



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

**SPECIAL MEETING
Via Zoom**

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, February 25, 2021

A. ORGANIZATION:

- 1. CALL TO ORDER: 8:10 A.M.** by President Jeffrey Barke
- 2. ROLL CALL:** Directors DeMarco, Nitikman, Rips, Searles
President Barke
- 3. PLEDGE OF ALLEGIANCE:** President Barke
- 4. PRESENTATIONS:** None

B. SPECIAL CALENDAR:

**1. PROPOSED ASSEMBLY BILL TO AMEND THE PROVISIONS OF THE
COMMUNITY SERVICES DISTRICT LAW FOR THE ROSSMOOR COMMUNITY
SERVICES DISTRICT**

President Barke opened the meeting via Zoom. Discussion ensued regarding the recommendation to consider a draft Assembly Bill to amend provisions of the Community Services District Law for the Rossmoor Community Services District to provide for certain services and provide direction as appropriate.

As per President Barke, resident Michael Maynard provided some background regarding his time on the RCSD Board and provided historical context related to incorporation and Latent Powers.

General Counsel Tarquin Preziosi opined that there were two ways that a community could obtain additional powers; being granted Latent Powers by OC LAFCO, or by amending provisions of the Community Services District Law (Government Code section 61105).

Director Searles asked for clarification on January 2020 reference in agenda to Special Meeting and any related background. He stated that as written, the public noticed Agenda didn't direct the community or Directors to information sufficient to review the proposed item.

President Barke opened the meeting up to public comment.

Resident Art Remnet, Scott Fox, Jerry Levy and other members of the public opined regarding what they perceived to be late notice in posting the agenda and the lack of public input on a matter concerning legislation affecting the community. Art Remnet stated that Rossmoor had twice voted against incorporation. Ralph Vartabedian stated that while there may be a sound reason to pursue, some elements of Latent Powers, he expressed concern regarding the District's lack of administrative and political resources to manage law enforcement services.

General Manager Joe Mendoza stated that the meeting had been publicly and timely noticed and the agenda posted in accordance with the law.

President Barke stated that the reason for the urgency in scheduling the meeting was that Assemblymember Janet Nguyen (Assembly District 72), who represents the Rossmoor Community Services District (RCSD), has agreed to introduce a bill to the Assembly that would amend the provisions of the Community Services District Law for the RCSD. The draft bill must be submitted by the Friday, February 26, 2021 deadline, or the bill could not be considered this year. The proposed bill would amend the provisions of the Community Services District Law (Government Code section 61105) to authorize the Rossmoor Community Services District to contract directly for the provision of street sweeping services, animal control services, waste handling services, establish parking restrictions, preferential parking permits and/or to restrict parking on certain streets, and to provide law enforcement services by agreement with another public entity, as provided. Therefore, this matter is being presented to the RCSD Board of Directors for consideration and direction.

President Barke opened the meeting up for Board Member comments.

Director Nathan Searles opined that while he liked the idea of local control, he was unsure how it would impact taxes and service funding in Rossmoor. He stated that he preferred more community input and transparency. Orange County Supervisor Michelle Steel's vacant seat had not been filled yet. He recommended that the draft bill be delayed until the next legislative session as even after this meetings discussion, specific dates and information were insufficient to address in a Special Meeting.

Director Rips opined that he appreciated the historical comments from his fellow Directors. He stated that Latent Powers were originally considered due to residents calling the District with complaints about services and situations in Rossmoor outside of the District's jurisdiction. He added that while he was satisfied that all the posting and notification legal requirements had been met, he was concerned about the public's perception surrounding transparency on the part of the District and preferred more community input prior to moving forward with the draft bill.

Director Nitikman stated that approving the draft bill was the start of a process. If the District failed to seize the bill sponsorship opportunity offered by Assemblywoman Janet Nguyen, the process would be delayed for at least another year. He recommended that the draft bill be approved as a placeholder after being modified to include language that made it mandatory to have public input prior to moving forward. He added that he wanted it made clear to Assemblywoman Janet Nguyen and the incoming Orange County Supervisor that public support is crucial.

Director DeMarco concurred with Director Nitikman that the meeting was properly noticed, and he supported staff and they do a tremendous job. He remarked that there was always the potential to improve communication and the District would explore other options. He stated that if the District got a bill in place he would commit to public outreach, townhall meetings and discussions with the community regarding the plan moving forward, just as RCSD did with street sweeping.

President Barke requested that an item be added to the March agenda to discuss the board meeting notification process and potential ways to improve. He stated that it was very difficult to get a bill sponsored in the State of California, and the Assembly bill was a good opportunity.

Motion by President Barke, seconded by Director DeMarco to allow Assemblywoman Janet Nguyen to put the draft Assembly Bill forward as a placeholder, with the commitment to work with the incoming Orange County Supervisor to update the bill's language, if necessary, and to start discussions regarding, if the bill is successful, how ultimately would the Rossmoor Community Services District exercise the rights to activate additional Latent Powers, should the Directors choose to exercise those rights.

Motion passed by roll call vote, 4-1, with Director Searles voting No.

C. ADJOURNMENT:

Motion by President Barke, seconded by Director Rips, to adjourn the regular meeting at 9:17 a.m.
Motion passed 5-0.

SUBMITTED BY:

Joe Mendoza
General Manager