



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

REGULAR MEETING

RUSH PARK
Auditorium
3021 Blume Drive
Rossmoor, California 90720

Tuesday, May 14, 2024

A. ORGANIZATION

1. CALL TO ORDER: 7:00 p.m.

2. ROLL CALL:

Present: Directors Barke, DeMarco, Searles and Shade
President Maynard

3. PLEDGE OF ALLEGIANCE: Daisy Troop #2093

4. PRESENTATIONS:

- a. Orange County Public Works Re: Flood Control Channels – Edward Frondoso, Deputy Director, Operations & Maintenance

Edward Frondoso, OC Public Works, Deputy Director, Operations & Maintenance, spoke about services they offer, work performed and routine maintenance; addressed inspections, requesting services and the next round of pavement rehabilitation; shared his contact information and reported that next time there is scheduled work on the channels, they will inform RCSD ahead of time. Additionally, he discussed replacing some of the older chain link fence along the channels at road crossings and encouraged RCSD to reach out to them to determine other options for improvements.

Discussion followed regarding contacting the Department for service requests, addressing existing stagnant water along the channel, requests for removal of concrete along parkways, cleaning up pond scum and partnering with Vector Control.

General Manager Mendoza reported that O.C. Vector Control will present to the Board at its next meeting.

- b. California Highway Patrol Officer Zeferino Valdovinos Re: Quarterly Traffic Report

General Manager Mendoza reported that CHP Officer Zeferino Valdovinos has not arrived yet and he will advise the Board when he does.

B. ADDITIONS TO AGENDA - None

C. PUBLIC FORUM

1. James Fisler – Orange County LAFCO Special District Representative (Incumbent)

Orange County LAFCO Special District Representative James Fisler spoke about positively influencing decisions that have protected local control; discussed his goals and keeping his promises; addressed increasing outreach to Special Districts; talked about his experience and asked for the Board’s endorsement.

Discussion followed regarding AB 2986, LAFCO’s position on islands of unincorporated areas in terms of local governance for them, ensuring efficient delivery of municipal services, the next scheduled MSR for Rossmoor, areas for which RCSD needs local control, adding value and convenience for residents of Rossmoor, partnering and working together to identify more areas of local control for Rossmoor according to the will of its residents.

David Vandervoet thanked the Board for having meetings on Zoom as he was able to watch from Hawaii, last month; reported the flood control channel under Shakespeare and near Harrisburg and Montecito is constantly backed up; noted there has been an increase in mosquitos and asked the Board to put pressure on the County to clean the channels.

Susan Kaplan asked whether the format for receiving public comments has changed and whether dialogue is now allowed.

President Maynard noted that it is at the Board’s discretion and that specifically, in terms of LAFCO, it was appropriate to include Mr. Fisler’s comments under Public Forum as he attended the meeting as a candidate.

Susan Kaplan provided a brief history of the issue of pickleball at Rossmoor Park; alleged that Director ignored input from fellow Board Members; talked about denying the requested noise mitigation and wasteful, reckless spending; spoke about the upcoming election and urged residents not to reelect Directors Barke and DeMarco.

Jody Roubanis, RHA, reported observing a family of four generations playing pickleball and thought it was lovely; spoke about www.ourrossmoor.com, the “Adopt a Channel” cleanup, their Hugs Program and the Neighborhood Watch program; discussed upcoming elections and a candidate’s forum and hoped RCSD will consider waiving facility fees for the latter.

There were no other public comments.

D. REPORTS TO THE BOARD

1. PARKS/FACILITIES MAINTENANCE REPORT – OMERO PEREZ

Parks and Facilities Supervisor Omero Perez presented details of the quarterly parks/facilities maintenance report.

Discussion followed regarding the new landscaper, plans for continued maintenance during the summer and dealing with weeds in the turf.

On behalf of the Board, President Maynard acknowledged Parks and Facilities Supervisor Perez for his 25 years of service to RCSD.

E. CONSENT CALENDAR

1. MINUTES:

a. Regular RCSD Board Meeting of April 9, 2024

2. MARCH 2024 REVENUE AND EXPENDITURE REPORTS and APRIL 2024 WARRANTS

Motion by Director Barke, seconded by Director DeMarco, to approve the Consent Calendar, as presented. Motion passed 5-0.

F. PUBLIC HEARING

1. PUBLIC HEARING – FISCAL YEAR 2024-2025 PROPOSED FINAL BUDGET FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT

Administrative Assistant Whang reported receiving an email from Mary Ann Remnet regarding concerns regarding the proposed deferred compensation matching fund within the FY 2024-2025 Fiscal Budget.

General Manager Mendoza presented details of the FY 2024-2025 proposed final budget and highlighted deferred compensation.

General Counsel Preziosi discussed the term, “Deferred compensation” compared to other plans such as 401Ks and pensions.

President Maynard spoke about being specific about the plan.

Director Barke noted it is the public equivalent to a 401K and stated the umbrella term of “Deferred compensation” is correct.

General Counsel Preziosi confirmed it is a 457(b) account.

General Manager Mendoza mentioned Policy 2160; reported adding the policy working with Counsel and noted this would be the first reading.

Director Searles noted the policy does not state specifically, that 3% of an employee's salary could be invested by the employee and RCSD will match that.

Director Barke felt a CPA/Financial Services expert should create the appropriate language.

Director Searles commented against being ambiguous.

Discussion followed regarding administration of the plan by a Financial Services company, Nationwide.

General Counsel Preziosi noted that General Manager Mendoza will bring back the policy for the Board's consideration at the next hearing since it was not specifically noticed, but confirmed this is the first reading of the FY 2025-2025 Budget.

Michael Matsumoto, Accountant, explained specific items in the budget and spoke about 457 plans, IRS rules, ceilings and legal limits.

Director DeMarco agreed with Director Searles regarding the need for specificity in language regarding employee contributions and the RCSD match.

President Maynard agreed with Director Barke regarding having Nationwide provide the proper language for the plan.

Director Searles referenced the full-time salary schedule; mentioned part-time salaries; noted the policy does not state that the General Manager is not an employee and therefore, not eligible for the 3% match; felt it should be included in the policy and pointed out discrepancies in the figures.

General Manager Mendoza reported he will review it and break down the figures for clarity.

Director DeMarco suggested reporting it as an added line item.

Accountant Matsumoto reported he provided a schedule of all full-time employees, their pay and the 3% calculated and noted the General Manager position is at 0% since he does not qualify for the match.

President Maynard invited public comments.

There were no public comments and President Maynard closed the public hearing.

Director Shade agreed with including the changes proposed and discussed to consider at the next RCSD Board meeting.

Director Searles asked about the use of Proposition 68 funding for court resurfacing and General Manager Mendoza reported it was used in 2018 and RCSD does not plan to use it for the future.

Director Searles spoke favorably about supplementing community events; mentioned costs associated with event tickets and stated he would like more money invested in community events and addressed money spent to advertise Proposition 68.

General Manager Mendoza reported that is one of the requirements for Proposition 68 grant funding.

Director Searles mentioned the need to install the required Proposition 68 signs and communicate with the community and increase transparency. He addressed previous budget surpluses, availability to previous grants and delays in completing large projects.

Director DeMarco confirmed staff will return with an improved policy regarding the deferred compensation plan; commented favorably about the budget and mentioned reserves.

President Maynard announced that staff will return with a second reading of the budget and a first reading of the revised policy at the next RCSD Board meeting.

G. REGULAR CALENDAR

1. RESOLUTION NO. 24-05-14-01: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-2025

General Manager Mendoza presented details of the report.

Motion by Director Barke, seconded by Director DeMarco, to waive further reading and adopt RESOLUTION NO. 24-05-14-01: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-2025. Motion passed 5-0 with the following roll call vote:

AYES:	Directors Barke, DeMarco, Searles, Shade and President Maynard
NOES:	None
ABSTAIN:	None
ABSENT:	None

2. FEE WAIVER REQUEST: MEET YOUR CANDIDATES NIGHT TOWN HALL PRESENTED BY THE ROSSMOOR HOMEOWNERS ASSOCIATION

General Manager Mendoza presented a brief report.

President Maynard invited public comment.

Jody Roubanis, RHA, requested that RCSD consider waiving facility fees for the upcoming RHA Candidates' Forum.

There were no other public comments on this item.

Directors Searles and Barke spoke in support of the waiving the fees.

Director DeMarco referenced a previous event; felt it was biased towards incumbents; mentioned the fee for non-profits is already discounted and believed it would be difficult to not make it biased if RCSD is involved with the process. He added that RHA must have money in its budget to cover the fees.

Director Barke felt Director DeMarco made a good point.

Jody Roubanis, RHA, spoke about being cognizant of the possibility of being biased; felt that incumbents understand the job better and new candidates do not have the history and noted there were very intentional about having political party representation that was in different areas of interest.

Director Shade spoke about part of the group that hosted prior candidate forums, that the questions asked came from residents and that the questions were chosen carefully, not to be biased.

Director Barke reported that he was part of the original candidate forum and there was a question that was purposely not asked to him, that was very biased and derogatory, and someone told him the question was not asked because they felt it was inappropriate.

President Maynard noted it was him; felt that it is impossible not to be biased and to guarantee the lack of appearance of bias; recalled he was part of the committee when RCSD and RHA worked together; commented on showing a bias; talked about needing boundaries and stated he chose not to ask Director Barke the question because he felt it was over the line in terms of discussing candidates' families. Additionally, he spoke in support of having those types of events in Rossmoor but questioned if it should be funded with taxpayer money.

Director Shade asked about similar events held in Rossmoor that had fees waived and General Manager Mendoza spoke about participating in similar events through a joint effort.

Director Shade spoke about RCSD waiving fees for other groups and discussed a specific event that she believed was biased.

President Maynard reiterated that RCSD should not fund events that are political voting biases.

Director Shade voiced support for waiving the fees for RHA noting this is an opportunity for residents to learn about and ask questions of candidates.

Jody Roubanis RHA, reported the RHA has not identified best candidates and their goal is to present all candidates without being biased and reported a committee chose the questions in previous forums.

Discussion followed regarding staff costs of running a candidates' forum, avoiding incumbency bias and charging RHA for staff costs.

Director DeMarco spoke in support of a compromise by charging RHA just for the costs of the candidates' forum.

Motion by Director DeMarco, seconded by Director Barke, to charge RHA, if they so choose to host a candidates' forum at the Rush Park Community Center, total actual costs. Motion carried 5-0.

3. DISCUSSION AND ACTION RE: CONTRACT WITH BREA IT

General Manager Mendoza presented details of the report; noted the contractor asked to modify the terms to one year instead of two to take into consideration unknown future costs and asked for the Board's approval.

Directors DeMarco and Searles spoke favorably about the vendor and in support of the item.

Motion by Director Shade, seconded by Director Barke, to approve the contract with Brea IT as modified to change the term from two years to one. Motion carried 5-0.

4. BALLOT DECLARATION OF QUALIFICATIONS TO VOTE RE: OCLAFCO SPECIAL DISTRICT REPRESENTATIVE

General Manager Mendoza presented a brief report.

Motion by Director Barke, seconded by Director DeMarco, to authorize President Maynard to vote for James Fisler as the OCLAFCO Special District Representative, sign the ballot and direct staff to submit it. Motion carried 5-0.

H. GENERAL MANAGER ITEMS

General Manager Mendoza thanked staff and Jamie Hulk for the recent Health and Wellness Fair; reported Tree USA signs have been posted; addressed the butterfly garden; announced the upcoming Pool Safety and Awareness event hosted in partnership with Darren Grosch and Lindsey Ludwig; provided an update on various maintenance projects and reported the Parks and Facilities Committee will meet on May 29, 2024. Additionally, he addressed the Rossmoor Neighborhood Cleanup, upcoming Family Festival events, classes and programs and free classes geared for seniors, sponsored by NOCE.

Discussion followed regarding a temporary agreement with a vendor to provide pickleball lessons.

I. BOARD MEMBER ITEMS

Board Members thanked those who attended and participated in the meeting.

Director Searles spoke about the upcoming Blood Drive and acknowledged that May 15, 2024 is Peace Officers Memorial Day.

Director DeMarco spoke favorably about the meeting; talked about the need to follow up with Public Works and Vector Control about the channels; thanked Parks and Facilities Supervisor Perez for his service and talked about taking advantage of opportunities to gain more local control.

President Maynard spoke about the MSR process and about the Board having an opportunity to take more power.

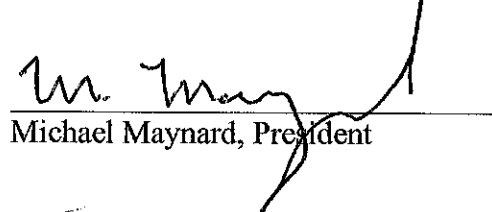
J. GENERAL COUNSEL ITEMS - None

K. ADJOURNMENT


President Maynard adjourned the meeting at 9:45 p.m.

ATTEST:

BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT



Michael Maynard, President



Joe Mendoza, Secretary
Rossmoor Community Services District

APPROVED:

RECEIVED

MAY 14 REC'D

C. Wang

Mary Ann Remnet
3321 Donnie Ann Rd.
Rossmoor, CA 90720

General Manager Joe Mendoza
Tarquin Preziosi, Attorney
Rossmoor Community Services District
3001 Blume Drive
Rossmoor, CA 90720

May 14, 2024

Re: Public Comment re: deferred compensation and FY 2024-2025 budget (Agenda Item F)

Dear Mr. Mendoza and Mr. Preziosi:

I am requesting that any actions by the CSD regarding employee deferred compensation be postponed until the public is given sufficient notice of proposed board actions on this issue and have opportunity to respond. Specifically, I am referencing Agenda Item F-1 that is publicly noticed as

Subject: PUBLIC HEARING - FISCAL YEAR 2024-2025 PROPOSED FINAL BUDGET FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT.

Meeting timelines for posting an agenda are only one aspect of public notice. The subject matter, including action items, must give a clear indication of items under consideration. In this case, the district has insufficiently represented the board's proposed actions, instead merely wrapping the subject into a larger general discussion within the conversation about approving next fiscal year's budget.

Implementing a deferred compensation plan has far-reaching implications for the district's finances, including but not limited to funding future obligations. Public information as to what this program entails, simply has not been presented.

To move forward with 1) creation of the program, 2) approving a general policy change and 3) including funds in the FY 2024-2025 budget, without publicly considering the long-term implications, simply denies our community its civil rights that are embedded within freedom of information act and the public's right to know laws.

The Budget Committee meeting agenda in March referenced the topic as a general discussion item, without any indication of actions being proposed, Further, the staff report considered the discussion

as being between the general manager and the committee members. Again, no proposals were shared, nor specifics of such plan or policy changes were available, regarding deferred benefits.


The April and May Board of Directors Agendas reflected the same pattern: a proposal to address a personnel change to introduce a new benefit plan was never identified as an action item for implementation. Rather, it was noted in the context of a larger conversation - the FY 2024-2025 budget. Similarly, the public has had no opportunity to speak about the issue of a specific employee benefit plan, nor inquire about any financial estimates as to how this plan might project into an uncertain economic future, and implications for an uncertain economic future.

I respectfully request that all actions related to this issue of a deferred employee benefit-matching program be postponed until the public has been given sufficient public notice and opportunities to participate in the formation of a specific plan. This includes formation of a plan, District policy changes regarding such plan, and inclusion of a plan in the FY budget deliberations. These discussions with specifics ordinarily should occur within (at a minimum) the personnel/contracts and budget committees. To date, there has been no discussions reflected in district records regarding any specific research that might have led to tonight's proposal recommendation. A budget discussion is not a proper place to introduce a personnel matter, nor is this item related to the upcoming budget - especially considering such actions involve many larger discussions about the far-reaching implications for our district.

Please remove these items from tonight's board meeting, until such time that proper notice is re-published, and put before the community for input. In making this request, I respectfully ask that you adhere to the district's established policies and procedures in this and all your future public noticing requirements - requirements that are based in laws that protect the public's right to know about the district's business and the use of public funding.

Lastly, I ask that this letter be read into the public record in my absence from the meeting and noted in the district's official minutes. Additionally, I would like my letter to be incorporated into the district's permanent records, in its entirety.

Sincerely,

A handwritten signature in cursive script that reads "Mary Ann Remnet". The signature is written in black ink and is positioned above the printed name.

Mary Ann Remnet