



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, June 8, 2021

A. ORGANIZATION

1. CALL TO ORDER: 7:04 p.m.

2. ROLL CALL: Directors DeMarco, Nitikman, Rips, Searles
President Barke

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

4. PRESENTATIONS

**a. CR&R Environmental Services and Orange County Waste and Recycling
Presentation regarding services provided and the implementation of a new three-bin
recycling program in Rossmoor**

Steve Halligan, Orange County Waste and Recycling (OCWR), introduced colleague Joanne Taylor and Crystal Denning, CR&R; discussed OCWR services and operations; addressed selection of CR&R as the contracted provider for Rossmoor and contract terms and spoke about concerns regarding CR&R.

Joanne Taylor, OCWR, spoke about ensuring CR&R provides quality service and urged residents to contact CR&R, first, with concerns.

Crystal Denning, Vice President, CR&R, discussed changes in legislation and highlighted new services and events resulting from the new franchise agreement.

Discussion followed regarding scheduling community forums to inform residents of the new services and programs, terms of the new agreement, eligibility qualifications for the senior program, availability of different sized containers, the new organics program, additional costs, educating the public and gardeners, enforcement of State mandates, the need to amend County ordinances to include enforcement, changes in route schedules and timing, increased wear and tear of District streets, minimizing use of plastic bags and the possibility of providing compost bins to residents.

B. ADDITIONS TO AGENDA: None

C. PUBLIC FORUM

President Barke invited comments from the public.

Dr. Ken Williams, Orange County Board of Education, discussed an upcoming educational forum for the community to discuss ethnic studies.

Kevin Pearce discussed a recent Traffic Safety meeting about parking issues on Bradbury and Montecito and requested adding the topic to an upcoming Board agenda for consideration.

Bob Knapp discussed the need to address parking issues and urged the Board to schedule the matter for consideration.

Debbie Huffacre expressed concerns about ongoing parking issues and potential decreases in property values and urged the Board to address the problem.

Ralph Vartabedian, RHA President, spoke about the Board's consideration of uniform fees for all non-profits; voiced opposition to raising fees and noted their efforts and the Board's efforts for the benefit of Rossmoor.

Peter Palonis spoke about the propagation of ethnic studies by the Los Alamitos Board of Education and in opposition to the introduction of critical race theory.

Bob Bond expressed excitement for the course; presented flyers with misinformation regarding the topic; stated he is frustrated the matter has turned into a political issue when it is really about making the community, better.

Susan Singer expressed support for the proposed curriculum and spoke against having the meetings in the community as she feels unsafe.

Ruth Golden opposed holding the educational forum at the Rush Park Auditorium; expressed concerns for the safety of children and neighborhood residents and lack of parking and urged the Board to change the meeting venue.

Amy Lansbury spoke about ethnic studies and the upcoming educational forum and urged the Board to change the meeting venue to ensure public safety.

Robin Itzler spoke in support of having the upcoming education forum at the Rush Park Auditorium.

Del Clarke urged the Board to change the venue of the upcoming educational forum for public safety reasons.

Scott Miller urged the Board to deny the request from the Orange County Board of Education to hold its educational forum in Rossmoor and to change the meeting venue because of public safety reasons.

Geri Mejia spoke about the need for additional information and urged the Board to reach out to the Orange County Board of Education to allow time for residents to become informed about the issue.

Wendy Gross spoke about critical race theory; stated it has no framework or curriculum and urged the Board to request information regarding the curriculum and training required for teachers.

Donna McGuire spoke in support of having the upcoming education forum at the Rush Park Auditorium.

Stacy Muller spoke in support of having the upcoming education forum at the Rush Park Auditorium; noted the need to talk about the issue and get clarity in terms of the curriculum.

Matthew Simmons spoke in support of having the upcoming education forum at the Rush Park Auditorium; noted there has been a lot of misinformation and stated the school needs to focus on academics.

Joel Block spoke about the County facing a crisis initiated by the Board of Education; opposed holding the educational forum at the Rush Park Community Center; urged the Board to change the meeting venue.

Brenda via Zoom, noted this is not about a school curriculum but about the inappropriate use of a neighborhood park; expressed concerns about public safety and urged the Board to change the meeting venue.

Laura Tanner spoke in support of having the upcoming education forum at the Rush Park Auditorium.

Harriet Reed spoke in support of having the upcoming education forum at the Rush Park Auditorium; spoke about the Los Alamitos School District being determined to implement critical race theory without informing the community about what it is and discussed the ability of adults to discuss controversial issues without violence.

Rick Walser noted the need for people to understand what is being implemented in schools and spoke in support of having the upcoming education forum at the Rush Park Auditorium.

There were no other public comments.

D. REPORTS TO THE BOARD

1. QUARTERLY TREE REPORT

General Manager Joe Mendoza presented details of the Quarterly Tree report for January through April 2021 including statistics of tree removals, trees trimmed, and trees planted.

Mo Wauters reported some trees have signs attached to them and urged the Board to address the matter as it is not good for trees.

President Barke suggested educating the public through social media.

2. CONTRACT RENEWAL TO PROVIDE AUDITING SERVICES WITH ROGERS, ANDERSON, MALODY AND SCOTT, LLP

General Manager Joe Mendoza presented details of the report with recommendations from the RCSD Audit Committee to renew the contract with Rogers, Anderson, Malody and Scott, LLP, to provide auditing services for one year beginning July 1, 2021 through June 30, 2022, at the rate of \$16,900 to perform the FY 2020-2021 audit. RCSD would distribute an RFP in January 2022 to obtain competitive pricing and services.

Discussion followed regarding the firm's knowledge of the community, the need for due diligence and reduced rates for the contract extension.

Motion by Director Rips, seconded by Director Searles, to renew the contract with Rogers, Anderson, Malody and Scott, LLP, to provide auditing services for one year beginning July 1, 2021 through June 30, 2022, at the rate of \$16,900 to perform the FY 2020-2021 audit and direct staff to issue an RFP for the services in January 2022. Motion passed 5-0.

3. RENEWAL OF PROFESSIONAL SERVICES CONTRACT WITH WEST COAST ARBORISTS, INC. FOR TREE SERVICES IN ROSSMOOR

General Manager Joe Mendoza presented details of the report with recommendations for the Board to renew a three-year contract with West Coast Arborists, Inc. for tree services in Rossmoor.

Discussion followed regarding "piggy-backing" on the City of Los Alamitos contract at the same as rates negotiated by Los Alamitos.

RCSD Attorney Preziosi pointed out a copy of the new contract was not included in the agenda packet.

Director Searles suggested having a first reading of contracts with approvals at subsequent meetings, going forward.

Director Nitikman noted this is an ongoing contract and suggested possible options for action at this time.

General Manager Mendoza noted a letter in the agenda packet from West Coast Arborists listing the terms.

Motion by Director Nitikman, seconded by President Barke, to authorize the General Manager to enter into a contract with West Coast Arborists with the same terms and conditions set forth in the previous contract and on Page 34 of the agenda packet, subject to the review of Legal Counsel. Motion passed 5-0, by roll call vote.

General Manager Mendoza reported a contracts reference book would be prepared for the Board in the future.

4. CONSIDERATION OF RENTAL FEE INCREASES FOR TENNIS COURTS, ATHLETIC FIELDS, AND PICNIC SHELTERS

General Manager Mendoza presented details of the report; addressed a recent fee study; discussed review by the Budget Committee; commented on the fiscal impact and on the possibility of reviewing fees every other year rather than every year.

Discussion followed regarding the small increase in fees, keeping fees competitive with other facilities, impacts to uses, the need to provide information to the public regarding the percentage of costs being recovered by the fees, consideration of fees for non-profits, MOUs versus annual contracts versus hourly uses, providing examples of non-profits using fields and deciding on non-profit fees in the future.

General Manager Mendoza reported the item will be presented to the Board for first reading during consideration of the annual budget.

E. CONSENT CALENDAR:

1. MINUTES

- a. Regular Board Meeting of May 11, 2021

2. REVENUE AND EXPENDITURE REPORT – APRIL 2021

Motion by President Barke, seconded by Director Rips to approve Consent Calendar, as presented. Motion passed 5-0.

F. PUBLIC HEARING: None

G. RESOLUTIONS

1. RESOLUTION NO. 21-06-08-01: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2021-2022

General Manager Mendoza requested postponing this item until after the budget report.

President Barke read the Resolution.

Director Searles requested clarification of Exhibit A in the report and Accountant Ken Pun corrected the increase factor in the document.

Motion by President Barke, seconded by Director DeMarco to adopt Resolution No. 21.06-08-01, as presented. Motion passed 5-0, by roll call vote.

2. RESOLUTION NO. 21-06-08-02: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT DESIGNATING JULY AS PARKS AND RECREATION MONTH

General Manager Mendoza presented details of the report.

President Barke read the Resolution.

Motion by Director Nitikman, seconded by President Barke to adopt Resolution No. 21.06-08-02, as presented. Motion passed 5-0, by roll call vote.

ORDINANCES: None

H. REGULAR CALENDAR

1. CONSIDERATION OF UNIFORM APPLICATION OF ROSSMOOR COMMUNITY SERVICES DISTRICT FEE SCHEDULE RELATED TO FACILITY USE BY NON-PROFIT GROUPS AND ORGANIZATIONS

General Manager Mendoza presented details of the report and noted the need to be consistent, across the board, with fees.

Discussion followed regarding Rossmoor Homeowners Association rates, use of the Rossmoor Park Community Room and corresponding fees, fees for internal rooms, the need for consistency in applying fees, avoiding a gift of public funds, the need to develop policies governing waivers, doing what is right for the community and creating a committee to discuss this matter and return to the Board with recommendations.

President Barke reported he will work with the General Manager to create a process for this item moving forward.

No action was taken by the Board regarding this item.

2. REPORT OF THE BUDGET COMMITTEE REGARDING ESTIMATE TO CLOSE, CAPITAL IMPROVEMENT PROGRAM, FY 2021-2022 PRELIMINARY BUDGET, AND SET DATE OF PUBLIC HEARING

General Manager Mendoza presented details of the report; discussed revenue losses due to the COVID-19 pandemic; addressed furloughs; noted the District was able to keep up with infrastructure improvements and commented on the upcoming lifting of restrictions.

Ken Pun, Accountant, reviewed specific sections of the preliminary budget based on discussions at a recent Budget Committee meeting. He addressed reserves, revenue projections and expenditures.

Discussion followed regarding 2019 actuals.

Motion by President Barke, seconded by Director Rips, to approve the Preliminary Budget for FY 2021-2022 and set the date for the Public Hearing on July 13, 2021. Motion passed 5-0.

The Board returned to consider Item No. G-1.

3. RECAP OF CAPITAL IMPROVEMENT PROJECTS FOR FY 2020-2021 AND CONSIDERATION OF CAPITAL IMPROVEMENT PROJECTS FOR FY 2021-2022

General Manager Mendoza presented details of the report; addressed completed projects; noted availability of a grant and asked the Board to consider upgrading the Rush Park Auditorium Audio/Visual System and to consider replacing the carpet at Rossmoor Community Center with laminate flooring.

Discussion followed regarding the timing of the projects, contributions by the church for the costs of replacing the Rush Park Auditorium Audio/Visual System, replacing the playground at Rossmoor Park in FY 2021-2022, continuing to look for grant opportunities and the duration of the per capita grant.

Motion by Director Rips, seconded by President Barke to approve the upgrade of the Rush Park Auditorium audio-visual system at \$25,000 and replace the carpet in the Rossmoor Community Center with laminate flooring at \$9,200 in FY 2020-2021. Motion passed 5-0.

4. CONSIDERATION OF FUNDING REQUEST FROM THE CITY OF LOS ALAMITOS FOR FOURTH OF JULY EVENT ON THE JOINT FORCES TRAINING BASE

General Manager Mendoza presented details of the report.

Discussion followed regarding benefits to the City for the \$8,000 investment, having Rossmoor be a partner in the event instead of only contributing financially, and the possibility of helping this year with \$1,000 instead of the requested amount.

Motion by President Barke, seconded by Director Rips, to support the City of Los Alamitos by being a Rising Star partner (\$1,000 contribution) for the Fourth of July event on the Joint Forces Training Base and a request to allow Rossmoor to partner with them in hosting the event and working cooperatively early on, next year, if so desired. Motion passed 5-0.

I. GENERAL MANAGER ITEMS

General Manager Mendoza discussed the upcoming reopening of the State on June 15, 2021; provided an update on the Caltrans sound wall; discussed topics addressed at a recent Traffic Safety Committee meeting; reported he is working with the County to expand red curbs and addressed traffic-calming efforts on Montecito, stop signs and bicycle lanes. Additionally, he discussed the possibility of a Local Control District and reported on the recruitment of a Legislative Advocate.

Discussion followed regarding the need to address the parking issue on Montecito, anticipated changes with the reopening of the State on June 15, 2021, and changes in staffing.

President Barke requested adding consideration of Montecito traffic concerns to the Traffic Committee.

J. BOARD MEMBER ITEMS

Director Nitikman confirmed General Manager Mendoza will be working on the permit for the upcoming educational forums by the Orange County Board of Education and on making sure there is adequate security.

Director Rips questioned why the Orange County Board of Education would want to hold their forums in Rossmoor and asked whether the Board or the RCSD has the ability to deny such requests. General Manager Mendoza confirmed he has the ability to deny the requests depending on individual situations. He added the proposed are being held for information purposes only with no Board of Education action being taken. Therefore, these forums should not be as contentious as the Los Alamitos Unified School District Board meetings had been.

Discussion followed regarding appeals on the issuance of permit and the possibility of placing the matter on the next meeting agenda for consideration.

Motion by Director Rips, seconded by Director Searles to place consideration of the permit to allow the Orange County Board of Education to hold educational forums at the Rush Park Auditorium on the July Board agenda with additional information. Motion failed 2-3, with Directors Nitikman and DeMarco, and President Barke opposed.

President Barke confirmed General Manager Mendoza will report back to the Board at its next meeting with any concerns.

Director Rips requested a meeting with President Barke, the General Manager and Legal Counsel.

Director DeMarco requested a detailed schedule of the new CR&R routes and services; commented positively on the work of the Traffic Committee and encouraged residents to report speeding to the Orange County Sheriff's Department.

Director Searles commented on the upcoming educational forums and meetings of the Los Alamitos School District and noted the Board's focus is on Rossmoor and its residents; expressed concerns about increased expenses in the budget; congratulated the Los Alamitos High School 2021 graduates and discussed Pride Month and events.

K. GENERAL COUNSEL ITEMS: None

L. CLOSED SESSION

At approximately 9:41 p.m. the Board adjourned to Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1), Carol Churchill et al. vs. Orange County Sheriff Department, Data Ticket, Inc., dba The Citation Processing Center, Rossmoor Community Services District, et al., OSC Case No. 30-2020-01175364-CU-CR-CJC.

At approximately 10:12 p.m. the Board reconvened into Open Session. There were no reportable actions.

M. ADJOURNMENT

Motion by President Barke seconded by Director DeMarco to adjourn the regular meeting at 10:13 p.m. Motion passed 5-0.

SUBMITTED BY:

**Joe Mendoza
General Manager**