



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

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, September 10, 2019**

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**A. ORGANIZATION**

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

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

**3. PLEDGE OF ALLEGIANCE:** Orange County Sheriff's Department, Frederick Selayandia

President Casey requested that all attendees observe a moment of silence in honor of all those who lost their lives on September 11, 2001.

**4. PRESENTATIONS:**

**a. ORANGE COUNTY SHERIFF'S DEPARTMENT, SENIOR EMERGENCY  
MANAGEMENT PROGRAM COORDINATOR FREDERICK SELAYANDIA RE:  
DISASTER PREPAREDNESS PRESENTATION PREVIEW**

Orange County Sheriff's Department Senior Emergency Management Coordinator, Frederick Selayandia gave a disaster preparedness presentation. He provided guidance on how to prepare for disasters by getting informed, making a plan, gathering disaster supplies and kits and having a communication plan in place. He encouraged residents to sign up for AlertOC and stated that information is key. There is a Countywide emergency operations plan in place that dictates how the agencies will respond in a disaster scenario. The Orange County Sheriff's Department is primarily responsible for large scale evacuations. Mr. Selayandia answered questions from the Board and stated that he was committed to providing further presentations and education to the Rossmoor Community at the Rush Park location as needed. The presentation was received and filed.

**b. ROSSMOOR HOMEOWNERS ASSOCIATION EMERGENCY PREPAREDNESS  
COORDINATOR ART REMNET RE: UPDATE ROSSMOOR COMMUNITY  
PREPAREDNESS**

Art Remnet provided a status update on Rossmoor's preparedness. He reported that he and Joe Mendoza have been working with the Orange County Sheriff's Department to begin the conversation. At this time, there is not a specific evacuation plan in place for Rossmoor. The

RCSD and RHA are working together to create a plan for Rossmoor and coordinate cooperation with surrounding local agencies. He estimated that it would take between one and two years until the emergency plan was completed, followed by community education; all of which was incumbent upon the Orange County Sheriff's Department. Mr. Remnet answered questions from the Board relative to coordination with other agencies. The presentation was received and filed.

**B. ADDITIONS TO AGENDA—None**

**C. PUBLIC FORUM:**

Roberta, Spooky McCarty, Joyce Bloom, Angie Epstein, Doug Smith and Craig Smith opined regarding tree trimming and removal practices in Rossmoor. It was requested that the Board consider revising the tree policy and have the trees trimmed more often.

**D. REPORTS TO THE BOARD:**

**1. REPORT OF THE GENERAL MANAGER RE: POTENTIAL COLLABORATION WITH ORANGE COUNTY PUBLIC WORKS TO PROVIDE A TWO-YEAR GRID TREE TRIMMING CYCLE**

Recommendation to discuss the tree trimming proposal from Orange County Public Works (OCPW) Department to provide an annual grid trim to supplement the District's current grid trim schedule. The General Manager reported in comparing the RCSD grid trimming schedule to the OCPW grid trimming schedule used elsewhere in the County, it was found that RCSD provides grid trimming on a four-year cycle, while OCPW provides grid trimming on a two-year cycle. OCPW is proposing that they provide an annual grid trim that will result in the RCSD trees being trimmed every two years to reduce liability, minimize the cost for call outs and overtime to remove fallen trees and broken branches, and to control tree growth and impact on infrastructure.

Resident Joyce Bloom opined in favor of the proposal. Discussion ensued relative to maintaining local control, creating standards and consistency and having the Tree Committee and staff conduct further research for a future report to the Board. The General Manager agreed. The report was received and filed.

**2. REPORT OF THE GENERAL MANAGER RE: STREET SWEEPING SCHEDULE ALTERNATIVE UPDATE**

Recommendation to discuss the proposed alternative street sweeping schedule and direct staff accordingly.

The General Manager reported that the RCSD Board, Community Traffic/Safety Advisory Ad Hoc Committee, Parks/Facilities Standing Committee, and staff researched alternatives and proposed the consideration of an alternative street sweeping schedule and route and implementation strategies. Based on this alternative street sweeping schedule of the first and third Monday (even numbered residential homes) and the first and third Tuesday (odd numbered residential homes) of the month, staff requested a cost estimate from RF Dickson compared to the cost of our current schedule. Discussion ensued relative to additional costs and gathering community input. It was the consensus of the Board to schedule a Street Sweeping Stakeholders

Meeting on Thursday, October 3, 2019 at 7:00 p.m. in the Rush Park Auditorium. Staff was directed to aggressively promote the event in order to maximize attendance. The report was received and filed.

**E. CONSENT CALENDAR:**

**1a. MINUTES OF THE REGULAR BOARD MEETING—August 13, 2019**

**2. REVENUE AND EXPENDITURE REPORT—July 2019**

Motion by Director DeMarco, seconded by Director Nitikman to approve the consent calendar as submitted. Motion passed 5-0.

**F. PUBLIC HEARING—None**

**G. RESOLUTIONS:**

**1. RESOLUTION NO. 19-09-10-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING SEPTEMBER AS EMERGENCY PREPAREDNESS MONTH IN ROSSMOOR**

Approve by roll call vote, Resolution No. 19-09-10-01 by reading the title only and waiving further reading as follows:

RESOLUTION NO. 19-09-10-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING SEPTEMBER AS EMERGENCY PREPAREDNESS MONTH IN ROSSMOOR

Motion by Director Maynard, seconded by Director DeMarco, to approve Resolution No. 19-09-10-01 by roll call vote by reading the title only and waiving further reading. Motion passed 5-0.

**ORDINANCES—None**

**H. REGULAR CALENDAR:**

**1. DISCUSSION REGARDING PERMANENTLY CHANGING THE DATE OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT MONTHLY REGULAR BOARD MEETINGS**

The General Manager reported that at its August 13, 2019 RCSD regular Board meeting, Directors Barke and Nitikman requested that an item be placed on the agenda to discuss the possibility of permanently changing the dates of the Rossmoor Community Services District regular Board meetings from the current second Tuesday of each month schedule to another date each month. Director Barke also requested that the Board convert the current RCSD/LAUSD Ad Hoc Committee to a standing committee and consider revisiting its overall committee structure.

Director Barke stated that after reviewing the agenda report, he no longer wished to change the date of the Board meeting, however, he did want to explore the District's current committee structure and suggest some changes. Discussion ensued relative to ad hoc committees versus standing committees and subcommittees.

Director Maynard proposed conducting an Organizational Committee Meeting in order to review the District's existing committee structure and explore the options suggested for converting some ad hoc committees to standing committees and/or subcommittees with possible rotations, allow President Casey and him to formalize the structure over the next couple of months and submit a restructuring proposal to the full board at a future meeting. He further requested that staff work to calendarize the various committee meetings with outside agencies and possibly create a rotation for attendance at the RHA meetings. The Board concurred. The report was received and filed.

**I. GENERAL COUNSEL ITEMS:**

General Counsel Tarquin Preziosi proposed a motion to President Casey that the Closed Session item be taken out of order and the Board recess into closed session at this time. Motion by Director Nitikman, seconded by Director Maynard to reorganize the agenda to move the Closed Session next in the agenda. Motion passed 5-0.

**AT THIS TIME ITEM L: CLOSED SESSION WAS TAKEN OUT OF ORDER AND MOVED UP IN THE AGENDA**

**L. CLOSED SESSION:**

**AT 8:45 P.M. THE BOARD RECESSED INTO CLOSED SESSION**

**AT 9:40 P.M. THE BOARD RECONVENED FROM CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

Initiation of Litigation – One Case  
Pursuant to Government Code Section 54956.9(d)(4).

**2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

Exposure to Litigation – One Case  
Pursuant to Government Code Section 54956.9(d)(2) & (e)(1).

General Counsel Tarquin Preziosi stated that approximately 9:00 p.m. the Board recessed into a closed session. At approximately 9:40 p.m. the Board reconvened from closed session into open session. There was no reportable action.

**THE BOARD RESUMED WITH GENERAL COUNSEL ITEMS**

**I. GENERAL COUNSEL ITEMS:**

General Counsel Tarquin Preziosi reported at its last regular meeting the Board requested General Counsel to research who owned the parkway and his findings are as follows: The general principles of ownership of the parkway are that a homeowner typically owns the lot, the lot typically extends to the centerline of the street, the County normally has an easement for road or street purposes, said easement includes the median or parkway. So, the homeowner is the fee owner of the underlying parkway. The County has an easement over the parkway for road purposes, that includes their authority of road commissioner which includes authority over the trees. The District pursuant to the County's authority has the authority of road commissioner

over the easement for purposes of control of the street trees. That is a thumbnail sketch of ownership interests in the parkways.

Director Nitikman asked if General Counsel had examined Rossmoor maps. Tarquin Preziosi stated that he had not examined Rossmoor maps, although it was his understanding that the County had looked at the issue in 2007, and what he described is a typical subdivision in Southern California. There may be differences depending on the lot shape and size. If the Board would like him to analyze the data further he would be happy to do so.

Director DeMarco suggested the option of examining several plat maps of blocks in Rossmoor to see if the lot boundary extends to the center of the road or just the curb. He also suggested memorializing Tarquin Preziosi's parkway ownership interest statement into a reference document.

Tarquin Preziosi stated that in order to make such a legal statement, he would have to actually look at every lot in Rossmoor which would not necessarily be in the best interest of the District to make such a definitive blanket statement for public consumption. It is the homeowner's responsibility to know where the property line ends and whether they have an easement over the property. He can assure the Board with legal certainty that the District, pursuant to the County's easement, has control over the trees in the medians and parkways.

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

General Manager Joe Mendoza reported that the District had conducted its annual audit on August 22, 2019 and an Audit Committee Meeting would be scheduled later this month with a full report provided to the RCSD Board at its October meeting. Staff has met with Orange County Sheriff's Department Lieutenant Rich, the Rossmoor Homeowners Association and community members to plan a 2020 National Night Out event in conjunction with one of the District's summer concerts to increase local law enforcement exposure and safety awareness. A formal event proposal will be submitted for the Board's consideration at its October Board Meeting. The General Manager stated that he continues to research and evaluate additional risk management alternatives with the highest cost benefit to the District. A meeting has been set with JPIA to secure a quote for services. He also provided an update on the lack of notification by Southern California Edison regarding its recent Light Pole Installation/Replacement Project. His findings indicate that it was due to an interdepartmental communication failure on the part of SoCal Edison, therefore the District wasn't notified. However, the LED lights purchased by the District remain intact. Finally, he announced that the Los Alamitos Chamber of Commerce would hold the annual Heroes Luncheon on September 19, 2019 at 11:00 a.m. in the Rush Park Auditorium to honor law enforcement, first responders and military personnel. As new Chamber Members, all RCSD Board Members were invited to attend the luncheon and subsequent ribbon cutting ceremony. The General Manager concluded by announcing the installation of the new playground light at Rush Park. The report was received and filed

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

Director Barke had nothing to report.

Director DeMarco expressed his appreciation for the residents who attended this evening to opine about tree issues during public forum. He stated that District Arborist Mary Kingman was often

unfairly criticized on public media platforms for enforcing District policy. He added that the Tree Committee was in the process of implementing several policy changes that would likely help to resolve many of the issues raised this evening. Residents who disagree with the District's tree policy are encouraged to attend District Board Meetings and Tree Committee Meetings to address policy concerns and changes. Director DeMarco invited residents to attend the Street Sweeping Community Stakeholder's Meeting on Thursday, October 3, 2019 at 7:00 p.m. in the Rush Park Auditorium. He added that the street sweeping issue had been an ongoing issue and the District was ready to present improvements for Rossmoor residents. He hoped to see a large turnout for the meeting.

Director Nitikman acknowledged that tomorrow was the anniversary of September 11, 2001. He thanked all the public forum attendees for providing their input in a calm and productive manner and remarked that it was a much more constructive dialogue than social media. Director Nitikman encouraged residents to abide by the tree trimming policy in place and if an extra trim was needed contact District staff or the General Manager.

Director Maynard had nothing to report.

President Casey thanked all the attendees for their participation this evening and bringing their tree related concerns to the Board. He added that the Tree Committee was in the process of making some policy enhancements for the benefit of residents. President Casey thanked Frederick Selayandia with the Orange County Sheriff's Department and Rossmoor Homeowner Association Representative Art Remnet for their Emergency Preparedness presentations. President Casey stated that it was critically important to prepare for disasters and emergency preparedness must remain top of mind. He praised General Manager Joe Mendoza and County Traffic Representative Matt Musselman for installing a speed zone device in Rossmoor. In his opinion it was an effective means of calming speed in the community. President Casey acknowledged Assemblyman Tyler Diep and Chief of Staff Peter Kim for advocating for Rossmoor residents by writing a letter to CalTrans on their behalf requesting another freeway noise study be done near Martha Ann and the schools due to the alleged inadequacy of the existing sound wall.

#### **L. CLOSED SESSION:**

**THESE ITEMS WERE MOVED UP EARLIER IN THE AGENDA.**

**1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

Initiation of Litigation – One Case  
Pursuant to Government Code Section 54956.9(d)(4)

**2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**

Exposure to Litigation – One Case  
Pursuant to Government Code Section 54956.9(d)(2) & (e)(1).

#### **M. ADJOURNMENT:**

Motion by Director Nitikman, seconded by Director DeMarco, to adjourn the regular meeting at 10:02 p.m. Motion passed 5-0.

#### **SUBMITTED BY:**

**Joe Mendoza**  
**General Manager**