



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

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, December 8, 2009**

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**A. ORGANIZATION**

**1. CALL TO ORDER: 7:03P.M.**

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

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS:**

a. Lt. Tom Gallivan, O.C. Sheriffs Department re: Proposed Increase to Parking Citation Bail Schedule.

Lt. Tom Gallivan was unable to attend; consequently this item was postponed until the next regular meeting.

**PRESIDENT A. COLETTA MOVED ITEM D-3 AHEAD ON THE AGENDA AT THIS TIME**

**D-3 REPORT ON THE DISTRICT'S INVOLVEMENT WITH THE FOUR CITY MAYORS AND CITY MANAGERS RE: JFTB COMPOSTING ISSUE AND OTHER MATTERS ON THE BASE**

Seal Beach City Councilman, Gary Miller introduced Seal Beach Mayor, Gordan Shanks who reported to the Board that the four cities of Seal Beach, Cypress, Los Alamitos, and Garden Grove had sent letters to the Army requesting information relative to the environmental aspects of the Composting Project and bidding process. The four cities had also filed Freedom of Information Act requests. To date, no information has been forthcoming. Mayor Shanks requested that the RCSD Board join the four cities in filing their own Freedom of Information Act request.

Laura Herzog, JFTB Public Affairs stated that the Army Base had conducted an open public forum and the composting project was halted on September 29, 2009 due to

complaints from surrounding communities. Ms. Herzog suggested that some of the offensive odors could be coming from the Los Alamitos Racetrack.

Motion by Director S. Hough, seconded by Director R. Casey to direct the General Manager to request District General Counsel to draft a Freedom of Information Act request on behalf of the District, specifically details of the composting project contract, CEQA and NEPA. Motion passed 5-0.

## **THE BOARD RETURNED TO ITS REGULARLY SCHEDULED AGENDA ITEMS AT THIS TIME**

### **4. PRESENTATIONS:**

#### b. Presentation by Director Rips & Rattner Re: Refuse Collection Agreement

The General Manager reported on behalf of the Directors, that at the October meeting, President Coletta established an Ad Hoc Committee to vet issues relating to proposed automated refuse collection by Orange County. It was the consensus of the Committee that a meeting with Supervisor Moorlach be requested to discuss the concerns of the community. A letter requesting a meeting with Supervisor Moorlach was sent by Board President Coletta. Supervisor Moorlach's Chief of Staff, Rick Francis offered instead to meet with representatives of the Committee. The General Manager and Director J. Rips met with Mr. Francis, who proved to be very receptive to Rossmoor's concerns.

The General Manager further stated that he met with O.C. Waste, CR&R and both were attentive to the concerns of the Rossmoor community. The General Manager referred to an attached letter from Dean Ruffridge of CR&R responding to a request from President Coletta for a community questionnaire on the preferred size of refuse containers prior to being delivered to residents. The letter also addressed a means to deal with large amounts of green waste.

The County Board of Supervisors meeting, to adopt new 10-year agreements with refuse haulers for all unincorporated Orange County territory took place this morning. The General Manager was present at the meeting and read CR&R's letter into the record.

Dean Ruffridge, CR&R answered questions relative to Rossmoor's July 1, 2010 transition to automated refuse collection services. He presented a timeline of events and stated that CR&R would work closely with RCSD Staff to provide information to Rossmoor residents via the resident questionnaire postcard (to be sent out in April of 2010), the RCSD newsletter, and RCSD website. Mr. Ruffridge pledged that CR&R would be available for any resident questions and stated that they were dedicated to making Rossmoor's transition a smooth one. It was the consensus of the Board to use all available means within the District and CR&R to publicize the transition and educate the community.

**B. ADDITIONS TO AGENDA – None**

**C. PUBLIC FORUM-None**

**D. REPORTS TO THE BOARD**

**1. STATUS OF THE DISTRICT’S URBAN FOREST**

District Tree Consultant Randy Reynolds presented his comprehensive annual Tree Report to the Board on the status of the District’s urban forest. Mr. Reynolds discussed the portion of the trees which were poorly structured and diseased/declining (approximately 20%) and made recommendations for their removal. He also discussed placement of trees on the parkway, root lifting, safety structure, and current methods of communication with residents.

The General Manager suggested a workshop be scheduled to discuss the future of the urban forest. Discussion ensued.

Motion by Director S. Hough to receive report and schedule workshop for February 2010, to precede the regularly scheduled Board Meeting, seconded by Director J. Rips. Motion passed 5-0.

**2. REPORT OF THE INVESTMENT COMMITTEE RE: MATURING CERTIFICATES OF DEPOSIT**

President A. Coletta requested to hear from the Investment Committee Board Members.

Director R. Casey stated that the Investment Committee met one week ago and after some deliberation, it was the consensus of the committee that the 2 year option was best for securing the District’s two \$100K CDs. Director S. Hough stated that the practice of securing CDs at the highest possible yield consistent with safety was good practice and that 2 years was the most prudent choice.

Motion by Director S. Hough to authorize the General Manager to secure two \$100K CDs at the highest possible yield consistent with safety for two years on or after December 15, 2009. The Motion was seconded by Director R. Casey. Motion passed 5-0.

**E. CONSENT CALENDAR**

Director J. Rattner requested Items E-1 & E-2 be removed from the Consent Calendar.

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

**1. MINUTES:**

**a. Regular Meeting of November 10, 2009.**

Director J. Rattner stated that he approved the Minutes as they had been revised per his request in an e-mail sent to staff prior to the Board Meeting. The General Manager acknowledged said revisions and stated that they had already been incorporated into the Draft Minutes sent to the Board in their Weekly Update. The Board approved the Minutes as revised.

## **2. OCTOBER 2009 REVENUE AND EXPENDITURE REPORT**

Director J. Rattner had questions relative to the transfer of \$150,546 from Fund 20 to Fund 10 in Account 3600. The General Manager stated that all allocations were per the recommendation of the District Auditor who was the expert hired for said purpose.

Motion by Director J. Rattner to return the \$150,546 from Fund 20 to Fund 10 in account 3600. Motion died for lack of a second.

The Board voted in favor of receiving and filing the October 2009 Revenue and Expenditure Report 4-1, with Director J. Rattner voting, No.

### **F. PUBLIC HEARING-None**

### **G. RESOLUTIONS-None**

### **H. REGULAR CALENDAR**

#### **1. PROPOSED REVISION TO POLICY NO. 2210 SEXUAL HARASSMENT**

The General Manager reported that the District's policy on sexual harassment has not been amended since its adoption in 1995. He further reported that the policy was reviewed by General Counsel.

Director Casey and Director Rips had minor language and grammatical suggestions. President A. Coletta requested that they e-mail the General Manager with same.

The Board unanimously approved the General Manager's recommendation to give first reading to Proposed Revision to Policy No. 2210 Sexual Harassment.

#### **2. PROPOSED REVISION TO POLICY NO. 2215 HARASSMENT**

The General Manager reported that the District's policy on harassment has not been amended since its adoption in 2005. He further reported that the policy was reviewed by General Counsel. Discussion ensued relative to whether or not to combine policies 2210 and 2215. The General Manager stated that case law distinguishes Sexual Harassment as being in a category of its own, hence the bifurcation.

The Board unanimously approved the General Manager's recommendation to give first reading to Proposed Revision to Policy No. 2215 Harassment.

### **3. PROPOSED REVISION TO POLICY NO. 2220 EQUAL EMPLOYMENT OPPORTUNITY**

The General Manager reported that the District's policy on equal employment opportunity has not been amended since 2004. He further reported that the policy was re-titled to be more reflective of the current state of the art in this discipline and had been reviewed by General Counsel.

The Board unanimously approved the General Manager's recommendation to give first reading to Proposed Revision to Policy No. 2220 Equal Employment Opportunity.

### **4. PROPOSED POLICY NO. 2225 COMPLAINT INVESTIGATION**

Discussion ensued relative to whether complaint investigation should be treated as interoffice procedure rather than a policy. The majority of the Board felt it should be treated as information contained within a procedural handbook kept by the General Manager.

Motion by Director S. Hough, seconded by Director R. Casey to give first reading to Proposed Revision to Policy No. 2225 Complaint Investigation. Motion failed 2-3, with President A. Coletta, Director J. Rips and Director J. Rattner voting, No.

### **5. PROPOSED FOURTH AMENDMENT TO STREET SWEEPING AGREEMENT-R.F. DICKSON**

The General Manager reported that the District's current Third Amendment to its Agreement with Dickson for street sweeping services expires on January 1, 2010 and the Agreement will be terminated unless it is extended. The General Manager further reported that he asked R.F. Dickson if they were willing to continue to provide service for the next 18 months. Dickson agreed to an extension at no additional cost for the curb mile rate for the next six months with the debris component as per the current Agreement.

Motion by Director J. Rattner, seconded by Director J. Rips to authorize the General Manager to execute a fourth amendment to the current agreement with R.F. Dickson for an additional 18 months. Motion passed 5-0.

#### **I. GENERAL MANAGER ITEMS-None**

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

Director J. Rattner stated that in light of the current economic times and his observation of other government organizations implementing furloughs, he perceived the District as being too generous to its employees and felt that Columbus Day should be removed as a

paid holiday. Director Rattner requested that a survey be done of surrounding communities in order to see how many others received Columbus Day as a paid holiday.

The General Manager stated that he would do the survey if necessary; however, in his opinion the District fell woefully short with regard to its overall employee benefits. The General Manager stated that RCSD employees had no retirement or disability and minimal healthcare. He advised against going down that path, as it would potentially expose the District to required bargaining.

Director S. Hough stated that the RCSD staff worked very hard and deserved all of their paid holidays.

President A. Coletta stated that Director J. Rattner had the right to bring up any topic he wished during Board Member items, however he felt the RCSD was very conservative with regard to employee holidays and benefits. He stated that he did not agree with Director Rattner's proposal to remove the Columbus Day holiday and would not support any future action to do so.

Director S. Hough announced that she had been appointed to the California Special District Association Committee and stated that she would be required to travel to Sacramento periodically and naturally there would be budget implications for the District. The Board and General Manager congratulated Director Hough. The General Manager stated that Director Hough had a unique and influential opportunity to interact with Legislators in Sacramento.

Director J. Rips thanked the Board and staff for all their hard work this year. Director S. Hough congratulated Director J. Rips and R. Casey for their one year anniversary on the Board.

Director R. Casey wished everyone a Happy Holiday.

**K. CLOSED SESSION-None**

**L. ADJOURNMENT**

Motion by Director R. Casey, seconded by Director S. Hough to adjourn the regular meeting at 9:05 p.m. Motion passed 5-0.

**SUBMITTED BY:**

**Henry Taboada**  
**Consulting General Manager**