



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

REGULAR MEETING

RUSH PARK
Auditorium
3021 Blume Drive
Rossmoor, California 90720

Tuesday, August 13, 2024

A. ORGANIZATION

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

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE: Los Alamitos Girls Softball League

4. PRESENTATIONS:

- a. California Joint Power Insurance Authority presents RCSD with the 2024 Risk Management Award – Lucy Brockmeier, Senior Risk Manager

Lucy Brockmeier, California Joint Power Insurance Authority, Senior Risk Manager, via Zoom, presented RCSD with the 2024 Risk Management Award.

President Maynard congratulated General Manager Mendoza and staff for their work, introduced them and acknowledged Jessica Verduzco for her 15 years of service to RCSD.

General Manager Mendoza acknowledged the team effort and thanked staff for their excellent work.

Ms. Brockmeier added that she hopes to be back in October as Mary has been nominated for the Capstone award.

B. ADDITIONS TO AGENDA - None

C. PUBLIC FORUM

President Maynard opened this portion of the meeting.

Maureen Wauters thanked the Board for permanently striping for pickleball at Rossmoor Park and for the festivals; spoke favorably about the band and staff's work at the last festival; discussed street sweeping noting they are supposed to begin at 8:30 a.m. but she has observed them starting at 7:30 a.m.; reported the sweepers speed through the neighborhood; stated she has not seen a presence of the Sheriffs in the community during the day; wondered if there is a difference in expectation and stated there is room for improvement.

There were no other public comments.

D. REPORTS TO THE BOARD

1. REPORT ON THE URBAN FOREST -- DISTRICT ARBORIST MARY KINGMAN

District Arborist Kingman provided the Tree report for the months of April through July.

Discussion followed regarding illegal tree-trimming citations, changes in the list of recommended trees due to climate change, treating trees for aphids and damage to trees by weed eaters.

E. CONSENT CALENDAR

1. MINUTES

a. Regular RCSD Board Meeting of July 9, 2024

2. This Item was pulled from Consent for separate discussion, by Director Searles.

There were no public comments on the Consent Calendar.

Director Searles pulled Item E.2 from Consent for separate discussion.

Motion by Director DeMarco, seconded by Director Searles, to approve the Consent Calendar, as amended, pulling Item No. E.2 for separate discussion. Motion passed 5-0.

EXCLUDED FROM CONSENT

2. JUNE 2024 REVENUE AND EXPENDITURE REPORT and JULY 2024 WARRANTS

In reply to Director Searles's question regarding Event News Enterprise and asked if there have been discussions with them regarding a distributorship within Rossmoor and ensuring that public notices are getting to residents, General Manager Mendoza reported there have been meetings regarding their distribution; stated they have reduced their distribution to Rossmoor residents as demand is dwindling and they have cut their budget; talked about

letting them know RCSD wants total distribution in Rossmoor (including the Sun and the Enterprise) if RCSD is to continue advertising in the papers.

President Maynard discussed the reduction of newspapers and print media and asked about noticing requirements considering new and emerging technology.

General Counsel Preziosi reported the level of noticing depends on the type of activity; stated legal requirements for noticing public hearings include that it must be published in a newspaper of general circulation and added that there are other means to get the word out.

President Maynard noted there is no one newspaper that distributes to all of Rossmoor.

General Counsel Preziosi offered to look into the subject along with the General Manager.

Director DeMarco talked about the dependability of distribution by newspapers and General Manager Mendoza reported that RCSD is meeting the standard through social media.

Discussion followed regarding the Orange County Register, determining whether RCSD is compliant by its current practices and publishing in a newspaper of general circulation in addition to on the District's website and social media.

Director Searles proposed to direct the General Counsel and General Manager to review other options for complying with legal noticing requirements including acceptable newspapers in which to publish. He added that the News Enterprise qualifies but effectively does not in that it is not distributed to all of Rossmoor.

Director Barke noted this is not an agenda item and redirected discussion to the topic on the agenda.

Motion by Director Barke, seconded by Director Searles, to approve Item E.2, as presented. Motion passed 5-0.

F. PUBLIC HEARING -- None

G. REGULAR CALENDAR

1. FIRST READING FOR PROPOSED POLICY NO. 6017 RE: PARK TREE AND MEMORIAL BENCH DONATIONS

General Manager Mendoza and District Arborist Kingman provided a brief history of the Park Tree and Memorial Bench Program; reported staff felt the need to establish a more formal policy; talked about practices in other cities; discussed not placing plaques on trees because of damage to the tree and possible vandalism and noted that benches will be allowed plaques.

General Manager Mendoza discussed associated fees and costs; reported on a recent meeting of the Tree Committee and noted the Committee is in favor of presenting the policy to the Board to formalize it. Additionally, he pointed out existing benches; stated the goal is to fill the grove of trees that lead up to the Rossmoor Park community building, first, and then explore other areas.

Director Barke confirmed that the Committee reviewed and agreed with the policy and talked about needing to individualize it and look at individual situations.

Director Shade agreed.

In response to Director DeMarco's question, District Arborist Kingman reported that plaques will be on the ground and that existing plaques will be grandfathered in.

Director Searles assumed the donations are not tax-deductible and wondered if there are issues with someone giving to a public entity.

Legal Counsel Preziosi reported that RCSD cannot provide tax advice to citizens and reported there are no issues with RCSD accepting a donation since it is a donation in memorial to pay the cost of same and are not donations to individual Board Members.

In reply to Director Searles' question, Director Shade noted that this is not meant to be a revenue generating venture and mentioned it has the possibility to grow.

Discussion followed regarding the costs of trees and having the fees cover costs.

Legal Counsel Preziosi reported this was intended to be cost-neutral; fees cannot exceed the cost incurred by RCSD and stated it is not necessary to memorialize that in the policy.

Director DeMarco felt the Board is overthinking this and talked about staff assisting with the program.

Discussion followed regarding setting criteria and rules and including language regarding the intent for this program to be cost-neutral, required upkeep and maintenance and including a purpose and definition in the policy.

President Maynard asked staff to add a purpose and definition to Policy No. 6017 and return for a second reading to the next RCSD Board Meeting.

2. FIRST AND FINAL READING OF AN AMENDMENT TO POLICY NO. 2160 DEFERRED COMPENSATION

General Manager Mendoza presented a brief background and details of Policy No. 2160 regarding Deferred Compensation.

Motion by Director Searles, seconded by Director Shade, to approve the First and Final reading of an amendment to Policy No. 2160. The motion carried, 5-0, with the following roll call vote:

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

3. REVIEW AND DISCUSS RECOMMENDATIONS FROM THE TREE COMMITTEE

General Manager Mendoza presented a report listing recommendations from the recent Tree Committee meeting including requests for tree removals.

Director Shade agreed with the need to remove the tree on Martha Ann as requested by a Rossmoor resident.

Director Barke noted it is more than just the size of the tree as the roots have encroached into the sewer system and the remodeling done by the homeowner has created a liability for the contractor who has to warranty the foundation is worried about the risk as the tree has already shown potential root damage in the new foundation.

President Maynard invited public comments.

Charles and Nancy Pham spoke about the damage caused by the tree in the past including having to redo the main sewage line because the roots encroached upon it; addressed installation of a new foundation and still being in the remodel process and urged the Board to approve his request for removal of the tree.

Director DeMarco spoke about protecting trees and expressed concerns that if the Board does not do its due diligence, everyone will request a tree removal.

Discussion followed regarding prior removal of roots, whether the tree is still viable, removal of sidewalks and previous requests to remove the tree.

General Manager Mendoza reported the Tree Committee discussed this item, thoroughly and talked about the homeowner spending money to remodel their home and repair damage caused by the tree.

Director Barke noted it is not District Arborist Kingman's job to look through the lens of what is good for homeowners, but rather what is best for the trees.

Mr. Kesky, Contractor, stated this is a situation that puts the foundation at risk; talked about new grading requirements and over excavation and distributed photos of the site.

Discussion followed regarding who will remove the tree, the cost involved in removing the tree, tree removal permits issued for driveway relocations, addressing issues on a case-by-case basis and the need for RCSD to defend its decision.

President Maynard agreed this is a hard vote; acknowledged many old trees have taken away walking access on the parkways but felt that is not a reason to remove a mature tree and noted the specific tree is a marquee tree in Rossmoor.

Motion by Director Barke, seconded Director Shade to approve the recommendations of the Tree Committee to allow the homeowners to remove the tree, at their cost, unless the County covers the cost of removal.

In response to President Maynard's question regarding the type of tree to plant as a replacement, District Arborist Kingman reported that California Sycamores are no longer planted on parkways and that instead, staff plants the Colombia London Plane or one from a list of trees that the residents could choose from and stated that a 36" Box tree would be an appropriate replacement and RCSD contractors would plant it.

Mr. Pham added that they spoke with surrounding neighbors and that they are in support of removing and replacing the tree and stated he would like to be part of the process in selecting the right tree for the neighborhood.

The motion carried, 5-0.

President Maynard addressed another citizen's request to remove a tree from the parkway at 3141 Donnie Ann Drive and called for a report.

General Manager Mendoza presented details of the request; addressed review by the Tree Committee and reported that staff sent the resident a letter letting him know that the Committee recommended that the Board deny the request to remove the tree as the complaints were mostly related to nuisances such as debris.

Motion by Director Barke, seconded Director Shade to deny the request for a parkway tree removal at 3141 Donnie Ann Drive. The motion carried, 5-0.

General Manager Mendoza discussed delinquent tree fines; reported there are four that have not responded to notices and stated they will be sent to collections. He added that one resident has responded but has not paid and is among the four that are being sent to collections.

General Manager Mendoza and District Arborist Kingman reviewed the Tree Planting Policy and discussed attempts at getting trees planted on vacant sites.

Discussion followed regarding sites that are not suitable for planting and are covered, sending letters to residents each planting season to advise them of upcoming plantings, the percentage of tree failures, sabotaged trees, whether it is the County's or the District's

jurisdiction to plant trees and RCSD's ability to file a cause of action against residents for the recovery of the cost of a tree that has been illegally removed.

Discussion continued regarding the possibility of reviewing whether a tree existed on a parkway, providing the Tree Committee with a report on the sites that have no trees and have not had trees for several years and where trees could be planted, as soon as possible.

Director Searles stated this has come up for discussion, often and indicated that it is also a budget issue.

District Arborist Kingman reported the loss of many trees all at once due to the long drought and RCSD was behind on planting for a few years; noted that staff has caught up and that she was under budget this year with planting so RCSD could have planted more trees.

Discussion followed regarding challenges in proving sabotage, enforcing the administrative citation policy and the need for RCSD to follow its policy.

President Maynard instructed District Arborist Kingman to go out and plant trees.

Discussion followed regarding parkway areas that are covered with cement or other materials, challenges in terms of involving Code Enforcement, having the General Manager and Legal Counsel contact the County for enforcement of County codes regarding parkways, the need to obtain permits for any work done on parkways and the next planting season.

President Maynard suggested that District Arborist Kingman return to the Board meeting in September with a reforestation plan.

General Manager Mendoza reviewed the District Tree Policy plant material encroachments on the Rossmoor wall along Seal Beach/Los Alamitos Boulevard and reported letters will be sent to impacted residents advising them of the need for them to maintain the wall.

General Manager Mendoza reported the Board has reviewed the policy regarding tree removal requests and confirmed requests for tree removals will be addressed on a case-by-case basis.

4. REVIEW AND DISCUSS RECOMMENDATIONS FROM THE CIP COMMITTEE

General Manager Mendoza discussed the shade structure at Rossmoor Park as the last CIP project under Proposition 68; addressed the calendar and budget; presented a map showing the location; pointed out the costs and reimbursement of a portion by the State and talked about the timeline.

In reply to President Maynard's question, General Manager Mendoza reported this is completely custom; noted it is a pre-approved bid process and the prices are set and talked about the need for engineering and architectural drawings.

President Maynard requested that during the month of September, the CIP Committee review drawings and bring them along with their recommendations to the October Board meeting for approval.

Responding to Director DeMarco's question, General Manager Mendoza reported RCSD will be reimbursed when the project is completed and addressed next steps.

5. RENEWAL OF ROSSMOOR COMMUNITY SERVICES DISTRICT FACILITY USE AGREEMENT WITH HAPPY HOUR FIT CLUB

General Manager Mendoza presented details of the report.

President Maynard reported he and Director DeMarco on this committee and talked about the increases in costs and prices.

Motion by Director DeMarco, seconded Director Shade to renew the Happy Hour Fit Club Facility Use Agreement, as presented. The motion carried, 5-0.

6. RENEWAL OF PROFESSIONAL SERVICES AGREEMENT BETWEEN ROSSMOOR COMMUNITY SERVICES DISTRICT AND GOVERNMENT FINANCIAL SERVICES FOR CONSULTING SERVICES RELATED TO THE EFFECTIVENESS AND EFFICIENCY OF THE DISTRICT'S FINANCIAL ACTIVITIES

General Manager Mendoza presented details of the report.

Discussion followed regarding the starting date of the current contract and the scope of services, distinguishing between data entry and accounting, whether RCSD is receiving a good value, upcoming changes, determining with RCSD needs a CPA or a Bookkeeper, the number of transaction and getting proposals from Bookkeepers.

General Manager Mendoza offered to reach out to CFC and review similar districts to determine the market rate for bookkeeping services.

President Maynard suggested continuing the item and urged General Manager Mendoza to make this a priority.

Director Shade noted that input on this matter was not given by individual Directors.

7. RENEWAL OF ROSSMOOR COMMUNITY SERVICES DISTRICT PROFESSIONAL SERVICES AGREEMENT FOR HEARING OFFICER SERVICES WITH MICHAEL EUGENE RANESES

General Manager Mendoza presented details of the report.

Motion by Director Barke, seconded Director Shade to renew the RCSD Professional Services Agreement for Hearing Officer Services with Michael Eugene Raneses, as presented. The motion carried, 5-0.

H. GENERAL MANAGER ITEMS

General Manager Mendoza presented an overview of the report; addressed Proposition 68, 2024 Risk Management Award and the probability of District Arborist Kingman of winning the Capstone Award; reported staff is aerating the fields; discussed the annual audit, adaptive programs offered at Foster Park and an upcoming meeting of the Investment Committee. Additionally, he spoke about developing a community satisfaction survey.

In reply to Director Searles's question, General Manager Mendoza addressed security at Rossmoor Park protecting the courts during painting.

I. BOARD MEMBER ITEMS

Director Searles disclosed he is an attorney, although he does not legally represent RCSD in that capacity; talked about his involvement in a Development Processing Review Committee for the County of Orange, dealing with housing and permitting and announced the County has published plans for ADUs which will speed up the ADU application process for residents and thanked staff for their work.

Brief discussion followed regarding Committee representatives and appointments by the Board of Supervisors.

Director DeMarco commended staff for developing Senior programs; read a thank you letter from Vicky Vu regarding the CarFit event; spoke about the beginning of the school year and urged everyone to be safe and asked General Manager Mendoza to contact the street sweeping vendor regarding speeding vehicles.

Director Shade thanked the Los Alamitos Girls Softball League for participating in the meeting; discussed the recent Family Festival; talked about speeding street sweeping vehicles and commended District Arborist Kingman for her work and efforts and mentioned trees on Martha Ann that need to be assessed and the structure at Rossmoor.

Director Barke reported he is a licensed physician but is not the District's physician.

President Maynard thanked everyone for attending and congratulated staff for the awards received.

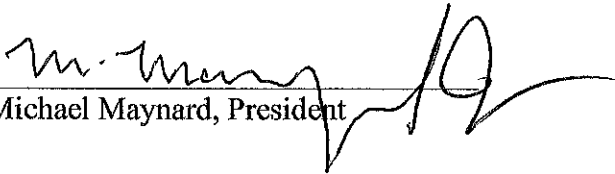
J. GENERAL COUNSEL ITEMS - None

K. ADJOURNMENT

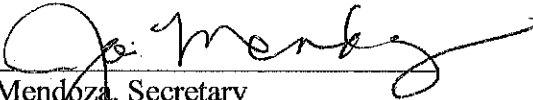
President Maynard adjourned the meeting at 9:55 p.m.

ATTEST:

BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT



Michael Maynard, President



Joe Mendoza, Secretary
Rossmoor Community Services District

APPROVED: