOR FISCAL YEAR 2017-2018.

Motion by Director DeMarco, seconded by Director Casey to receive the report of the budget committee, adopt the FY 2016-2017 Mid-Year Budget Amendments and approve Resolution No. 17-02-14-01 by roll call vote. Motion passed 5-0.

ORDINANCES—None

H. REGULAR CALENDAR:

1. DISCUSSION AND POSSIBLE ACTION RE: APPROVAL OF FURTHER SECOND READING OF PROPOSED REVISION OF POLICIES RELATED TO RCSD FIVE-YEAR FISCAL PLAN.

The General Manager reported that the policy changes requested by the Board were now complete and they had been reviewed for accuracy by General Counsel. Staff recommendation to approve the further second reading to proposed amendments to proposed policies relating to the Specific Recommendations for implementation of the RCSD Five-Year Fiscal Plan (Plan).

Motion by Director Nitikman, seconded by Director Casey to approve further second reading of revised Policy No. 3020 Budget Preparation, Adoption and Revision. Motion passed 5-0.

Motion by Director Casey, seconded by Director DeMarco to approve further second reading of revised Policy No. 3021 Budgetary Control. Motion passed 5-0.

Motion by Director Nitikman, seconded by Director DeMarco to approve further second reading of revised Policy No. 3040 Utilization and Control of District Fiscal Resources. Motion passed 5-0.

Motion by Director Casey, seconded by Director DeMarco to approve further second reading of proposed Policy No. 3045 Preservation of District Fiscal Resources. Motion passed 5-0.

Motion by Director Nitikman, seconded by Director DeMarco to approve further second reading of revised Policy No. 3050 District Expenditure, Purchasing, Bidding and Contracting Limits. Motion passed 5-0.

1. DISCUSSION AND POSSIBLE ACTION RE: FORMAL POSITION OF RCSD BOARD ON ROSSMOOR TRAFFIC STUDY AND FOSTER ROAD BIKE LANE ISSUE.

President Maynard opened the floor for discussion. Lengthy discussion ensued relative to the arguments for and against the removal of the Foster Road bike lane in Rossmoor as proposed by the RHA and called for by the County in the Rossmoor Traffic Study.

President Maynard stated that the data suggested that the bike lane wasn't being utilized. He proposed giving the School District an opportunity to use or lose the bike lane over a period of one year.

Director DeMarco reported that he had met with Oak Middle School Principal, Erin Kominsky. Ms. Kominsky opined that student safety was LAUSD's top priority. She further opined that she did not believe the vast majority of Rossmoor residents were aware of the Foster Road Bike Lane's existence—not even Realtors. Director DeMarco stated that he liked the idea of more students walking and riding their bikes to school. He opined that in 2014/15 the RHA was almost successful in having the bike lane removed. He concluded that the RCSD was the elected body and their leadership was needed to provide the entire community with an opportunity to weigh in on the decision.

Motion by Director DeMarco proposing that the RCSD Board ask the Los Alamitos Unified School District (Oak Middle School, in particular) to initiate a program that promotes and encourages the utilization of the Foster Road Bike lane; The Board further request that the program include education about the bike lane, its restrictions and safety issues to its students, parents and the community of Rossmoor; The program be allowed a one year implementation period to see what impacts it will have on the student ridership along Foster Road. Finally, the District formally contact the Los Alamitos Unified School District/Oak Middle School and communicate to them that this is a use or lose opportunity for the students, Motion seconded by Director Nitikman. Further discussion ensued.

Director Nitikman requested an amendment to the motion requiring the school district to do a study and provide quantifiable data on the use of the bike lane to support their position. At least 200 homeowners were opposed to the bike lane and its imposed parking restrictions.

Director Kahlert opined relative to his objection to quantifying the safety of children. He stated that he would not support removing the Foster Road Bike Lane.

Director Nitikman opined that anecdotes were not data and his opinion may change if it were proven that many children were actually using it. He pointed out that the school district already had a walking/biking advocacy program in place. President Maynard agreed but added that the school district had never been motivated to use or lose the bike lane.

General Counsel recommended the Board table the motion and instead, formulate Director DeMarco's concept into a draft resolution outlining the formal position of the District for the Board's consideration at its next regular meeting. The Board concurred and directed staff to compose said resolution with the following components: 1) The RCSD Board request that LAUSD's Oak Middle School commence with an awareness program to encourage the use of the Foster Road Bike Lane and educate students about bicycle safety. 2) The awareness program would be limited to a one year implementation period (to be determined) 3) The resolution must

clarify that the LAUSD has the opportunity to “use or lose” the Foster Road Bike Lane within this one year time period 4) For accountability purposes the LAUSD also has a burden of proof and as such must do a study and compile data in order to justify keeping the bike lane 5) the resolution must state that the RCSD Board unanimously opposes alternative number three—which calls for removal of parkway trees in order to pave the Foster Road parkways into a bike lane. 6) the resolution must be formally shared with the County Board of Supervisor’s office.

1. DISCUSSION AND POSSIBLE ACTION RE: AMENDMENTS TO GENERAL MANAGER EMPLOYMENT AGREEMENT

Discussion ensued relative to adding a not to exceed amount to the contract. General Counsel recommended the following language be added to page 139 of 144 paragraph 2b of Amendment No. 2: the second sentence will read “*in addition to the base compensation provided under this agreement the District agrees to pay employee health insurance allowance equal to 10% of the cost of his total health insurance premium, not to exceed \$12,000 annually.*” (Replacing the \$8,632 amount).

Motion by Director Nitikman, seconded by Director Casey to approve Amendment No. 2 of the agreement as revised by General Counsel. Motion passed 5-0.

I. GENERAL MANAGER ITEMS:

The General Manager reported regarding the Shops at Rossmoor Meeting he attended on January 26, 2017 with Seal Beach City Manager Jill Ingram. He stated that he is in the process of arranging a meeting with John Killen and Marty Potts to discuss issues related to the proposed project—Reps from the Seal Beach City Council and two members from RCSD.

President Maynard stated that he would like to represent the RCSD with Director Nitikman, as he had a relative skill set as a practicing real estate attorney. The General Manager agreed to schedule the meeting.

The General Manager announced that the next Los Alamitos City Council Meeting was on February 22nd at 6 p.m. The Village 605 Project, proposed signage and projected traffic issues were still major concerns to Rossmoor and surrounding community. The initial appeal on the project billboard sign was withdrawn by the appellant as a result of the developer making some concessions on the sign, which was the only component of the appeal.

Five Year Fiscal Plan policies have been revised and edited by our legal counsel and staff in accordance with our Board’s direction at the January 10th meeting. The Budget Committee met on February 6th to review adjusted budget before the board this evening. Staff had scheduled a tree committee meeting on March 1st at 4:30 p.m. Staff is also in the process of reorganizing the District filing system, digitizing records and data in accordance with the retention schedule and as required by law, and shredding outdated materials and obtaining offsite secure storage.

Brightview Maintenance Contract replacing Valleycrest as a result of their merger has made the transition over and are working closely with our maintenance staff in the implementation of our parks and landscape contract.

J. BOARD MEMBER ITEMS:

Director Casey thanked everyone for their attendance on Valentine's Day and expressed his appreciation. He thanked Kevin Pearce and Doug Smith for their community advocacy relative to traffic concerns surrounding the Los Alamitos Village 605 Project and Shops at Rossmoor LA Fitness Center Project in Seal Beach. He expressed gratitude for their efforts in keeping the District informed.

Director DeMarco also thanked Kevin Pearce and Doug Smith for their efforts and advocacy for the community. He added that they had researched and compiled an enormous amount of information and organized community meetings that were helpful and informative. He reported on his attendance at the last community meeting on the Village 605 Project. He opined relative to the lack of transparency from the cities of Los Alamitos and Seal Beach. He stated that as an elected official he would not want his community's opposition to a revenue generating project.

President Maynard thanked Lieutenant Jeff Puckett for presenting the Quarterly Crime Statistics and for organizing last week's successful "Coffee with a Cop" community event at Panera Bread. He added that approximately 12 law enforcement officers were present in addition to local citizens. He opined that he was pleased to see the community interest in issues such as the Village 605, LA Fitness and Foster Road Bike Lane removal expressed gratitude regarding their care and concern. He encouraged them to continue to be vigilant and active in monitoring these projects.

President Maynard announced the new Committee Assignments for 2017 as follows:

Standing Committees

Audit Committee: President Maynard, Director Casey; **Budget Committee:** Director DeMarco, President Maynard; **Investment Committee:** Director Casey, Director Nitikman; **CIP Committee:** Director Kahlert, Director Casey; **Parks/Facilities Committee:** Director Kahlert, Director Maynard; **Tree Committee:** Director DeMarco, Director Nitikman;

Ad Hoc Committees

Rossmoor Advisory Committee: President Maynard, Director DeMarco; **RCSD/RHA Liaison:** Director DeMarco, Director Casey; **Mayors Consortium:** President Maynard, Director Casey; **ISDOC Representative:** Director Casey; **WCC/OCTA Representative:** Director Casey; Los Alamitos Unified School District Committee: Director DeMarco, Director Kahlert; Community Traffic/Safety Advisory Committee: Director DeMarco, Director Nitikman and two representatives each from the RHA, LAUSD and the Community (TBA); ***New Ad Hoc—Legislative Affairs Committee:** Director Nitikman, President Maynard. **Dormant Committees** now include the Shops at Rossmoor, Organizational and Rossmoor Trades Committees which may be reactivated at a later date if needed.

AT 9:24 P.M. DIRECTOR BILL KAHLERT DEPARTED DUE TO AN EXCUSED ABSENCE.

AT 9:25 P.M. THE BOARD ADJOURNED TO CLOSED SESSION

K. CLOSED SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: General Manager

AT 10:20 P.M. THE BOARD RECONVENED IN OPEN SESSION

General Counsel, Tarquin Preziosi reported that at approximately 9:25 p.m. the Board of Directors convened to closed session for the purposes of discussing the General Manager's review. At approximately 10:20 the Board closed the Closed Session and reopened the public meeting. The Board directed General Counsel to inform the public that Mr. Ruth received the highest possible performance review and the Board is very pleased with his efforts over the past year.

L. ADJOURNMENT:

Motion by Director DeMarco, seconded by Director Casey to adjourn the regular meeting at 10:22 p.m. Motion passed 4-0.

SUBMITTED BY:

James D. Ruth

General Manager