



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, September 9, 2008

A. ORGANIZATION

1. CALL TO ORDER: 7:02 P.M.

**2. ROLL CALL: Directors Joel Rattner, Erwin Anisman, Alfred Coletta, Mark Nitikman,
President Shawn Wilson**

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS-

a. ORANGE COUNTY SHERIFF, SANDRA HUTCHENS

After reciting a brief biography, Lt. Tom Gallivan introduced the newly appointed Orange County Sheriff, Sandra Hutchens.

Sheriff Sandra Hutchens addressed the Board regarding her vision for the Orange County Sheriff Department.

B. ADDITIONS TO AGENDA – None

C. PUBLIC FORUM – President Wilson opened up the Public Forum for residents so they could ask questions of the new Orange County Sheriff, Sandra Hutchens.

- Bob Zato-Rossmoor Resident had questions relative to police response times within the last several months. Lieutenant Gallivan stated that any improvements were attributable to increased communication with Deputies.
- Rick Ortiz-Fireman and Rossmoor resident had some follow up questions which related to Mr. Zato's topics. Mr. Ortiz provided the public with tips on increasing emergency call response times by programming local emergency numbers into cell phones. Director Nitikman concurred and stated that when given the choice, calling 911 from a landline is always preferable.
- Bob Zato- Had additional questions relative to rumors which pertained to Rossmoor service cuts by the County of Orange. Mr. Zato expressed his desire to further scrutinize the data contained within the CFA. Discussion ensued with President Wilson and Director Nitikman stating that there was currently a great deal of misinformation being published in the news.

THE PUBLIC FORUM WAS CLOSED

D. REPORTS TO THE BOARD- VERIZON AD HOC COMMITTEE

1. Director A. Coletta reported to the Board on the Verizon Hub Installation. He highlighted the successful reduction in the quantity of hubs ultimately installed. The original proposal called for the placement of 23 boxes throughout the Rossmoor Community, and the Ad Hoc Committee, in cooperation with Verizon, was able to reduce the number of boxes to 4; a far less obstructive and far more aesthetically pleasing solution. This report contained the following recommendation: That the Verizon Ad Hoc Committee be dissolved. The Board commended Verizon on their hard work and cooperation in this venture, amidst public applause the Ad Hoc Committee was dissolved and the report was received and filed.

E. CONSENT CALENDAR

Director J. Rattner requested the removal of Items E-1a., E-2, E-3 and E-4.

1. MINUTES:

a. Regular Meeting of August 12, 2008.

This item was removed from the consent calendar.

2. REVENUE AND EXPENDITURE REPORT-JULY, 2008

This item was removed from the consent calendar.

3. QUARTERLY STATUS REPORT

This item was removed from the consent calendar.

4. NOTICE OF BID-COMMUNITY CENTER PATIO COVER

This item was removed from the consent calendar.

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

1 a. MINUTES: REGULAR MEETING OF AUGUST 12, 2008

Director J. Rattner questioned the General Manager as to why he did not make all of the changes that the Director had requested via e-mail prior to the Board Meeting. The General Manager stated that all of the substantive changes had been made; with regard to additional changes the General Manager stated he was obligated to weigh the will of the Board, against the will of the Director.

Director J. Rattner requested that the summary version of the action which took place at last month's meeting be stricken. Discussion ensued, with Director M. Nitikman requesting a truncated version of the verbiage in Item D-1. Director A. Coletta stated he felt strongly that the verbiage contained within the Minutes accurately summarized the events of that portion of the meeting and should remain unchanged. Motion by Director M. Nitikman, seconded by Director J. Rattner to

condense the paragraph in D-1 to and bring the Item back to the Board at next month's meeting. Motion passed 4-1, with Director A. Coletta voting No.

2. JULY REVENUE AND EXPENDITURE REPORT

Director J. Rattner had questions and suggestions relative to the line items labeled "Contingency/Reserves". Director E. Anisman had questions relative to the Administrative Line Item percentage. The General Manager stated that changing the verbiage prior to the audit would disrupt the continuity of the report. In response to Director Anisman's question, the General Manager recommended that he consult the footnotes of the report for an explanation. The report was received and filed.

3. QUARTERLY STATUS REPORT

Director J. Rattner had various comments regarding statements contained within the General Manager's report. The report was received and filed.

4. NOTICE OF BID-COMMUNITY CENTER PATIO COVER

Director J. Rattner requested specifications; inquired about colors. General Manager, Henry Taboada restated to the Director that he did not yet have said information. The notice was received and filed.

F. PUBLIC HEARING-None

G. RESOLUTIONS

1. RESOLUTION No. 08-09-09-01 REJECTION OF GOVERNMENT CLAIM

Motion by Director M. Nitikman, seconded by President Wilson to approve by roll call vote, Resolution No. 08-09-09-01 by reading the title only and waiving further reading. Motion passed by roll call vote 5-0.

H. REGULAR CALENDAR

1. BROWN ACT ADVISORY LETTERS FROM GENERAL COUNSEL.

Grover Trask, from Best, Best, and Krieger advised the Board on ethics and matters of Brown Act compliance. Mr. Trask spoke about upcoming legislation which would address some of the Board's recent concerns.

Motion by Director A. Coletta, seconded by President S. Wilson to acknowledge the Cure and Correct letters dated August 15, 2008 and September 2, 2008, (sent to Director J. Rattner and the RCSD Board by District General Counsel, Jeffry Ferre) consequently, if Director J. Rattner refused to comply with the directives set forth in said letters, the RCSD Board would be mandated to take action by reporting Director J. Rattner's conduct to the Orange County District Attorney.

Discussion ensued. Director M. Nitikman expressed concern for Director J. Rattner's actions. Director Nitikman requested that Director J. Rattner publicly acknowledge his

violation of the Brown Act and agree to refrain from all future violations. Director Nitikman further stated that the RCSD Board should always strive for best practice rather than adopting the motto "In technical compliance with the law."

Director J. Rattner promised to comply with the Cure and Correct letters as well as the standard of Best Practice. Motion failed 3-2, with Director A. Coletta and President S. Wilson voting Yes.

2. REVIEW AND/OR REVISION OF BOARD POLICIES -VARIOUS

President S. Wilson requested that this item be postponed indefinitely. Motion by Director M. Nitikman to table the item until the November Board Meeting, seconded by Director E. Anisman. Motion passed 5-0.

I. GENERAL MANAGER ITEMS

The General Manager reported that there had been a number of recent Open House burglaries in Rossmoor. Prescription drugs had been stolen from these homes. He cautioned residents who were selling homes to secure these items in order to prevent more theft.

J. BOARD MEMBER ITEMS

Director J. Rattner requested at least twelve concrete containers be purchased to secure garbage pails located at Rossmoor Park. The General Manager agreed to price out said containers in order to ascertain whether the cost would be within his authorized spending limit and budget.

Director E. Anisman requested a community impact update regarding community concerns due to the additional Tennis Professional services recently acquired at Rossmoor Park. No specifics were offered.

Discussion ensued regarding the subject of Proposition 1A. Funds. Director Nitikman stated that currently there was no proposal on the table by the County to take said funds.

Director E. Anisman also requested an informational article in the next quarterly newsletter which would address lateral sewer line maintenance.

President S. Wilson reminded the public that political signs were prohibited on the parkway and curb. He stated that any signs found in these areas would be removed. President Wilson also stated that it was illegal to distribute flyers and place them in mailboxes and mail slots by hand; all flyers/correspondence were required to be mailed with the appropriate U.S. postage.

L. ADJOURNMENT

Motion by Director A. Coletta, seconded by Director E. Anisman to adjourn the meeting at 9:35 p.m. Motion passed 5-0.

SUBMITTED BY:

Henry Taboada

Consulting General Manager