



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, September 8, 2015

A. ORGANIZATION

1. CALL TO ORDER: 7:05 P.M.

2. ROLL CALL: Directors Burgess, Casey, DeMarco, Maynard
President Kahlert

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS:

a. Proclamation Re: Recognition of Service to the District—Emily Gingras

President Bill Kahlert presented Emily Gingras with a proclamation for recognition of service to the District. Applause ensued. Photos were taken.

b. Director Ron Casey Re: I-405 Improvement Project Update

Director Ron Casey reported on the latest developments on the I-405 Improvement Project relative to sound wall construction and its impact on Rossmoor residences. He discussed the survey and meeting invitation that OCTA and CalTrans had distributed to the affected residents. Slides and diagrams were shown. Brief discussion ensued. The report was received and filed.

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM:

Malita Swanson opined relative to trees and drought. She relayed her observations of people not watering their parkway trees, causing them to turn brown early in the season. She also had comments relative to freeway noise.

Sandi Hill and Cathy Bailey addressed the Board about the new Children's Garden Preschool at Rossmoor Park. Ms. Hill stated that she and Ms. Bailey were both Rossmoor residents, were sensitive to resident concerns and were committed to being good neighbors. She stated that she

was aware of traffic issues on Foster Road and reiterated the pre-school start time of 9 a.m.—which was later than the neighborhood schools. She added that they were available anytime to answer questions. The General Manager added that the district had given considerable thought to the addition of the new preschool prior to its installation. He was confident that there would be minimal impact on traffic. He assured residents that any issues would be promptly addressed.

Director Burgess asked whether preschool staff would be self-policing parent's use of the designated parking slots. He also stated that some people had complained to him that they did not know about the preschool until it was already approved.

Camille Leonardo had comments relative to the preschool. She had concerns regarding wear and tear to the park grounds. She stated that, although it was scheduled to open in a week, she had never heard about the preschool until tonight. She also opined that installing a preschool with 20 more students seemed contrary to previous resident and district concerns about inter district transfers and their impact on traffic.

Mike Stewart expressed concern that the preschool students would limit general public access to the Rossmoor Park playground. He also opined that the district was already struggling to maintain the grounds and he would like to see the revenue put back into replacing the newly installed playground climber with a slide.

Van Zeitz opined relative to a lack of communication and transparency in the District's permitting process, the Rossmoor Park slide replacement. He also had questions relative to whether the preschool had plans for posting public signage. He stated that he had observed tennis instructor signs posted on the tennis courts and the softball league was forced to remove their signage. He wanted to be sure there was fairness and consistency. President Kahlert directed Mr. Zeitz to set up a meeting with the General Manager in order to share his concerns in detail.

Ralph Vartabedian opined that the Children's Garden Preschool contract should be amended to include a provision for drop off parking. He added that the school district had made tremendous strides with regard to traffic and while he appreciated Ms. Hill's comments he felt a traffic impact plan should be in place rather than leaving the preschool parking enforcement to chance.

Linda Daucus had comments relative to residents allowing their lawns to go brown. She requested that the District provide drought tolerant landscaping assistance to residents like the City of Long Beach.

Mark Nitikman opined relative to the traffic from the four elementary schools in Rossmoor. He stated that the school year was still brand new, and he expected County traffic impact results in approximately a month. He concluded by saying that the school district had done a great deal to mitigate traffic concerns by staggering start times, subsidizing transportation, etc.

Seeing no further comments, President Kahlert closed the Public Forum.

D. REPORTS TO THE BOARD

1. REPORT OF THE ROSSMOOR ADVISORY COMMITTEE RE: LATENT POWERS

Recommendation to receive the report of the Rossmoor Advisory Committee and provide direction to General Manager on future governance initiatives.

The General Manager presented a comprehensive update on the current status of the District's pursuit of latent powers (*hereafter referred to as local control initiatives*). He stated that the Committee met on July 28, 2015 and reviewed documents relating to the current landscape regarding local control initiatives. Discussion ensued relative to LAFCO's stringent new requirements, burden of proof and potential costs.

Public discussion ensued. Joel Rattner opined that the reasons for initiating the pursuit of latent powers in 2005, no longer existed. Residents are satisfied with police services and response times from the Orange County Sheriff's Department. He added that in 2007 LAFCO voted Rossmoor under the Sphere of Influence of the City of Los Alamitos as a planning tool. He concluded that the recent Grand Jury report criticizes LAFCO for not taking a more aggressive action to annex and consolidate unincorporated County Islands, making pursuit of latent powers an expensive process that would not prove beneficial.

Erwin Anisman agreed with Joel Rattner's opinions. He stated he had read HTGroup's comprehensive report which clearly outlined the new difficulties and LAFCO's stringent requirements of a latent powers application. Additional funds would need to be withdrawn from general fund reserves to cover the application costs. He concluded that LAFCO is mandated to consolidate special districts; therefore being granted latent powers was not only unlikely but an unnecessary expense of time and resources. The report was received and filed.

E. CONSENT CALENDAR

1a. MINUTES REGULAR BOARD MEETING—August 11, 2015

2. REVENUE AND EXPENDITURE REPORT—July 2015

Director Casey requested that Item E-2 Revenue and Expenditure Report be pulled from the Consent Calendar.

Motion by Director DeMarco, seconded by Director Maynard to approve Item E-1a. Minutes as submitted. Motion passed 5-0.

2. REVENUE AND EXPENDITURE REPORT—June 2015

Director Casey had comments relative to increased administrative costs. The General Manager responded that the increases were seasonal and due in large part to additional staffing requirements for summer programming activities. Utility costs had decreased and everything would eventually balance out. The General Manager added that the Auditors would be providing a full report to the board at the October Board Meeting.

Motion by Director DeMarco, seconded by Director Maynard to approve Item E-2 July Revenue

and Expenditure report as submitted. Motion passed 5-0.

F. PUBLIC HEARING—None

G. RESOLUTIONS—None

ORDINANCES—None

H. REGULAR CALENDAR:

1. GENERAL COUNSEL AGREEMENT FOR LEGAL SERVICES.

Recommendation to Approve Employment Agreement for District General Counsel for the District. As newly appointed General Counsel, Tarquin Preziosi with Jones & Mayer recused himself from discussion on this item.

Discussion ensued. Motion by Director Maynard, seconded by Director DeMarco to approve Employment Agreement for District General Counsel for the District. Motion passed 5-0.

2. GUIDELINES RE: COMMERCIAL FITNESS AND ATHLETIC INSTRUCTION.

Recommendation to receive the report of the Parks & Facilities Committee, approve guidelines “*For Profit Fitness and Private Instruction on District Property*” and authorize the General Manager to implement said guidelines.

Discussion ensued relative to Item 9. Mr. Rand Mulford stated that C-2, Item number 9 should be removed as it directly referred to Happy Hour Fit Club as opposed to being a general guideline. Director Maynard concurred.

Motion by Director Maynard, seconded by Director Casey to receive the report of the Parks & Facilities Committee, approve guidelines “*For Profit Fitness and Private Instruction on District Property*” with the correction to Item C-2, number 9, and authorize the General Manager to implement said guidelines. Motion passed 4-1, with Director Burgess voting No.

3. CONTRACT SERVICES AGREEMENT—HAPPY HOUR FIT CLUB BOOT CAMP AT ROSSMOOR PARKS.

Recommendation to receive the report of the Parks & Facilities Committee, reject the Contract Services Agreement and authorize General Manager to take actions necessary to enforce the District’s park usage policies.

Discussion ensued relative to the background and negotiations process between Happy Hour Fit Club and the District. General Manager Ruth stated that the District had drafted a final contract, and awaited Mrs. DaVanon’s approval. Mr. Rand Mulford, negotiation representative for HHFC, stated that both parties had attained a “meeting of the minds.”

Congratulatory discussion ensued. Motion by Director Maynard, seconded by Director Casey to receive the report of the Parks & Facilities Committee, approve the Contract Services Agreement and authorize the General Manager to execute an agreement with Happy Hour Fit Club. Motion

passed 5-0.

4. SECOND READING OF AMENDMENT TO POLICY NO. 5030 COMMITTEES OF THE BOARD OF DIRECTORS.

Recommendation to give second reading to amendment of Policy No. 5030 Committees of the Board of Directors for Scheduling of Committee Meetings.

Brief discussion ensued. Motion by Director Maynard, seconded by Director DeMarco to give second reading and approve amendment of Policy No. 5030 Committees of the Board of Directors for Scheduling of Committee Meetings. Motion passed 5-0.

5. SPECIAL EVENT REQUEST FOR USE OF RUSH PARK FOR THE ANNUAL SCHOOL GHOUL 5K RUN/WALK EVENT.

Recommendation to authorize the General Manager to approve the use of Rush Park beginning at 6:00 am for the 3rd Annual School Ghoul 5k Run/Walk event scheduled for Sunday, October 11, 2015.

This year, the District received a request from Mr. Quinonez for a fee waiver due the organizations non-profit status. His letter is dated July 14, 2015, but was only received via email on Thursday, August 27, 2015. It is recommended that the request be denied as untimely, and not consistent with District policy. Granting of a fee waiver would likely lead to similar requests from non-profit organizations for a similar waiver. This could result in a tremendous loss of revenue which supports upkeep and maintenance of District parks and facilities, as well as, staff costs associated with indirect support of events such as this. Fee waivers are sometimes granted for activities which are cosponsored by the District. This is a worthy event, however, it is a private activity and not recommended for District sponsorship.

Discussion ensued relative to the early start time request and the fee waiver. It was the consensus of the Board that the current non-profit rate was sufficient and agreed with staff's recommendation. Director Maynard added that he did not feel it would be prudent for the District to issue a fee waiver as the Los Alamitos Unified School District was a direct benefactor of the event. Motion by Director Maynard, seconded by Director DeMarco to approve the use of Rush Park beginning at 6:00 am for the 3rd Annual School Ghoul 5k Run/Walk event scheduled for Sunday, October 11, 2015 and deny the fee waiver. Motion passed 5-0.

6. PROPOSED AMENDMENT TO BOARD MEETING AGENDA RE: BOARD MEMBER ITEMS.

Recommendation to approve proposed amendment to Board Meeting Agenda re: Board Member Items. The General Manager reported that General Counsel has reviewed the language of the Board Agenda pertaining to Board Member Items and is recommending a change to the language to be more consistent with the limitations of the Brown Act.

Brief discussion ensued. Motion by Director DeMarco, seconded by Director Burgess to approve proposed amendment to Board Meeting Agenda re: Board Member Items. Motion passed 5-0.

I. GENERAL MANAGER ITEMS:

The General Manager reported on the recruitment progress for the Recreation Coordinator position. He stated that response had been excellent and they would have many qualified applicants from which to choose and bring on board quickly. He stated that the County wireless ordinance hearing had been continued again until October 20, 2015. He would continue to update the Board on this issue. The Rush Park Canopy installation was targeted for October 15th through the 18th. Permits had been obtained and there were no outstanding issues. He added that the District had made great progress on replacing the sprinkler valves and sensors in order to maintain compliance with the drought requirements. Governor Brown had recently praised Southern California and Orange County for its exceptional response to the drought. He stated that the water reduction target is 16%. He opined that the reduction was adequate and on target. Regarding the Bradbury Road restriping, the County Public Works had been very cooperative thus far. They are still monitoring the results of their speed reduction efforts in response to community complaints. He stated that this was standard operating procedure and would keep the District informed of any future modification plans. Finally, the Montecito Road Lighting improvements were still underway. The County was working with Edison on the issue. The report was received and filed.

J. BOARD MEMBER ITEMS

Director Burgess had comments relative to resident street sweeping concerns. He stated that if the Los Alamitos School District could not remedy the parking overflow situation, they should pay for the street sweeper to re-sweep the areas. He stated that he was glad the District had come to terms with the Happy Hour Fit Club, however he was not a fan of the time and resources spent in the process. He had additional comments relative to unpermitted park use. He opined that the parks needed to be policed.

Director Casey had comments relative to Emily Gingras' departure. He stated she had been a valuable resource to the District and would be missed. He discussed the I-405 Improvement Project and stated that OCTA had scheduled a meeting in late October to assist the homeowners whose property would be impacted by the new sound wall construction. OCTA would also be holding quarterly update meetings with all key community stakeholders along the I-405 corridor.

Director DeMarco thanked Emily Gingras for her service to the District and wished her well in future endeavors. Regarding residents who had public forum comments about local control, the District has been discussing the matter with LAFCO for some time. The Rossmoor Advisory Committee would be meeting soon to thoroughly vet the issue and listen to concerns of the community. It was going to be a long process with costs involved. He stated that he was hesitant about turning on his sprinkler because of the drought and was glad to hear the tree watering information during public comments. Director DeMarco thanked Rand Mulford with Happy Hour Fit Club for his diligent negotiations. He added that he reads the comments on social media. He opined that many of the comments about RCSD were especially hard for him to read since he was not part of the process. However, he was glad that there was a positive outcome.

Director Maynard wished Emily Gingras luck in her new career with the Recreation Department in the City of Los Alamitos. He stated that street sweeping is an issue for the entire Rossmoor

community and there are no easy solutions. The Sheriff's Department sometimes does need to exercise the law and citizens need to abide by the parking restrictions on street sweeping days. Director Maynard discussed the comments made by Van Zeitz relative to tennis signage at Rossmoor Park. He stated that the issue should be discussed and all new signage proposals should be brought to the Board. He added that the General Manager would look into the issue. He also clarified that the District had recently implemented a new telephone system with auto attendant. Residents needed to make a selection and would be directed to the appropriate staff member.

President Kahlert thanked Emily Gingras for her service and wished her well. He added that he was looking forward to hiring a new candidate ready to meet and exceed expectations. He thanked the District staff and the Happy Hour Fit Club for their hard work and dedication in coming to an agreement on for-profit park use. He reminded residents to water their trees. He added that there had been several instances of graffiti in the community lately and that graffiti needed to be reported directly to the Orange County Sheriff's Department and the County of Orange. President Kahlert concluded by reminding residents to save the date on Friday, December 11th for the First Annual Winter Extravaganza at 6:30 p.m. at Rush Park.

K. CLOSED SESSION—None

I. ADJOURNMENT:

Motion by Director Maynard, seconded by Director DeMarco to adjourn the regular meeting at 9:05 p.m. Motion passed 5-0.

SUBMITTED BY:
James D. Ruth
General Manager