



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, June 9, 2009

A. ORGANIZATION

1. CALL TO ORDER: 7:01 P.M.

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

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

a. RHA-Bill Gekler: Relocation of Paper Drive to Rush Park. A slide show was presented to the Board and public illustrating the logistics of the upcoming Paper Drive relocation.

B. ADDITIONS TO AGENDA – None

C. PUBLIC FORUM -None

D. REPORTS TO THE BOARD-None

**DUE TO SUBSTANTIAL PUBLIC INTEREST, ITEM F-1: ROSSMOOR WAY
RESIDENT'S PETITION FOR REMOVAL OF MEDIAN TREES WAS TAKEN OUT OF
ORDER AND ACTED UPON AT THIS TIME**

F. PUBLIC HEARING

**1. ROSSMOOR WAY RESIDENT'S PETITION FOR REMOVAL OF MEDIAN
TREES**

A petition for the removal of mature median trees along the entire reach of Rossmoor Way was considered by the RCSD Board at its regular meeting of April 12, 2009. At that meeting the Board took action to set said matter for a public hearing in June.

Recommendation to open hearing, receive presentation from General Manager, take public testimony, close hearing, deliberate the merits of the petition and reaffirm the RCSD policy regarding removal of healthy, mature, street and median trees.

The public hearing was opened. Mr. Eddie Cecilio read from a letter he submitted to the General Manager for inclusion in the agenda package. The following residents spoke publicly: Amelia Rhineking, Shirley Kirkpatrick, John Staya, Roland Tars, Eileen Helper, Dell Clark, Ray LeCompt, Erwin Anisman, Joyce Blume, John Hunt, and John Merchant. Discussion ensued relative to the myriad of issues and viewpoints presented by the speakers. The Board explored various options in an attempt to ameliorate the situation.

Motion by Director J. Rattner, seconded by Director J. Rips that an RCSD Ad Hoc Tree Committee, working in partnership with the Los Alamitos Sewer District and the County of Orange, be formed in order to research possible solutions in an attempt to strike a balance between preserving Rossmoor's urban forest and resolving the sewer issues on Rossmoor Way. Director J. Rattner and Director J. Rips volunteered to be on the Ad Hoc Tree Committee. Motion passed 3-2, with Director S. Hough and Director R. Casey voting No.

THE BOARD RETURNED TO ITS REGULAR AGENDA AT THIS TIME

E. CONSENT CALENDAR

1. MINUTES:

a. Regular Meeting of May 12, 2009.

2. APRIL 2009 REVENUE AND EXPENDITURE REPORT

3. QUARTERLY STATUS REPORT

President A. Coletta moved to approve the Consent Calendar. The Consent Calendar was unanimously approved, 5-0.

G. RESOLUTIONS

1. RESOLUTION 09-06-09-01

Approve by roll call vote, Resolution No. 09-06-09-01 by reading the title only and waiving further reading as follows:

RESOLUTION NO. 09-06-09-01 FINDING A FINANCIAL HARDSHIP WILL EXIST IF ADDITIONAL LOCAL PROPERTY TAX REVENUES ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA.

Discussion ensued with Director J. Rattner objecting to the wording of the Resolution. The General Manager stated that the wording was modeled after the CSDA.

J. Rattner	S. Hough	R. Casey	J. Rips	A. Coletta
No	Yes	Yes	Yes	Yes

Resolution 09-06-09-01 was approved by Roll Call Vote, 4-1, with Director J. Rattner voting No.

2. RESOLUTION 09-06-09-02

Recommendation to approve by roll call vote, Resolution No. 09-06-09-02 by reading the title only and waiving further reading as follows:

RESOLUTION NO. 09-06-09-02: FY APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-2010

J. Rattner	S. Hough	R. Casey	J. Rips	A. Coletta
Yes	Yes	Yes	Yes	Yes

Resolution 09-06-09-02 was approved by Roll Call Vote, 5-0.

H. REGULAR CALENDAR

1. PROPOSED AMENDMENTS TO BOARD POLICY NO. 6040 SIGNS-WALL, FACILITIES AND PARKS, TO BE RE-TITLED ROSSMOOR WALL SIGNS

Recommendation to give second reading and adopt proposed amendments to Policy No. 6040 Signs-Wall, Facilities and Parks, to be re-titled Rossmoor Wall Signs.

Discussion ensued with Director J. Rattner requesting language changes in Policy Section No. 6040.41, and the correction of a typographical error in same paragraph. President A. Coletta believed that said changes, with the exception of the typographical error, were unnecessary. Director S. Hough concurred.

Motion by Director S. Hough, seconded by Director J. Rips, to approve the recommendation and correct the minor typographical error. Motion passed 3-2, with Director J. Rattner and Director R. Casey voting, No.

2. PROPOSED AMENDMENTS TO BOARD POLICY NO. 5010 BOARD MEETINGS RE: REQUESTS FOR LEGAL OPINIONS OR ADVICE FROM GENERAL COUNSEL BY BOARD MEMBERS

Recommendation to give second reading and adopt proposed amendments to Policy No. 5010 Board Meetings.

Motion by Director A. Coletta, seconded by Director S. Hough to adopt the recommendation. Motion passed 5-0.

3. PROPOSED REVISIONS TO DISTRICT FEE SCHEDULE

Recommendation to receive the report of Public Resource Management Group (PRM), fee study consultant and adopt the fee schedule prepared by the General Manager and reviewed by the Budget Committee.

Resident Mark Nitikman addressed the Board. He disagreed with the logic of the data contained within the consultant's report.

The General Manager responded that the fees were being increased gradually over time in order to remain competitive with the surrounding communities. He stated that the Fee Study process was an art, not a science and the consultants had compared the District with other jurisdictions.

Director J. Rattner stated that he felt increasing fees was the wrong approach in this economic climate.

Discussion ensued relative to the Budget Committees rationale in adopting the consultant's recommendation. President A. Coletta stated that the fee adjustments were modest, and even in the current economic climate, it was clear that the demand for services still existed.

Motion by Director S. Hough, seconded by Director J. Rips to adopt the recommendation. Motion passed 4-1, with Director J. Rattner voting No.

4. DISCUSSION AND POSSIBLE ACTION REGARDING THE REINSTATEMENT OF EMPLOYEE DEFERRED COMPENSATION PROGRAM

Review documentation from General Counsel regarding criteria for a revised deferred compensation program. Consider the recommendation of the Committee to adopt a new program by giving first reading to proposed revisions to Policy No. 2160 Deferred Compensation.

Resident, Mark Nitikman addressed the Board, arguing against the Deferred Compensation Proposal with District matching.

Director J. Rattner concurred with Mark Nitikman's views due to the economy.

The General Manager responded that when he brought this idea to the Board two years ago, he was also told then that it wasn't "the right time".

President A. Coletta asked to hear from the Committee, and expressed concerns relative to the District matching and program structure. He requested that further research be done.

Director J. Rips stated that it was a misnomer to place value on future employees versus current employees. He further stated that the current RCSD employees should be seen as an asset.

Director S. Hough stated that most people have retirement plans and in her opinion the RCSD staff was worth the investment.

Mark Nitikman responded that he disagreed with the statement that “most people have retirement plans”.

Director R. Casey disagreed with Mr. Nitikman, and stated that he felt the RCSD had a great staff that should be valued and rewarded.

Motion by Director S. Hough, seconded by Director J. Rips to give first reading to Policy No. 2160 Deferred Compensation, request the General Manager to bring back more information and options to the Board at a later date, to include the items discussed; and refrain from District Matching at this time. Motion passed 5-0.

THE BOARD TOOK A BRIEF RECESS AT 9:30 P.M. AND RECONVENED AT 9:50 P.M.

5. PROPOSED FY 2009-2010 PRELIMINARY BUDGET AND ANNUAL SALARY PLAN

Review amendments to the Proposed FY 2009-2010 Preliminary Budget, approve the FY 2009-2010 Annual Salary Plan, approve a transfer of the year end Fund 10 balance and a transfer of \$150,000 from reserves to the beginning Fund 40 balance for FY 2009-2010 and also approve a Notice of a hearing for approval of a Final Budget.

Discussion ensued. Motion by Director S. Hough, seconded by Director J. Rips to adopt the above recommendations. Motion passed 5-0.

I. GENERAL MANAGER ITEMS

The General Manager reported on a recent accident involving a child at the Hedwig/Kerth location in Rossmoor. He stated that this was the second time a child had been struck by a vehicle at that location in the span of a few months and this fact should stimulate the need for a STOP sign, as well as a traffic study.

The General Manager reported on his recent attendance at a Golden State Water Company Hearing where he learned that mandatory water conservation would take effect July 1, 2009. The next District water bill would include a new tiers. The General Manager stated that he was in the process of obtaining a baseline usage from Golden State Water.

J. BOARD MEMBER ITEMS

Director R. Casey requested that the General Manager research the air traffic patterns over

Rossmoor, as he continually hears helicopters overhead in the early morning hours. The General Manager agreed to research the matter.

K. CLOSED SESSION-None

L. ADJOURNMENT

Motion by Director J. Rattner, seconded by Director S. Hough to adjourn the regular meeting at 10:34 p.m. Motion passed 5-0.

SUBMITTED BY:

Henry Taboada
Consulting General Manager