

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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, March 11, 2008

A. ORGANIZATION

1. CALL TO ORDER: 7:00 P.M.

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

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS – None

B. ADDITIONS TO AGENDA – None

C. PUBLIC FORUM -None

D. REPORTS TO THE BOARD

The General Manager presented the Finance Committee report stating that the Finance Committee met last week to discuss several investment options. The General Manager further stated that it was the recommendation of the committee to purchase a five-year AAA GE Financial Acceptance Corporation non-callable bond at an interest rate of 3.6% to 3.65% in order to maintain the investment ratios called out in the investment policy. Motion by Director Coletta, Second by Director E. Anisman to approve the bond. Director Nitikman pointed out that approving the bond purchase would be a violation of RCSD's investment policy, unless the Board chose to waive the investment policy. Director Rattner noted that policy 3035.36 listed credit unions as an investment option. Discussion ensued relative to alternative investment options. Amended Motion by Director Anisman, seconded by Director Rattner to deposit the \$100,000 in LAIF, research credit union options as well as shorter term bonds, and refer the matter back to the Finance Committee to report back to the Board next month. Motion passed 5-0.

E. CONSENT CALENDAR

Director Rattner requested the removal of Items E-1a., E-2. and E-5.

1. MINUTES:

b. Special meeting of February 12, 2008.

The Minutes of the Special Meeting of February 12, 2008 were approved.

c. Special meeting of March 1, 2008.

The Minutes of the Special Meeting of March 01, 2008 were approved.

3. PROCLAMATION TO THE O.C. LAFCO

Director Mark Nitikman had some minor revisions to be forwarded to the General Manager. The item was approved with revisions.

4. REQUEST FOR SPECIAL FILMING PERMIT BY 3-BALL PRODUCTIONS AND ACCEPTANCE OF THEIR DONATION

This item was approved.

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

1. MINUTES.

a. Regular meeting of February 12, 2008.

The Minutes of February 12, 2008 were approved as amended by Director Rattner, to include the entire first name of each Board Member in the Roll Call portion of the Agenda. Upon Director Anisman's suggestion, it was also agreed that Item A3 would include the heading, "***Report from the Closed Session***" in bold typeface to precede the General Counsel's comments and add more clarification. Additional changes were as follows: As per Director Anisman, page 4, first line, second to the last paragraph, "*Rush Park*", should be changed to "*Rossmoor Park*" and as per Director Nitikman, on page 5, third paragraph, last line, replace the words "*at the next meeting*" with "*at the earliest opportunity.*" Motion by Director J. Rattner, seconded by Director E. Anisman to approve the minutes as amended. Motion passed 5-0.

2. REVENUE AND EXPENDITURE REPORT-JANUARY, 2008

Director Rattner had questions relative to the \$100,000 LAFCO Expenditure that came out of Reserves. Director Rattner referred to Government Code, Sections 61111 and 61112 which state that any time money is taken out of reserves and spent it should be in a designated reserve fund for capital outlays or contingencies. The RCSD Accountant/Bookkeeper, Kim Engel stated that the \$100,000 was shown as a General Ledger Journal Entry in Fund 10. Ms. Engel offered to e-mail Director Rattner the specific account information. Kim Engel further stated that the \$100,000 should not be part of the Revenue and Expenditure Report as said report coincides with the budget, and according to the expert opinion of the RCSD auditor, the \$100,000 should only appear as a footnote in the Revenue and Expenditure Report, to be included in the auditor's

financial statement at the end of the year. Director Rattner strongly disagreed and requested that either the reserve expenditure be shown in Fund 40, or a new fund called "Fund 50" be created in the Revenue and Expenditure Report. General Manager Henry Taboada disagreed that the \$100,000 be shown in Fund 40 as it was not a Capital Expenditure. RCSD Bookkeeper, Kim Engel, advised a separate report entitled "*Reserves spent in 07/08*" be created instead in order to remain compliant with budgeting versus accounting protocol. Director Anisman suggested creating a Fund 50 designated to Reserves alone. Motion by Director Nitikman to create a new Fund 50, granted it didn't violate any auditing rules, seconded by Director Coletta. Kim Engel said she would research the possibility and report back to the Board. Amended Motion passed 5-0.

5. THIRD QUARTER STATUS REPORT

Director M. Nitikman had changes to page 2, Item 4a., second to last line; the Director noted that only one Ad Hoc Meeting had taken place with the County Sheriff, and requested the sentence be changed to reflect that fact. The report was received and filed.

Motion by Director M. Nitikman, seconded by Director E. Anisman to approve Items E-1b, E-1c, E-3, and E4 on the Consent Calendar. Motion passed 5-0

F. PUBLIC HEARING - None

G. RESOLUTIONS - None

H. REGULAR CALENDAR

REGULAR CALENDAR ITEM H-6 WAS TAKEN OUT OF ORDER AND ACTED UPON AT THIS TIME.

6. PROPOSED CAPITAL PROJECT-ROSSMOOR PARK WOODEN PATIO

The General Manager reported that upon further review, engineering specifications did not have to be as detailed as had been previously reported, and that the Simplus proposal was now reduced by approximately \$8,000 to \$32,270, with construction costs estimated at \$36,000.

Stephen Munch of Simplus Management Company spoke regarding his proposal for construction and repairs to the Rossmoor Park Building patio trellis/pergola. He addressed the issues of structural damage, water damage, roof problems and termite damage that were currently afflicting the community center. Discussion ensued relative to the cost and scope of work. Stephen Munch explained that a permit is required anytime a structure is modified or changed. Mr. Munch further indicated that it was much harder to retrofit an existing structure than to construct a new building. He added that because it is attached to the building (as opposed to free-standing), the Community Center trellis would have to be brought up to County Code, and therefore it would have to meet wind and seismic standards.

Motion by Director M. Nitikman, seconded by Director A. Coletta to discuss the project. All Directors had comments or questions about the project, mainly involving the total cost, the desire for an additional engineering bid estimate, the need for the

project at this time, the use of the building and patio if Rossmoor is incorporated, and the need to address immediate safety, termite, and wood rot issues involving the trellis/ pergola and its connection to the building.

Substitute Motion by Director M. Nitikman, seconded by Director A. Coletta to send the project back for bids on just the demolition of the wood trellis/ pergola in compliance with government code, (i.e. temporary sealing, lighting, and conduit and fascia boards). Motion passed 4-1, with Director E. Anisman voting No.

THE BOARD RETURNED TO ITS REGULAR AGENDA.

1. REPORT ON THE DISTRICT'S TREE PROGRAM

C.J. Crockett presented her tree report to the Board. The report encompassed her experience and accomplishments, 120 days into her position as RCSD's Tree Consultant as well as offering her vision for Rossmoor's urban forest.

President Shawn Wilson opened the item for public input.

Shirley Kirkpatrick commented on the tree report stating that as a former teacher of the Urban Forestry Class at USC, she disagreed with the culling of mature trees in Rossmoor, indicating that the age of a tree is relative to the species, environmental factors and numerous other variables. Ms. Kirkpatrick further noted that in her opinion, culling should only be done in a cash-crop situation, i.e. an orange grove, not in a community. Shirley Kirkpatrick reminded the Board that the reason she moved to the community of Rossmoor in the first place was because of the beautiful tree-lined streets. She also added, the mature trees were valuable assets to the community in terms of increased home values and the aesthetic quality they provide.

Eric Christiansen spoke, echoing Ms. Kirkpatrick's sentiments, and recommending that the Board look into integrating larger, more mature trees into their re-planting program, with a professional to care for them and fines for homeowners that failed to comply. Director Nitikman responded that for the record, the RCSD Board had made tremendous strides in planting trees in Rossmoor. He queried as to whether the RHA would be willing to volunteer to assist with sapling maintenance.

Amelia Reinking spoke out regarding the RCSD's contract with West Coast Arborist, stating that in her view, doing business with them presented a conflict of interest as they were in the tree removal business. Ms. Reinking reminded the Board that the trees in Rossmoor provided shade and oxygen as well as improved air quality. Discussion continued relative to the cost of tree removals and subsequent re-plantings of smaller saplings. Director Rattner stated that the issue of the small saplings was addressed with WCA, however, the contractor did not have a reliable source from which to obtain larger trees; they were in short supply.

The General Manager stated that Rossmoor residents were the owners of the parkways, with an easement for the County, therefore it was difficult to enforce the re-planting of trees as some residents were adamant in preventing the re-plantings. The General Manager also noted that oftentimes residents neglected to properly maintain and water newly planted parkway saplings which resulted in their failure to survive. Discussion

ensued relative to sapling care and watering solutions. All Directors complimented C.J. Crockett on the thoroughness and completeness of the report and thanked her for her efforts and made other comments about all aspects of the report and its recommendations. Motion by President Wilson, seconded by Director Anisman to receive and file the tree report and to direct the General Manager to develop modules of the program for bidding and budget purposes. Motion passed 5-0.

The Board took a short recess at 9:40 p.m. and reconvened the meeting at 9:50 p.m.

2. PROPOSED REVISIONS TO BOARD POLICIES-FACILITIES USE.

The General Manager presented the proposed policy revision to Policy 6010. Motion by Director M. Nitikman, seconded by Director J. Rattner to table the item. Director M. Nitikman and Director J. Rattner agreed, and it was approved by the Board, that the two Directors should meet separately in order to revise and streamline the policy, and report back to the board at next month's regular meeting. Motion passed 5-0.

3. DISTRICT TENNIS COURT ISSUES.

The General Manager brought back Tennis Policy 6050 for review by the Board in order to adopt the revision concerning the two-week advanced reservation allowance for residents and the one-week advanced reservation allowance for non residents. Motion by Director M. Nitikman to adopt Policy 6050.30, seconded by Director J. Rattner. Motion passed 5-0.

The General Manager also submitted a proposal to increase the RCSD Staff Schedule and eliminate Mr. Molina's duties to lock up the Rossmoor restrooms. Director M. Nitikman opposed more staff hours in general, however, given that it presented no net cost to the District he was willing to approve the seven additional Recreation hours and revisit the matter at a later date. Motion by Director A. Coletta, Second by Director J. Rattner to approve additional staff hours for the purposes of securing the Rossmoor Park facilities and tennis courts at 10 p.m. as well as expanding the RCSD Recreation Program and terminating the Molina contract to lock the restrooms and tennis courts every night. Motion passed 5-0.

4. BEREAVEMENT LEAVE.

The General Manager proposed an enhancement to the District's employee benefits to include bereavement leave similar to the County of Orange. Motion by Director M. Nitikman, seconded by Director A. Coletta to approve the bereavement leave. Motion passed 5-0.

5. INDEPENDENT SPECIAL DISTRICT OF CALIFORNIA (ISDOC) REPRESENTATIVE TO LAFCO

The General Manager presented to the Board a letter from ISDOC Representative on the LAFCO Board, Arlene Schafer, requesting the RCSD's vote. Motion by Director M. Nitikman, seconded by Director A. Coletta to direct the General Manager to cast the District's vote for Arlene Schafer as the ISDOC Representative. Motion passed 5-0.

I. GENERAL MANAGER ITEMS

The General Manager reported on the recent hiring of five Event Attendants; all of whom will commence work this weekend at the Rush Park Auditorium for various events including the live filming of a television reality show by 3-Ball Productions.

The General Manager also reminded everyone about the LAFCO Public Forum taking place on March 12, 2008 at 6:00 p.m. in the Rush Park Auditorium. He encouraged the community to attend and participate in the process.

Channel 50 KOCE interviewed the General Manager for a story on Rossmoor. The General Manager further commented that the RCSD had generated a great deal of publicity in the form of newspaper advertisements and website notices. The General Manager drew attention to the fact that an extra effort had been made to thoroughly inform the public of the March 12, 2008 LAFCO Public Forum by incorporating a half page notice in the RCSD newsletter that was sent out prior to the event.

The General Manager also reported on the Los Alamitos School District Meeting between the General Manager, President Shawn Wilson and Director Mark Nitikman which was to take place Friday, March 14, 2008, at 2:30 p.m. at the School District Headquarters.

J. BOARD MEMBER ITEMS

Director J. Rattner commented that the Fees and Services portion of the Revenue and Expenditure Report indicated RCSD Facilities were being used quite often. He was glad to see people using the facilities. Director Rattner requested copies of the approved Minutes dating back to June 2007. The General Manager stated that said Minutes would be forthcoming shortly.

Director E. Anisman reported on resident complaints regarding no trash pick up at Rossmoor Park. The General Manager replied that the matter had been addressed. Director E. Anisman mentioned the possibility of the RCSD offering tree tours guided by a professional arborist for educational purposes. He further suggested tagging the trees located in the parks with an identifying species marker.

Director M. Nitikman stated that he would like to see a Street Tree Summary posted in the newsletter periodically and also requested more detailed information regarding public records and agenda access.

President Wilson requested a one page description of scouting projects that we might be able to offer in the community of Rossmoor, i.e. tree planting, species labeling.

K. CLOSED SESSION – None

L. ADJOURNMENT

Motion by Director M. Nitikman, seconded by Director A. Coletta to adjourn the meeting at 10:40 p.m. Motion passed 5-0.

SUBMITTED BY:

**Elizabeth Deering
Administrative Assistant**