



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, December 09, 2008

A. ORGANIZATION

1. CALL TO ORDER: 7:10 P.M.

**2. ROLL CALL: Directors Joel Rattner, Shannon Hough, Ronald Casey, Jeffrey Rips,
Acting President Alfred Coletta**

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS-

**a. CERTIFICATION OF ELECTION & SWEARING IN OF NEWLY ELECTED
BOARD MEMBERS BY O.C. SUPERVISOR JOHN M.W. MOORLACH**

Orange County Supervisor John M.W. Moorlach swore in newly elected Board Members, Shannon G. Hough, Ronald Casey, and Jeffrey T. Rips. Supervisor Moorlach welcomed the Directors, expressed excitement regarding their diverse backgrounds, and stated that he looked forward to their four years of community input. Photographs were taken.

B. ADDITIONS TO AGENDA – None

C. PUBLIC FORUM – Acting President Coletta opened up the Public Forum.

- Dell Clark-Congratulated the new Board Members, stated that she was excited to have some new faces on the Board and looked forward to the future. Ms. Clark thanked Supervisor Moorlach for agreeing to provide the community with the necessary data in order to determine the nature and factuality of the supposed shortfalls revealed in the CFA.

THE PUBLIC FORUM WAS CLOSED

D. REPORTS TO THE BOARD- None

E. CONSENT CALENDAR

Director J. Rattner requested the removal of Item E-2.

1. MINUTES:

a. Regular Meeting of November 11, 2008.

The report was received and filed.

2. REVENUE AND EXPENDITURE REPORT-October, 2008

This item was removed from the consent calendar.

3. FY 2008-09 SECOND QUARTER STATUS REPORT

The report was received and filed.

4. QUARTERLY (TRANSITIONAL) TREE REPORT

The report was received and filed.

THE ITEMS REMOVED FROM THE CONSENT CALENDAR WERE ACTED UPON AT THIS TIME.

2. OCTOBER REVENUE AND EXPENDITURE REPORT

Director J. Rattner had questions regarding earned interest appearing as a negative number on the report. He feared the District would have inaccurate figures throughout the year. He stated that there were no negative numbers last year and that he intended to keep his own records of earned interest.

The General Manager stated that RCSD Accountant/Bookkeeper, Kathy Bell had consulted with the District Auditor and had provided Director Rattner with the best explanation she could. The General Manager added that the Fund Balance software was more than adequate for the needs of the District but suggested the Board entertain the option of purchasing different accounting software in the future if they were dissatisfied with the current software's features and capabilities. Motion by Director J. Rattner, seconded by Director R. Casey, to approve the consent calendar. Motion passed 5-0.

F. PUBLIC HEARING-None

G. RESOLUTIONS-None

H. REGULAR CALENDAR

1. ROSSMOOR WAY RESIDENT SURVEY RE: INTRUSION OF TREE ROOTS INTO SEWER LATERALS

The General Manager briefed the Board on the substantial efforts that had been made by the RCSD, over the past several months, to educate the Rossmoor Way homeowners about sewer lateral maintenance options. The General Manager stated that case law dictated that homeowners were required to maintain their own sewer lateral and recommended the Board take no action.

Resident Eddie Cecilio addressed the Board and opined about various topics relative to tree roots and sewer laterals. He had contentions about Rossmoor Way homeowners being expected to bear the financial responsibility of sewer lateral maintenance and repair. He stated that Rossmoor Way was a unique street because in addition to the parkway trees it

also had a median which contained tree species possessing particularly aggressive root structures.

Harry Kartinen of Harry's Plumbing provided the Board with insight into the performance of the ROOTX product in various application scenarios. He gave a description of the dispensing unit the Rossmoor/Los Alamitos Sewer District used when applying ROOTX; which made the product highly effective. However, Mr. Kartinen also stated that ROOTX currently has serious packaging flaws resulting in the products inability to foam the way it should, making it useless when homeowner's attempt to apply ROOTX themselves. He added that in order for ROOTX to be effective the product's packaging defect must be corrected; otherwise he wouldn't even consider recommending it in individual homeowner applications. He commented that in the best case scenario, ROOTX would keep a sewer lateral root-free for up to two years.

Motion by Director J. Rattner, seconded by Director R. Casey, requiring the District to supply ROOTX free of charge to any Rossmoor Way resident who requests it for their lateral line, because in Director Rattner's opinion a unique situation existed in that location due to the median. Discussion ensued. General Manager, Henry Taboada stated that he did not believe the RCSD had the legal authority to carry out said motion. Director S. Hough stated that given ROOTX's packaging problems, court precedent, and General Counsel's opinion, she could not support the motion. Director A. Coletta stated that he could not support the motion due to the fact that it went against case law. Motion failed 3-2, with Directors J. Rips, S. Hough and A. Coletta, voting No.

2. AMENDMENT TO POLICIES REGARDING THE CURRENT FINANCE COMMITTEE.

Discussion ensued relative to policy language. Motion by Director J. Rips, seconded by Director S. Hough to trifurcate the current Finance Committee into the Budget, Audit and Finance Committees, give first reading to Policies No. 3020-Budget Preparation and Revision, No. 3025-Financial Audit, No. 3035-Investment of District Funds, No. 4030-Board Remuneration and Reimbursement, and No. 4060-Committees of the Board of Directors, edit for various language and grammatical errors as per Acting President A. Coletta, and bring back to the Board for a second reading. Motion passed 5-0.

3. THIRD AMENDMENT TO STREET SWEEPING AGREEMENT-R.F. DICKSON CO. INC.

Motion by Director J. Rips, seconded by Director S. Hough to adopt the General Manager's recommendation to renew the street sweeping agreement with R.F. Dickson and agree to their request for a monetary increase. Motion passed 5-0.

4. TREE PROGRAM CONSULTANT AGREEMENT-RANDY REYNOLDS

Randy Reynolds introduced himself to the Board, briefed them on his experience and answered questions posed by Director J. Rattner, relative to scope of work. Mr. Reynolds agreed to revise the first paragraph of Exhibit A of the agreement to reflect "inspections of 60-80 trees per week".

C.J. Crockett addressed the Board and answered various questions relative to tree inspections and scope of work. She also thanked the General Manager and the Board for being given the opportunity to work in such a unique capacity over the past 15 months.

Motion by Director J. Rattner, seconded by Director R. Casey to adopt the General Manager's recommendation to hire Randy Reynolds as the new Tree Consultant in accordance with the revised agreement. Motion passed 5-0.

5. DISCUSSION ON OPTIONS FOR REINVESTING OF MATURING INVESTMENTS

Motion by Director S. Hough, seconded by Director J. Rips to adopt the General Manager's recommendation and authorize him to purchase two \$100K CDs.

Amended Motion by Director J. Rattner, seconded by Director A. Coletta to authorize the General Manager to purchase one CD for \$100K at 4% (or higher) at Imperial Bank, and purchase one CD for \$100K at 4% (or higher) at First Federal Bank. Motion passed 3-2, with Director S. Hough, and Director J. Rips voting No.

6. REPLACEMENT OF RUSH PARK AUDITORIUM HVAC SYSTEM

Motion by Director J. Rattner, seconded by Director J. Rips to authorize the General Manager to accept the bid from Long Beach Heating and Air Conditioning in the amount of \$20,365.00 for the replacement of the inoperative Rush Park Auditorium main HVAC system. Motion passed 5-0.

7. PROPOSAL FROM THE CONKLIN GROUP FOR PLANS, SPECS. & OVERSIGHT OF THE RECONFIGURATION OF THE AUDITORIUM

Motion by Director J. Rips, seconded by Director J. Rattner to authorize the General Manager to approve the proposal presented by the Conklin Group and proceed with the planning phase of the project to reconfigure the Auditorium Board Meeting space with new lighting, sound, furniture replacement and to oversee the design of the space, including a portable dais. Motion passed 5-0.

8. GRANT APPLICATION FOR DEVELOPMENT SOFTBALL FIELD NO. 1 AT RUSH PARK

Dr. Chuck Woodfin addressed the Board with his concerns regarding the possibility of noise and traffic problems resulting from the development of a softball field in what he termed as a "passive" park. Dr. Woodfin inquired about whether or not any restrictions would be placed on the green space in the park so that it would be available for other uses aside from softball.

The General Manager stated that Rush Park does not have the same issues with traffic congestion and noise as Rossmoor Park, due to its large parking lot and geographical design. He further stated that the fields are presently in constant use with La Crosse games,

soccer games, and other organized play, and the RCSD has not experienced any problems. The General Manager commented that a Pee-Wee-type softball field would have little, if any impact on the surrounding homes.

Motion by Director J. Rips, seconded by Director S. Hough to authorize the General Manager to go forward with expending monies from Fund 40 to develop Field 1 at Rush Park. Motion passed 4-1, with Director J. Rattner voting No.

9. EVENT ATTENDANT STAFFING FOR MONITORING OF DISTRICT FACILITY RENTALS

Director J. Rattner inquired as to why the General Manager was limiting his request to the hiring of one Event Attendant. The General Manager replied that presently, only one was necessary, however he would appreciate not having to be required to come back to the Board for approval so often. Motion by Director J. Rattner, seconded by Director Ron Casey to authorize the General Manager to hire *two* additional Event Attendants in order to increase the District's ability to adequately and reliably staff their events. Motion passed 5-0.

I. GENERAL MANAGER ITEMS

The General Manager discussed the budget situation in Sacramento and projected possible impacts on the District and County services.

J. BOARD MEMBER ITEMS

Director J. Rattner complimented the work being done at Rossmoor Park; stated his pleasure at the contractor and architect being Rossmoor residents and welcomed the new directors.

Director S. Hough requested that the General Manager put the item of training for special districts on the January agenda. The General Manager requested that the Board provide him with their specific training needs so that he could cost it out and bring said information to the next Board meeting.

L. ADJOURNMENT

Motion by Director J. Rattner, seconded by Director S. Hough to adjourn the meeting at 9:20 p.m. Motion passed 5-0.

SUBMITTED BY:

Henry Taboada
Consulting General Manager