



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

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, April 12, 2022**

---

**A. ORGANIZATION**

1. CALL TO ORDER: 7:00 p.m.

2. ROLL CALL:

Present: Directors Barke, DeMarco, Nitikman, Searles and President Rips

3. PLEDGE OF ALLEGIANCE : Director DeMarco led the Pledge of Allegiance.

4. PRESENTATIONS:

a. California Highway Patrol Officer Matt Musselmann Re: Quarterly Traffic Report

CHP Officer Matt Musselmann presented details of the Quarterly Traffic Report including the number and type of citations and traffic collisions.

Discussion followed about rules regarding adults and children riding motorized bicycles on sidewalks, speeding vehicles on Montecito, CHP staffing levels, and encouraging residents to report violations.

Captain Denise Soffa introduced herself; commented on her previous experience; spoke about starting a Senior Volunteer program and the advantages of having one, and discussed staffing shortages and the need for help with recruitment. She noted the CHP does not have a reserve program and does not hire laterals.

Discussion followed regarding the number of volunteers needed and available patrol cars.

Officer Mitch Smith, Public Information Officer, Westminster, spoke about serving in the community; discussed the upcoming Bicycle Safety program; expanded on the requirements and duties of volunteers and spoke about traffic safety issues in and around schools.

General Manager Joe Mendoza reported he has offered RCSD facilities and assistance for the proposed Senior Volunteer program.

- b. Los Alamitos High School H2GP Race Team Re: Presentation by LAHS Student Zachary Norris About Team Accomplishments

Alexander Kelly and Zachary Norris commented on their H2GP Race Team and provided a presentation of the team's accomplishments. They thanked RCSD for allowing them to use its facilities.

Discussion followed regarding the number of schools competing and efficiency versus speed.

**B. ADDITIONS TO AGENDA - None**

**C. PUBLIC FORUM - None**

**D. REPORTS TO THE BOARD**

**1. QUARTERLY RECREATION REPORT**

Recreation Superintendent Chris Argueta narrated a PowerPoint presentation with an overview of current and ongoing activities, as well as upcoming events. Additionally, he reported recently meeting with The Youth Center to discuss collaborating on upcoming and new events and addressed summer camps. Mr. Argueta mentioned a community survey, a noise study and the possibility of converting existing tennis courts into pickleball courts.

Director DeMarco reported that the District had received several emails regarding pickleball and asked that they be included in the minutes. Emails were received from:

Maureen Wauters: In favor of converting tennis courts into pickleball courts; also voiced her disapproval of the large solar panels being placed by Los Alamitos Unified School District at elementary schools. She feels they are eyesores and should have been placed in parking lots.

Gary Jones: Supports the idea of adding pickleball courts similar to surrounding communities.

Sandra Livingston: Long-time tennis player who also advocates for pickleball and would like to see pickleball available at Rossmoor Park.

Tracy Lazar: Plays pickleball at Seal Beach Tennis Center; as a Rossmoor resident would like pickleball to be an amenity in the community.

President Rips asked about programming for seniors and Recreation Superintendent Argueta reported reaching out to Los Alamitos Medical Center to discuss the possibility of collaborating on programming for seniors. President Rips commented on continuing to develop programs and social opportunities for the senior population.

## 2. MONTHLY TRAFFIC SAFETY UPDATE

General Manager Mendoza reported he is following up with the local elementary schools to discuss traffic safety around their sites; provided an update on the installation of radar signs on Montecito and St. Cloud; noted he is in conversation with Orange County Sheriff's Office regarding signage for street sweeping; discussed speaking with the new owners of the street sweeping company who advised that the County of Orange is looking at a camera system for street sweeping enforcement and spoke about being careful not to install signs if enforcement will not be consistent.

Discussion followed regarding the need for different signage when there is a photo-enforced system and the current lack of parking enforcement for street sweeping.

Discussion followed regarding prohibiting skateboards in Rush and Rossmoor Parks, the possibility of adding motorized bicycles to the prohibition, and the need to develop options as to what the community wants.

## 3. STREET SWEEPING UPDATE

General Manager Mendoza reiterated that Sunset Property Services has confirmed they have sold the company; reported meeting with representatives of the new owners, Sweeping Corp of America (SCA), who stated the District's contract will remain the same and stated they will provide a presentation at the next Board meeting.

Discussion followed regarding developing proposals for parking restrictions with the community's input, directing staff to return to the June meeting with some type of structure to move the matter forward, allowing residents to be able to park in front of their homes, considering the unintended consequences of any proposed system, needing to be open to creative ideas, engaging all stakeholders and building support.

## E. CONSENT CALENDAR

Director Searles pulled Item No. 1 from the Consent Calendar for separate consideration and Director Barke pulled Item No. 3 from the Consent Calendar for separate consideration.

### 1. MINUTES:

#### a. Regular Board Meeting of March 8, 2022

Director Searles stated it should be reflected that the temporary canopy structure idea at Rush Park was in the CIP portion of meeting.

Motion by Director Searles, seconded by Director Nitikman, to approve the Regular Board Meeting Minutes of March 8, 2022, as corrected. Motion passed 5-0 as follows:

AYES: Directors Barke, DeMarco, Nitikman, Searles and President Rips  
NOES: None  
ABSTAIN: None  
ABSENT: None

2. FEBRUARY 2022 REVENUE AND EXPENDITURE REPORT

Motion by Director Nitikman, seconded by Director DeMarco, to approve the February 2022 Revenue and Expenditure report, as presented. Motion passed 5-0 as follows:

AYES: Directors Barke, DeMarco, Nitikman, Searles and President Rips  
NOES: None  
ABSTAIN: None  
ABSENT: None

3. RESOLUTION NO. 22-04-12-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT TO CONTINUE CONDUCTING MEETINGS OF THE DISTRICT BOARD AND COMMITTEES, REMOTELY, AS NEEDED DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC

Director Barke stated he does not see a current, active need to continue with the referenced resolution as he does not see health and safety concerns for the public to attend in-person meetings and noted that the public will still be able to participate via Zoom.

Legal Counsel Preziosi explained the resolution waives the provision of the Brown Act that requires anyone attending telephonically or remotely to post the location and invite the public to that location. He added the resolution allows a Member of the Board or the entire Board to participate remotely in meetings during states of emergency and noted there is still a state of emergency in California because of COVID-19.

Director Barke stated there is no current level of COVID-19 that requires a waiver of the Brown Act for Board Members to be able to meet without Brown-Act requirements, remotely. He opined the resolution is no longer necessary and it is not accurate for the Board to approve it.

Director Nitikman felt that approving the resolution does no harm; commented on the possibility of another rise in COVID-19 cases and noted this is based on a legislative bill, not an executive order.

Director Barke believed that because the Governor declared a state of emergency, does not make it so; felt what the Governor is doing is unconstitutional and noted COVID-19 cases and deaths are down.

Director Searles stated he continues to support the resolution.

Discussion followed regarding the steps needed to reinstate the resolution, should the Board deny it now and another state of emergency develops.

Motion by President Rips, seconded by Director Searles, to waive further reading of and adopt by title only, RESOLUTION NO. 22-04-12-01: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT TO CONTINUE CONDUCTING MEETINGS OF THE DISTRICT BOARD AND COMMITTEES, REMOTELY, AS NEEDED DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC. Motion passed 3-2 as follows:

AYES:	Directors Nitikman, Searles and President Rips
NOES:	Directors Barke, DeMarco
ABSTAIN:	None
ABSENT:	None

RECESS/RECONVENE

President Rips called for a recess at 8:46 p.m. The meeting reconvened at 8:50 p.m., with all Board Members, present.

**F. PUBLIC HEARING - None**

**G. RESOLUTIONS**

1. RESOLUTION NO. 22-04-12-02 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT'S REJECTION OF GOVERNMENT CLAIM

General Manager Mendoza presented details of the staff report.

Motion by Director Nitikman, seconded by Director DeMarco, to waive further reading of and adopt by title only, RESOLUTION NO. 22-04-12-02 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT'S REJECTION OF GOVERNMENT CLAIM, as presented. Motion passed 5-0 as follows:

AYES:	Directors Barke, DeMarco, Nitikman, Searles and President Rips
NOES:	None
ABSTAIN:	None
ABSENT:	None

2. RESOLUTION NO. 22-04-12-03: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT'S REJECTION OF GOVERNMENT CLAIM

Motion by Director DeMarco, seconded by Director Nitikman, to waive further reading of and adopt by title only, RESOLUTION NO. 22-04-12-03: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT'S REJECTION OF GOVERNMENT CLAIM, as presented. Motion passed 5-0 as follows:

AYES: Directors Barke, DeMarco, Nitikman, Searles and President Rips  
NOES: None  
ABSTAIN: None  
ABSENT: None

**ORDINANCES - None**

**H. REGULAR CALENDAR**

**1. PROPOSED CHANGE TO THE DATES FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS' MAY AND JUNE 2022 MEETINGS**

General Manager Mendoza reported President Rips has a conflict with his schedule; stated he has asked for the Board to consider changing the dates of the May and June 2022 Board meetings and noted alternative dates for consideration.

Discussion followed regarding avoiding setting precedence.

The Board took no action on this item.

**2. PROPOSED CHANGES TO THE ROSSMOOR COMMUNITY SERVICES DISTRICT STAFF ORGANIZATIONAL CHART AND JOB DESCRIPTIONS AS RECOMMENDED BY THE ROSSMOOR COMMUNITY SERVICES DISTRICT ORGANIZATIONAL COMMITTEE**

General Manager Mendoza presented the report; noted the Organizational Committee carefully reviewed the organizational chart and job descriptions and addressed vacant positions.

Discussion followed regarding substantive changes from the previous organizational chart, giving the General Manager flexibility in terms of full- or part-time staffing, ensuring the General Manager has the tools to be successful within the organization and the fiscal impacts of the recommended changes.

Motion by Director Nitikman, seconded by Director Barke, to adopt the proposed changes to the Rossmoor Community Services District staff organizational chart and job descriptions as recommended by the Rossmoor Community Services District Organizational Committee, including fiscal impacts. Motion passed 5-0 as follows:

AYES: Directors Barke, DeMarco, Nitikman, Searles and President Rips  
NOES: None  
ABSTAIN: None  
ABSENT: None

3. PROPOSED CHANGES TO THE ROSSMOOR COMMUNITY SERVICES DISTRICT STANDING, AD HOC, AND ADVISORY COMMITTEES RECOMMENDED BY THE ROSSMOOR COMMUNITY SERVICES DISTRICT ORGANIZATIONAL COMMITTEE

General Manager Mendoza presented the staff report.

Director Nitikman spoke about streamlining committees and processes; suggested renaming the Organizational Committee to the Personnel and Contract Administration Committee; proposed considering changes to the policy in terms of advisory committees versus representatives and felt there should be a provision for appointing an alternate.

Legal Counsel Preziosi explained the Board would be approving this, in concept, subject to the item returning to the Board with the recommended changes, for action.

Motion by Director Barke, seconded by Director Searles, to adopt the proposed changes, in concept, to the Rossmoor Community Services District standing, ad hoc and advisory committees as recommended by the Rossmoor Community Services District Organizational Committee including changing the name of the Organizational Committee to the Personnel and Contract Administration Committee. Motion passed 5-0 as follows:

AYES:	Directors Barke, DeMarco, Nitikman, Searles and President Rips
NOES:	None
ABSTAIN:	None
ABSENT:	None

4. PROPOSED CHANGES TO THE AGREEMENT WITH BLACK MOUNTAIN SOFTWARE FOR CLOUD-BASED FUND ACCOUNTING SOFTWARE

General Manager Mendoza introduced the item and deferred to Legal Counsel for a report.

Legal Counsel Preziosi presented details of the report and explained the issues of concern.

Discussion followed regarding indemnification, the importance of knowing the terms, upfront, other vendors that may accept the level of indemnification sought by the Board, whether the District has cyber insurance, the possibility of increasing the District's insurance coverage, moving forward with the contract, the need to have more information regarding risks versus consequences and potential consequences to the District of approving the changes to the agreement.

Motion by Director DeMarco, seconded by Director Nitikman, to authorize the General Manager and General Counsel to accept changes to the agreement with Black Mountain Software for cloud-based fund accounting software, as presented. Motion passed 5-0 as follows:

AYES:	Directors Barke, DeMarco, Nitikman, Searles and President Rips
NOES:	None
ABSTAIN:	None

ABSENT: None

**I. GENERAL MANAGER ITEMS**

General Manager Mendoza reported he will look into cyber insurance coverage; spoke about expiration of a long-term contract with Doug Wood Broadcasting Production Services; noted going out to bid and choosing Tripepi Smith, a firm with expertise in marketing, technology and public affairs, and stated the General Counsel will review the contract once it is generated. The agreement will be presented to the Board for consideration at a future meeting. Additionally, he reported that the Kempton Park mulch giveaway has been successful; addressed the local control survey, special events and the opening of a Little Library near the Rush Park playground; announced the National Day of Prayer and the upcoming bulky-item pickup; provided potential meeting dates for the Ad Hoc Survey Committee and requested moving the Budget Committee meeting to April 26, 2022. General Manager Mendoza reported on a request by Assemblywoman Janet Nguyen to submit applications for grants, which he submitted to meet the deadlines. One request was for \$600,000 for a Rossmoor Park all-inclusive playground structure and exercise cluster and another for \$750,000 to upgrade Rush Park facilities and administrative offices.

General Manager Mendoza discussed the Farmers Market; reported visiting several local markets; suggested the parking lot at Rush Park is available on Thursday nights and asked for input from the Board.

Members of the Board commented favorably on the concept; discussed potential parking issues and agreed that Thursday nights would be preferable to Saturdays.

**J. BOARD MEMBER ITEMS**

At Director Nitikman's request, General Manager Mendoza provided updates issues with the Water District.

Director Searles thanked CHP representatives in attendance; spoke favorably about a Senior Volunteer program; congratulated the Los Alamitos High School H2GP Race Team and reminded the public about the upcoming Red Cross Blood Drive.

Director DeMarco read a statement from Maureen Waters about the solar panels at Hopkinson Elementary School noting they are an eyesore; neighbors were not notified, and neither was the RCSD. He asked that General Manager Mendoza inquire with the school board member representing Rossmoor and the Los Alamitos School District.

President Rips commended General Manager Mendoza and his team for their work.

**K. GENERAL COUNSEL ITEMS - None**

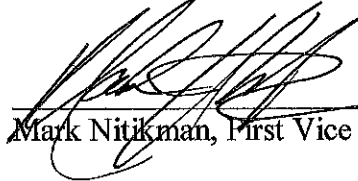
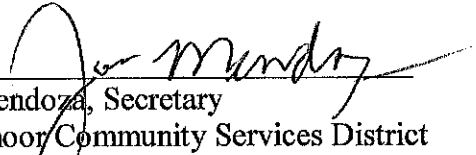
**L. ADJOURNMENT**



Motion by Director Nitikman, seconded by Director DeMarco, to adjourn the regular meeting at 10:05 p.m. Motion passed 5-0.

ATTEST:

BOARD OF DIRECTORS  
ROSSMOOR COMMUNITY SERVICES DISTRICT

  
\_\_\_\_\_  
Mark Nitikman, First Vice President  
\_\_\_\_\_  
Joe Mendoza, Secretary  
Rossmoor Community Services District

**APPROVED:** May 10, 2022