



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

REGULAR MEETING

Please be advised that California Governor Gavin Newsom has issued Executive Orders N-25-20 & N-25-21, which allows Directors to hold Board meetings telephonically, Please also be advised that all persons wishing to attend this meeting were invited to do so telephonically.

VIA TELECONFERENCE ONLY

**Tuesday, April 14, 2020
7:00 p.m.**

No meeting was held at
Rush Park, 3001 Blume Drive, Rossmoor, CA 90720

A. ORGANIZATION

1. CALL TO ORDER: 7:00 P.M.

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

3. PLEDGE OF ALLEGIANCE: President Maynard

4. PRESENTATIONS—None

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM—None

D. REPORTS TO THE BOARD:

**1. ROSSMOOR COMMUNITY SERVICES DISTRICT COVID-19 RESPONSE
STATUS REPORT**

The General Manager reported that the District continues to comply with the County of Orange Department of Public Health's orders that follow the State of California Health Order of March 19, 2020 announced by California Governor Gavin Newsom and the State Public Health Officer. On March 30, 2020, Orange County announced that they would continue to follow the State's mandate that the order would not expire on March 31, 2020 but would remain in effect.

The District Office has been closed to the public since Monday, March 16, 2020; however, staff continues to be available Monday – Friday from 9 a.m. to 5 p.m. to answer calls from the public that are placed to (562) 430-3707. Out of the eleven District employees, five are

working from home and District staff reporting to work sites are practicing social distancing, frequent hand washing, and wearing gloves and masks. Discussion ensued relative to the District's operational status. The report was received and filed.

2. ROSSMOOR COMMUNITY SERVICES DISTRICT PROFIT/LOSS STATUS RELATIVE TO COVID-19

The General Manager reported due to the recent COVID-19 pandemic and the effect it has had on the Rossmoor Community Services District (RCSD), President Michael Maynard had requested a report to the Board regarding estimated revenue loss. Staff prepared a report including the actual loss of revenue for March 2020, and the anticipated loss of revenue for the months of April, May, and June. The District's largest revenue source is derived from property tax which will not immediately be affected by COVID-19 issues. The only profit recognized may be the cost savings associated with the cancellation of large events and associated equipment rentals. The District's staffing cost remains the same with a few hours being saved in part-time salaries due to the cut back in operations.

Discussion ensued. Director DeMarco stated that if the District were successful in obtaining grant money, it could help offset some of the costs. The Board requested that a more detailed profit/loss report be brought back to the board at its May 12, 2020 regular meeting, to include estimated reductions in utility expenses and board meeting videotaping expenses. Motion by Director Casey, seconded by Director Nitikman to Approve California Governor's Office of Emergency Services Form 130, Designation of Subrecipient's Agent Resolution Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program. Motion passed unanimously by roll call vote, 3-0.

3. STAFF ROTATION AND PRESENTATIONS TO THE BOARD OF DIRECTORS ON A MONTHLY BASIS

The General Manager reported that at the February 11, 2020 RCSD Board of Directors meeting, President Michael Maynard requested that the General Manager review the practice of scheduling staff reports to the Board about their respective areas on a quarterly basis. In the past, staff presentations were scheduled together at a Board meeting, resulting in several reports on the same date each quarter. The General Manager provided a new staff reporting schedule for the Board's consideration. Discussion ensued relative to the quarterly reporting schedule. Director Nitikman stated that to his recollection the reports used to be on the Consent Calendar, and he was not sure he saw the value, both in overtime costs and in general, in requiring staff to attend the board meetings to report to the Board. President Maynard countered that he originally requested that the reports be removed from the consent calendar in order to highlight the good work done by staff. Director DeMarco concurred, stating that he liked seeing staff at the meetings and felt that the community liked seeing them as well. It was the consensus of the Board to adopt the proposed schedule for the time being and refer the item to the Organizational Committee for further review and recommendation. The report was received and filed.

E. CONSENT CALENDAR:

1. MINUTES:

Director DeMarco requested that Item E-1c Special Meeting of March 23, 2020 be removed from the Consent Calendar and be voted on separately.

- a. Regular Board Meeting of March 10, 2020
- b. Emergency Special Board Meeting of March 12, 2020

Motion by Director Barke, seconded by Director DeMarco, to approve Items E-1a, E-1b as submitted. Point of order by Director Barke, according to Roberts Rules of Order all teleconference votes must be taken by roll call vote. Motion passed unanimously by roll call vote, 5-0.

Point of clarification by Director Nitikman, he suggested amending the motion to include Item E-2, February 2020 Revenue and Expenditure Report, as well since it had not been pulled from the Consent Calendar.

Amended Motion by Director Nitikman, seconded by Director DeMarco, to approve Items E-1a, E-1b and E-2 as submitted. Motion passed unanimously by roll call vote, 5-0.

- c. Special Board Meeting of March 23, 2020

Motion by Director Nitikman, seconded by Director Casey, to approve Item E-1c as submitted. Motion passed unanimously by roll call vote, 3-0 with two abstentions by Director DeMarco and Director Barke, as they did not attend the meeting.

F. PUBLIC FORUM—None

G. RESOLUTIONS:

1. RESOLUTION NO. 20-04-14-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT REJECTION OF GOVERNMENT CLAIM

Recommendation to hold a public hearing and adopt by roll call vote, Resolution No. 20-04-14-01 by reading the title only and waiving further reading as follows:

RESOLUTION NO. 20-04-14-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT REJECTION OF GOVERNMENT CLAIM

The General Manager reported that a claim in the amount of \$225 has been filed by Rossmoor resident Kris Chu; residing on Oak Grove Road in Rossmoor, CA 90720 alleging damage to property caused by a parkway tree. This claim was forwarded to the Special District Risk Management Association (SDRMA) who provides insurance for the District. They are advising the District to reject this claim. The attached resolution formally rejects the tort claim.

Discussion ensued relative to the legality of electronic signatures. General Counsel Tarquin Preziosi stated that they were just as legal and valid as in-person signatures. Motion by

Director Casey, seconded by Director DeMarco to approve Resolution No. 20-04-14-01 by reading the title only and waiving further reading. Motion passed unanimously by roll call vote, 5-0.

H. REGULAR CALENDAR:

1. SELECTION OF REGULAR VOTING MEMBER AND ALTERNATE VOTING MEMBER TO THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (OCLAFCO) AND DISCUSSION AND POSSIBLE ACTION REGARDING NOMINATION PROCESS FOR THE ORANGE COUNTY LAFCO REGULAR SPECIAL DISTRICT MEMBER

Information was presented regarding selecting a regular and alternate voting member to the Orange County Local Agency Formation Commission, and consideration of whether the Board wanted to submit a candidate for the Regular Special District seat. The Board would also authorize the General Manager to submit the “Declaration of Qualification to Vote” and “2020 Nomination Form” to LAFCO no later than 3:00 p.m. on Friday, May 8, 2020. The current term for the seat expires June 30, 2020.

Brief discussion ensued. Motion by Director Nitikman, seconded by Director Casey, to designate Michael Maynard as the OCLAFCO regular voting member and Mark Nitikman as the OCLAFCO alternate voting member. Motion passed unanimously by roll call vote, 5-0.

2. INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC) AD HOC COMMITTEE’S UPDATED LAFCO DUES REAPPORTIONMENT FOR SPECIAL DISTRICTS

The General Manager presented information about the February 24, 2020 ISDOC letter requesting that the RCSD Board vote to support or deny ISDOC’s updated LAFCO dues structure and five-year review for Special Districts.

The ISDOC Executive Committee voted unanimously to approve the Ad Hoc Committee recommendation for a new LAFCO dues structure to pay for its Special District portion of the LAFCO budget. Discussion ensued relative to the methodology. It was the consensus of the Board that the dues reapportionment was not equitable among special districts. Motion by Director Nitikman, seconded by Director Casey, to vote No and deny ISDOC’s updated LAFCO dues structure and five-year review for Special Districts and authorize the General Manager to submit the LAFCO Dues Reapportionment for Special Districts Ballot to ISDOC. Motion passed unanimously by roll call vote, 5-0.

3. DESIGNATION OF JOE MENDOZA AS THE REPRESENTATIVE OF THE BOARD OF DIRECTORS REGARDING THE SALARIES, SALARY SCHEDULES, AND/OR COMPENSATION PAID IN THE FORM OF FRINGE BENEFITS OF THE DISTRICT’S UNREPRESENTED EMPLOYEES.

Under the Brown Act, in order to hold a closed session with the District’s representative regarding the salaries, salary schedules, or compensation of its unrepresented employees, the Board of Directors must first identify its designated representative(s) in an open session

(Government Code § 54957.6). Accordingly, the General Manager reported that to facilitate the closed session, RCSD Legal Counsel advised that the Board of Directors designate the General Manager as the District's representative for this purpose.

Discussion ensued regarding precedent. General Counsel Tarquin Preziosi stated there was no precedent for this action. Motion by Director DeMarco, seconded by Director Casey, to designate General Manager Joe Mendoza as the representative of the Board of Directors regarding salaries, salary schedules, and/or compensation paid in the form of fringe benefits of the District's unrepresented employees. Motion passed unanimously by roll call vote, 5-0.

I. GENERAL MANAGER ITEMS:

The General Manager reported that he was still waiting for the California Highway Patrol's report on the stop signs on Montecito Road. He reported that the addition of illuminated stop signs was being reviewed by Orange County Public Works. He added that he would make every effort to get the County to fund the stop sign installation. He announced his plan to go out to bid on the Rush Park Parking Lot project next week and planned to move forward with stage lighting. The General Manager further announced that the City of Los Alamitos had launched a COVID-19 Red, White and Blue and You Campaign and had invited the City of Seal Beach and Rossmoor Community Services District to participate. He stated that he had set a conference call with President Maynard, Los Alamitos City Manager Chet Simmons and Seal Beach City Manager Jill Ingram to discuss the collaboration. The General Manager added that the BreaIT Solutions contract would be on the May 12, 2020 agenda along with a report on recent office hardware upgrades. He concluded that he would have an update on the upcoming County street repair project schedule for the Board in May.

J. GENERAL COUNSEL ITEMS—None

K. BOARD MEMBER ITEMS:

Director Barke had no comments.

Director Nitikman had no comments.

Director Casey commented on the County road repair delays, adding that he hoped to have a repair schedule soon. He opined that the District had done a good job of following the County and State mandates regarding COVID-19 by shutting down facilities and operations, as well as designating some District staff to work remotely by telecommuting. He added that operations were working well, everything was in place, and he wanted to make sure we did not stop too soon.

Director DeMarco inquired about the opening date for the new Rossmoor Car Wash since it was in unincorporated Orange County and part of Rossmoor. He expressed his desire to revisit the Rossmoor monument sign installation proposal for the corner of Los Alamitos Boulevard and Katella Avenue. He stated that the community stop signs needed better illumination and knows of several vendors selling solar operated LED flashing stop signs for approximately \$700, that fit over the existing pole. Director DeMarco stated that the idea required further discussion and encouraged the General Manager to proceed with his pursuit of County funding for the signage. He requested to see the COVID-19 District costs projections to the end of June. He concluded that he was happy with how the District was managing during the COVID-19 crisis and stated that

District staff was doing a great job. He appreciated them working from home and juggling multiple responsibilities.

AT APPROXIMATELY 8:30 P.M. THE BOARD ADJOURNED TO CLOSED SESSION

L. CLOSED SESSION:

1. CONFERENCE WITH LABOR NEGOTIATOR

Agency designated representatives: Joe Mendoza
Unrepresented employees: General Manager, Accountant/Bookkeeper, Administrative Assistant, Recreation Superintendent, Parks Superintendent, Arborist Consultant/Maintenance, General Clerk, Maintenance Leader and Recreation Leader.
Government Code Section 54957.6(a)

2. THREAT TO PUBLIC RIGHT OF ACCESS TO PUBLIC SERVICES OR PUBLIC FACILITIES

Consultation with General Counsel Tarquin Preziosi and General Manager Joe Mendoza.
Government Code Section 54957(a)

3. CONFERENCE WITH LEGAL COUNSEL

Consideration of discipline or dismissal of a public employee.
Government Code Section 54957(b)(1).

AT APPROXIMATELY 10:44 P.M. THE BOARD ADJOURNED TO CLOSED SESSION

General Tarquin Preziosi reported that at approximately 8:30 p.m. the Board adjourned to closed session to discuss three items: Item L-1 Conference with Labor Negotiator, Item L-2 Threat to Public Right of Access to Public Services or Public Facilities and L-3 Conference with Legal Counsel. At approximately 10:44 p.m. the Board reconvened from closed session into open session. There was no reportable action.

M. ADJOURNMENT:

Motion by Director DeMarco, seconded by Director Casey, to adjourn the regular meeting at 10:45 p.m. Motion passed 5-0.

SUBMITTED BY:

**Joe Mendoza
General Manager**