



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

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, September 12, 2017**

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**A. ORGANIZATION**

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

- 2. ROLL CALL:** Directors Casey, DeMarco, Nitikman  
President Maynard  
Director Kahlert had an excused absence

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS:**

**a. OCTA Info—Director Ron Casey**

Director Ron Casey stated that this item would be postponed until the October Board Meeting when the Orange County Transit Association (OCTA) was available to give a comprehensive update and presentation on the status of the project.

**B. ADDITIONS TO AGENDA—None**

**C. PUBLIC FORUM:**

In response to questions from Rossmoor residents, LA Seismic Representative Tracey Farmer provided an in depth overview and presentation on the LA Seismic Study scheduled to take place in Rossmoor. He reported that LA Seismic was a speculative consulting company who would be collecting seismic data in the Rossmoor/Los Alamitos area for the first time, in order to provide a point of reference. The data collected would be shared with CalTech to aide in the predictability factor as to the likelihood of an earthquake occurring in the area. LA Seismic had previously conducted seismic studies in Long Beach and other communities. Mr. Farmer described the benefits of the seismic study and the various types of computerized data collection equipment and work trucks and their potential impact on the community. Discussion ensued relative to the trucks and the need for traffic control and coordination with the Los Alamitos Unified School District. Mr. Farmer stated that he would be providing the District with regular

activity updates and notifications. He also provided the District with an informational packet which would be published on the RCSD website in addition to his contact information.

RHA President Beverly Houghton announced that the RHA Board had initiated a monthly speaker series and would be having guest speakers at their Board Meetings from now on. RHA Meetings were held on the third Tuesday of every month. The September guest speaker would be a representative from the California Highway Patrol. The October guest speaker was LAUSD Superintendent, Dr. Sherry Kropp.

Rick Hearst opined relative to his opposition to the District's proposal to add an additional tennis instructor at Rossmoor Park. He expressed concerns about having enough court availability for resident's reservations, especially during early morning peak times and weekends.

Kevin Pearce reported on last night's Seal Beach City Council Meeting and Rossmoor's victory against the proposed LA Fitness Project in the Shops at Rossmoor in Seal Beach, due in large part to the efforts and coordination of the Coalition Against LA Fitness. Mr. Pearce further reported on the progress of the Bradbury Road restriping. He stated that he had spoken with the County and they had plans to erase the old stripes with power washing.

Jody Roubanis opined relative to the Foster Road Bike Lane Parking Restrictions and reminded residents to abide by the restrictions and keep the bike lane clear during those hours for cyclists and school children traveling to school. Ms. Roubanis claimed that she had observed an increase in cyclists this year. She also requested that the trees along the Bike Route between north Foster Road and Druid Lane, be inspected for hanging limbs and trimmed as needed.

**D. REPORTS TO THE BOARD—None**

**E. CONSENT CALENDAR:**

**1a. MINUTES REGULAR BOARD MEETING—August 8, 2017**

**2. REVENUE AND EXPENDITURE REPORT—July 2017**

Motion by Director DeMarco seconded by Director Casey to approve the items on the Consent Calendar as submitted. Motion passed unanimously 4-0.

**F. PUBLIC HEARING—None**

**G. RESOLUTIONS—None**

**ORDINANCES—None**

**H. REGULAR CALENDAR:**

**1. DISCUSSION AND POSSIBLE ACTION RE: REPORT OF THE INVESTMENT COMMITTEE AND RECOMMENDATIONS REGARDING REINVESTMENT OF RESERVES IN THE RUSH PARK BOND FUND RESERVE ACCOUNT**

Staff recommendation to receive the report and approve the recommendations of the Investment Committee regarding required reserves in the Rush Park Bond Fund Reserve Account.

The General Manager reported The Investment Committee met on August 23, 2017 to review investments and make recommendations to the Board. The Committee reviewed the recommendations of staff and the District's Financial Advisor regarding required reserves in the Fund 20 Rush Park Bond Fund. A two-year US Agency Note in the amount of \$180,000 of the Reserve Funds of the Rush Park Bond matured in June 2017. The Committee discussed the reinvestment of the \$180,000 and the term of the US Agency note.

Discussion ensued relative to the benefits of investing in a 3 yr. versus a 1 yr. bond. Motion by Director Nitikman, seconded by Director Casey to authorize the General Manager to direct the District's Financial Advisor to reinvest the matured \$180,000 Rush Park Bond funds by purchasing three, 1 yr. U.S. Agency Bond Notes. Motion passed 4-0.

## **2. DISCUSSION AND POSSIBLE ACTION RE: APPROVAL OF PROPOSED AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT TO PROVIDE TENNIS INSTRUCTION AT ROSSMOOR PARK—FERNANDO MOLINA**

Recommendation to Approve Amendment to current Professional Services Agreement between Rossmoor Community Services District and professional tennis instructor Fernando Molina and authorize the General Manager to execute a new Professional Services Agreement to provide Tennis Instruction by Fernando Molina.

The General Manager reported that there have been discussions with professional tennis instructor Fernando Molina to inform him about possible changes to the current Professional Services Agreement that was recently approved at the August board meeting. At this time the agreement under compensation states that the contractor shall remit payment to the District an amount equal to 25% of the total fees imposed and collected during the time period of the applicable statement. The amendment would change the agreement from an amount equal to 25% of total fees to a flat rate of \$12.50 per hour. This would apply to the current and any future professional tennis instructors that may be brought on as a contractor. During our meetings with tennis instructor Fernando Molina, there have been no issues or concerns about the amended change to the current agreement in place.

Discussion ensued relative to advantages and disadvantages of collecting a flat rate versus a profit share. Motion by Director Casey seconded by Director DeMarco approve Amendment No. 1 to the Professional Service Agreement with Tennis Instructor, Fernando Molina which called for changing the agreement from a profit share model to a flat rate of \$12.50 per hour. Motion passed 4-0.

## **3. DISCUSSION WITH GENERAL MANAGER RE: APPROVAL OF PROPOSED PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ADDITIONAL ADULT & YOUTH-BASED TENNIS INSTRUCTION PROGRAM AT ROSSMOOR PARK—BEAU BERGLUND**

Recommendation to approve the recommendations from the Parks and Facilities Committee

regarding Beau Berglund's proposal for an additional adult and youth-based tennis instruction program at Rossmoor Park and authorize the General Manager to execute a new Professional Service Agreement to provide Tennis Instruction by Beau Berglund.

The General Manager reported Recreation Department has been looking at ways to provide additional instruction or program geared towards children to fill a current void of this type of service to the community currently not available. Along with both adult and youth based instruction, there is also the possibility of having a Rossmoor Tennis Team for 10 and under. In addition to providing a new type of program for kids and adults, it can also be another service that can bring in additional revenue to the District.

Discussion ensued relative to fostering cooperation between the two Tennis Instructors and discouraging competition. Further discussion ensued relative to concerns over adequate court availability for tennis patrons and free play. Recreation Superintendent Chris Argueta stated that there was minimal overlap in the two Tennis Instructor's schedules and that there were always courts available for tennis patrons to reserve. The General Manager stated that the addition of a new instructor and youth-focused tennis program was in the evaluation stage and adjustments would be made as needed based on careful observations by District Staff. Director Nitikman requested a report on tennis resident feedback relative to court usage and availability in the next 60-90 days. The General Manager replied that they would include a tennis report with the next Quarterly Recreation Report to the Board.

Motion by Director Nitikman seconded by Director Casey to authorize the General Manager to execute a new Professional Services Agreement with Tennis Instructor, Beau Berglund, contingent upon the necessary endorsement and certification of the required insurance rider, adding the Rossmoor Community Services District as additional insured and a minor correction on the signature page of the agreement. Motion passed 4-0.

#### **4. DISCUSSION AND POSSIBLE ACTION RE: REQUEST BY THE ROSSMOOR HOMEOWNERS ASSOCIATION (RHA) FOR COSPONSORSHIP OF THE 2018 ROSSMOOR COMMUNITY FESTIVAL**

Staff recommendation to approve the request of the RHA for co-sponsorship of the 2018 Rossmoor Community Festival event.

Discussion ensued relative to the Board's confidence in the continued success of the Rossmoor Community Festival and the cooperative relationship between the RCSD and RHA. Motion by Director Nitikman seconded by Director DeMarco to approve the request of the RHA for co-sponsorship of the 2018 Rossmoor Community Festival Event. Motion passed 4-0.

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

The General Manager reported that the District has received a notice from Edison stating that our LED Lighting upgrade through the OBF program has been approved. He added that the remaining three light poles on Montecito Road, which were originally thought to be in Seal Beach—but are actually in Rossmoor, would also be upgraded. He added that Doc Rivers had

completed the LED Lighting upgrades in the Rush Park Kitchen so the Board would be able to see an example of the improvement at their leisure.

He thanked Tracy Farmer from LA Seismic for his presentation. He assured the Board that LA Seismic would conduct all seismic study activity in close coordination with the District and the County of Orange. He added that all contact information would be posted on the District website.

The General Manager commended Kevin Pearce regarding his successful activism resulting in the Seal Beach City Council's denial of the LA Fitness project in the Shops at Rossmoor at the Public Hearing on September 11, 2017.

He reported that the Parks and Facilities Committee had met and discussed changes to the District fee schedule. District staff was in the process of working on proposed fees and charges modifications to the fee schedule and would present their recommendations to the Board at the October 10, 2017 Board Meeting. The District was required to advertise the proposed fee changes in the local newspaper prior to the board meeting.

The General Manager added that District Staff was in the process of conducting a tree inventory for the District Parks to include Species Identification and Memorial Donor Plaques and Signage, as well as Identification Signage for Plants and installation of an RHA/RCS D Dedication Plaque for the Kempton Mini-Park Demonstration Project.

He announced that the Los Alamitos Unified School District would be holding the Superintendent's State of the District Event on September 29<sup>th</sup> at 8:30 a.m. at the Navy Golf Course. Two RCS D Board Members had confirmed attendance. Finally he announced that Colonel Julian Bond had been appointed Acting Commander of the Joint Forces Training Base in Los Alamitos.

## **J. BOARD MEMBER ITEMS:**

Director Nitikman stated that in light of the recent controversy over the LA Fitness Center issue at the Seal Beach City Council Meeting he encouraged the RCS D to develop a stronger working relationship with the owners of the Shops at Rossmoor in Seal Beach. He expressed disappointment in the shopping center's failure to reach out and notify the RCS D regarding their intent to install an LA Fitness in the neighborhood. He opined that better community outreach on their part could have avoided much of the disagreement. He hoped they could work collaboratively in the future to discuss other types of businesses that would work better in that space. Regarding tennis patron concerns about the addition of a new tennis instructor and the potential impact on the tennis court availability he suggested that the General Manager work with General Counsel to strengthen the language in Policy 6010, Section 6010.10 and add something similar to: "availability of resources to non organized groups, individual residents..." Finally, Director Nitikman praised Rossmoor Resident Kevin Pearce on his major victory against the construction of an LA Fitness Center in the Shops at Rossmoor. He stated that he was very impressed with the advocacy displayed on behalf of the community, adding that when Rossmoor residents organize they have tremendous talent and resources.

Director DeMarco discussed the replacement of the remaining lights on Montecito Road and the anticipated completion of the Rossmoor Lighting Improvement Project. He requested that staff explore adding the District Parks and tree information to Google Maps. He further requested that the California Highway Patrol give a presentation regarding traffic at a future RCSD Board Meeting. He also praised Kevin Pearce for his extraordinary efforts in preventing the LA Fitness Project from being constructed. He stated that the Seal Beach City Council's decision to deny the CUP and EIR was a huge victory for Rossmoor and Seal Beach residents. He expressed his admiration for Kevin Pearce and the many smart and dedicated people who helped protect the interests of the community.

Director Casey reminded everyone that the Orange County Transit Authority would be reporting on the I-405 Improvement Project at the October 10<sup>th</sup> RCSD Board Meeting and encouraged them to attend. He also encouraged them to pay attention to the toll revenue use discussion and ask questions. Director Casey also stated that there was an interactive map on the OCTA website showing all current project activity. He thanked Director Nitikman and Director DeMarco for their attendance and participation at last night's Seal Beach City Council Public Hearing on the LA Fitness Center. He commended Kevin Pearce and the entire community for a job well done resulting in a huge victory for all.

President Maynard remarked that the prevention of the LA Fitness Center Project was a major victory for the Seal Beach and Rossmoor communities. He also commended Kevin Pearce for his strategic and well planned campaign. He echoed Director Nitikman and Director DeMarco's comments regarding building relationships with the Shops at Rossmoor and the Developer and work with them on selecting a desirable tenant for the area behind Sprouts Farmers Market. Finally, President Maynard had comments relative to the Seismic Survey and Tracey Farmer's reference to the parkway as the "public right-of-way". General Counsel, Tarquin Preziosi replied that it was an incorrect term for the parkway, however, RCSD doesn't have the authority to exclude the County from obtaining an easement by either ownership or fee ownership. The District's jurisdiction and authority is limited to an easement to maintain the trees on the parkway.

**K. CLOSED SESSION—None**

**L. ADJOURNMENT:**

Motion by Director Nitikman, seconded by Director Casey to adjourn the regular meeting at 9:00 p.m. Motion passed 4-0.

**SUBMITTED BY:**

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