

**EL DORADO HILLS COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING**

**June 8, 2006**

**MINUTES**

**CALL TO ORDER**

Vice President Larry Brilliant brought the regular meeting to order on Thursday, June 8, 2006, at 7:08 p.m. Director Joe Chinn, President Justin Masters, and Director David Trapani were present. Director Constance Wyatt was absent. Also present were General Manager Wayne Lowery, Assistant General Manager Sandi Kukkola, Executive Assistant Charlene Ambrose, Director of Parks Kent Oakley, and Director of Planning Dianna Hillyer. Also present were Director of Recreation Marni Francisco-Cady, Parks Administrator Darrell Soss, DRC Representative Debbie Kossick and Finance Specialist Sherry Shannon. General Counsel Bob Thurbon was present. Approximately 31 members of the public were present.

**ADOPTION OF AGENDA**

General Manager was asked if there were any changes or additions to the agenda. He indicated President Masters requested item 32 be struck from the agenda.

**Motion No. 1.            Director Trapani moved and Director Chinn seconded the motion to adopt the agenda with item 32 struck. Motion carried 3-0-2 (Wyatt absent, Masters late).**

**PRESENTATIONS & ANNOUNCEMENTS**

**1.        President Masters announcement of closed session board action on May 16, 2006.**

Vice President Brilliant asked General Manager Lowery in the absence of President Masters, for the announcement. Lowery indicated his employment contract was renewed effective 7/1/06.

**COMMUNITY COMMENT**

1. Mark Hammer – 1104 St. Andrews Drive – on behalf of Stonegate Neighborhood, requested Board reimbursement of \$858.00 to record the CC&R roofing materials amendment. He further requested the board host a roofing materials workshop.

*(approximately 7:18 pm President Masters arrived)*

2. Lorene Bradrick – 2869 Canterbury Circle - requesting landscaping or redwood fencing on the strip between Canterbury Circle and El Dorado Hills Blvd.

3. Moni Gilmore – Ridgeview Village – pleased to announce the senior center is partially opening June 30, 2006. She asked for Board member representation at the grand opening luncheon, to begin 11:00 am. She also thanked the Board and District for the cooperation in making this happen.
4. Ali Escabado – Canterbury Circle – garbage cans have been left out one solid month at the assisted living center.
5. Connie Vavricek – 2861 – requesting installation of landscape or a wall between Canterbury Circle and El Dorado Hills Boulevard.
6. Jim Timmons – Canterbury Circle – cars for sale are now in the unit. A fence would help.
7. Gary – 2869 Canterbury Circle – has had stolen equipment, broken windshields, and most recently, a rock in the windshield of his new vehicle.

### **REVIEW OF WRITTEN COMMUNICATIONS**

2. **Connie Vavricek, 2861 Canterbury Circle, letter received May 25, 2006: Requesting installation of landscape between Canterbury Circle and El Dorado Hills Boulevard.**

The written communication was received and filed.

### **COMMUNITY SERVICES DISTRICT CALENDAR**

3. **June – July 2006 Calendar of District Events and Activities.**

Lowery reviewed key events such as Tiny Tot Wacky Luau. Wild Oaks Park Day was canceled.

### **CONSENT CALENDAR**

Director Chinn pulled item 15 from the consent calendar.

- Motion No. 2. Director Chinn moved and Director Brilliant seconded the motion to approve Consent Calendar Items remaining:**

**4) Approve the minutes of May 2, 11, 16, and 23, 2006 meetings; 5) Ratify Cash Disbursements through May 31, 2006; 6) Approve Finance Report for April 30, 2006; 7) Approve Fechter & Company Certified Public Accountants proposal for FY 2005-2006 District Audit; 8) Adopt Resolution 2006-21 Directing the Auditor of El Dorado County to Levy and Collect CC&R Assessments for Fiscal Year 2006-2007; 9) Approve upcoming board member meetings and/or reports of board committees; 10) Appoint Ms. Patricia Kriz as the District's representative to the El Dorado Hills Community Visions, Inc. Board of Directors; 11) Adopt Resolution 2006-17**

declaring, “July is Parks and Recreation Month”; 12) Review and make recommendations to the Board of Directors on policy update for sports field lighting; 13) Schedule Public Hearing for July 13, 2006 to determine whether certain delinquent garbage collection charges shall be a lien against Collection Premises located in a Mandatory Collection Area; 14) Authorize staff to prepare all final documents for District’s acceptance of El Dorado Hills Archery Range and return to the Board of Directors for final approval; 16) Administration & Finance Committee recommending amending the Fairchild Park Project Budget from \$315,000. to \$354,988. and authorize a transfer from Impact Fees to General Fund in the amount of \$37,996.; 17) Administration & Finance Committee recommending amending the Parks Maintenance Building Project Budget amount from \$2,651,500. to \$2,790,144.; 18) Approve Sierra Asphalt, Inc. bid in the amount of \$140,574. for renovation of the Bertelsen Park Parking Lot Phase I according to plans and specifications prepared by Callander Associates Landscape Architects, dated April 21, 2006 and further authorize a 10% project contingency of \$14,057.; 19) Approve El Dorado Hills Community Park Teen Center/Skate Park Construction Change Order No. 2 in the amount of \$63,512.54 for the installation of a modified sound wall and fence design; 20) Approve Stephen Harris Park Phase I Renovation Construction Change Order No. 5 in the amount of \$24,448. for the installation of seventeen light pole bases for the tennis court lights to be installed in Phase II of the project; 21) Adopt Resolution 2006-16 declaring an election be held in its jurisdiction consolidation with other districts requesting election services; 22) CC&R Citizen Advisory Committee recommends the Board appoint six new members to the CC&R Citizen Advisory Committee; and 23) CC&R Citizen Advisory Committee recommending board approve third and final notice for non compliance for Craig Swinney, 3010 Governors Village, Unit 3, Lot 99; APN: 112-081-36 for failure to maintain front & side yard landscaping. Motion carried 4-0-1 (Wyatt absent).

## **GENERAL BUSINESS**

**24. Review items pulled from Consent Calendar for action.**

**15) Consider request from Morrison Homes to reimburse total costs of construction of Creekside Greens Park in excess of approved reimbursement agreement amount;**

Director Trapani offered an update to last meeting’s discussion points:

- consider partial or full reimbursement
- untimely notification of change orders by Morrison Homes

President Masters asked that the board members refer to the Board Committee notes on pages 53 and 54 of the board package.

Director Chinn relayed that the staff recommendation was to reimburse full costs, yet the Board was not made aware of the increased costs (change orders) in a timely manner. He also thought the agreement did not include the design costs.

Director Trapani voiced concern of setting a precedent that the Board will pay for anything brought before them.

Sara Chacon, represented Morrison Homes and shared her point of view. She stated the initial agreement did include the design costs. She stated they built the park intended and they are all legitimate costs. They intended not to hold up each portion of the job by presenting a change order. Their error was not to re-visit all the other items as they arose.

President Masters expressed concern with staff's role. Also that Morrison should have come before the Board with change orders per the contract.

Public comment was invited, there was none.

**Motion No. 3. Director Brilliant moved and President Masters seconded the motion to send this item to the Board's Administration & Finance Committee to negotiate with Morrison Homes for reimbursement for Creekside Greens Park construction cost overage. Motion carried 4-0-1 (Wyatt absent).**

This item will be placed on the June 22, 2006 special meeting agenda for the Administration & Finance Committee to negotiate settlement for board approval.

**25. Public Hearing: Board to conduct Public Hearing to receive and consider public comment and ballots for the North Commercial Blvd. Landscaping and Lighting Assessment District #29 pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Street and Highways Code, commencing with Section 22500) and in accordance with the Right to Vote on Taxes Act.**

**Adopt Resolution 2006-19 Accepting Certification of the Ballot Results for the North Commercial Blvd. Landscaping and Lighting Assessment District #29, accepting the Final Engineer's Report.**

Hillyer reviewed the procedure for this public hearing and the ballot procedure. She relayed that the ballots will be tabulated and results reported back between agenda items.

President Masters opened the Public Hearing and Public Comment was requested. Public was asked for any additional ballots that needed to be submitted.

Kirk Bone, Serrano Associates, voted Yes and he expressed thanks to Dianna Hillyer and to Jeanette Hynson for their interest and enthusiasm.

The Public Hearing was closed.

**26. Public Hearing: Public Hearing on approval of budgets and assessments rates for the Landscaping and Lighting Assessment Districts for fiscal year 2006-07.**

**Adopt Resolution No. 2006-22 Declaring District's Intention to Levy FY 2006-07 Annual Assessment in Stonegate - L&L #1, - Oak Tree - L&L #2, Oakridge - L&L #3, Green Valley Hills - L&L #5, La Cresta - L&L #6, Crescent Ridge - L&L #7, Lake Forest - L&L #8, Francisco Oaks #10, Marina Hills, L&L #11, Highland Hills Unit 3- L&L #13, Wild Oaks - L&L #14, Silva Valley - L&L #15, Bass Lake - L&L #16, Creekside Greens – L&L #18, Roadway - L&L #19, Highland Hills Units 1 & 2- L&L #20, Promontory – L&L#22 And Highland View-Highland Hills-Sterlingshire Village – L&L #25 – Hollow Oaks – L&L #23; and Notice of Public Hearing (Streets and Highways Code §22624).**

Lowery, in the absence of Albaugh, provided an overview on the item.

President Masters opened the public hearing. Hearing no comment, the public hearing was closed.

**Motion No. 4. President Masters moved and Director Trapani seconded the motion to adopt Resolution No. 2006-22 Declaring District's Intention to Levy FY 2006-07 Annual Assessment in Stonegate - L&L #1, - Oak Tree - L&L #2, Oakridge - L&L #3, Green Valley Hills - L&L #5, La Cresta - L&L #6, Crescent Ridge - L&L #7, Lake Forest - L&L #8, Francisco Oaks #10, Marina Hills, L&L #11, Highland Hills Unit 3- L&L #13, Wild Oaks - L&L #14, Silva Valley - L&L #15, Bass Lake - L&L #16, Creekside Greens – L&L #18, Roadway - L&L #19, Highland Hills Units 1 & 2- L&L #20, Promontory – L&L#22 And Highland View-Highland Hills-Sterlingshire Village – L&L #25 – Hollow Oaks – L&L #23; and Notice of Public Hearing (Streets and Highways Code §22624). Motion carried 4-0-1 (Wyatt absent).**

**27. Action on District CC&R roofing policies:**

- a. Waive first reading, read by title only proposed Draft CC&R Policy No. 7020: Roofing Materials.**
- b. Approve updated Roofing Materials List guideline for the CC&R Design Review Committee.**

President Masters requested the members of public to limit their comments to 3 minutes and asked Kukkola to time them as necessary.

1. L. G. Lloyd – asked for an explanation of the word “form”.

2. Mark Hammer – offered an explanation of the word “form” (also new to Director Trapani). Form as opposed to architectural style, shape of materials, architectural appearance.

Legal Counsel, Bob Thurbon, was called upon to address “form”. Thurbon stated that he largely participated in writing the Policy CC&R Roofing Materials v.5, policy number 7020. The word form defines shape and appearance. The Board has to be succinct on the wording.

3. L. G. Lloyd – questioned the word “unit”.

Director Brilliant advised the word neighborhood had to be replaced with unit because there are multiple units within villages.

4. Sherry Hammer – requested the “form” definition be expanded upon.

Director Trapani relayed the clearer the better in definitions helps to avoid misunderstandings and disputes.

5. Judy Monteau asked that variance be defined as it is too subjective.

Director Trapani referred to pages 165-168 in the board package for this agenda item and stated that the policy was well written as presented; why was there a handout today changing it? He referred to 7020.30 and 7020.40.

President Masters referred to 7020.35 Appeals and stated this contradicts the appeals policy with the District. Masters asked Trapani to submit comments in writing; he agreed to do so.

Item 27a. was deferred to the next Special Board Meeting agenda which is scheduled for June 15, 2006.

**25. Public Hearing: Board to conduct Public Hearing to receive and consider public comment and ballots for the North Commercial Blvd. Landscaping and Lighting Assessment District #29 pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Street and Highways Code, commencing with Section 22500) and in accordance with the Right to Vote on Taxes Act.**

**Adopt Resolution 2006-19 Accepting Certification of the Ballot Results for the North Commercial Blvd. Landscaping and Lighting Assessment District #29, accepting the Final Engineer’s Report (*continued*).**

Jeanette Hynson of SCI Consulting Group provided the results of the ballot count on the above item.

Director Chinn expressed thanks to all who participated in this process.

**Motion No. 5. Director Chinn moved and Director Brilliant seconded the motion to adopt Resolution #2006-19 Accepting Certification of the Ballot Results for the North Commercial Blvd. Landscaping and Lighting Assessment District #29, accepting the Final Engineer's Report. Motion carried 4-0-1 (Wyatt absent).**

**27. Action on District CC&R roofing policies: (continued)**

**b. Approve updated Roofing Materials List guideline for the CC&R Design Review Committee.**

President Masters requested reference to CC&Rs be reviewed for appropriate materials and that this should be on the top of the document.

Public Comment was requested.

1. Beth Darwin provided a suggestion "this is a list of appropriate examples. There may be other materials (brands) that meet the criteria."

The public comment was closed.

Director Brilliant recommended a special meeting take place to update the roofing policies and materials list.

**28. Public Hearing: Adoption of Resolution No. 2006-18 Adopting Appropriation Limit in Accordance with Article XIII B of the State Constitution for Fiscal Year 2006-07.**

**Motion No. 6. Director Chinn moved and Director Brilliant seconded the motion to adopt Resolution 2006-18 Adopting Appropriation Limit in Accordance with Article XIII B of the State Constitution for Fiscal Year 2006-07. Motion carried 4-0-1 (Wyatt absent).**

**29. Public Hearing: Adopt Resolution 2006-20 Adopting the Fiscal Year 2006-2007 General Fund, CC&R (covenants, conditions & restrictions), and Capital Budgets.**

President Masters opened the Public Hearing.

Director comments were as follows:

Director Chinn – Lake Forest Park design was not done last year and was pulled out of this year. There have been lots of questions by residents, why not unify with Windsor Point Park?

Director Masters – Silver Dove Park– potential legal implication of acquisition should be considered in the budget.

Director Brilliant – is looking for options regarding adding the requested additional staff. He asked for options for contracting and asked what the District would do without if we did not hire the staff. He suggested the finance staff member request be deferred until a new Director of Finance is in place.

Director Trapani – communication needs improving as soon as a potential board item takes place.

Staff input was as follows:

K. Oakley – needs time to explore other options. The parks staff contracts for mowing lawns. He will look at upgrading contracts to add more tasks. Oakley has put together a Staffing Analysis of Manpower Needs. He relayed that parks staff work weekends and seven days a week to support recreation activities, planning activities. Adding Promontory Park lights mean longer park hours.

Director Brilliant said a Landscape Master Plan is needed, i.e., Canterbury wall or redwood fence.

D. Hillyer – stated Lowery did a good job outlining Planning Department in his budget presentation. She elaborated on the functions of her position as well as that of the Administrative Assistant. She will research new projects coming on line; maps, annexation for example.

S. Kukkola – representing both Administration and Finance as department head, provided the District growth statistics and rationale for Accounting Specialist .75 FTE. She will look at other options as requested by Director Brilliant.

This item will be further addressed at the next scheduled Special Board Meeting, June 15, 2006.

**30. Review status of District's strategic planning, and solicit public comments for further updating.**

This item will be further addressed at the next scheduled Special Board Meeting, June 15, 2006.

**31. Discussion and direction to staff to update and review district policies and procedures regarding use of volunteers for District programs and projects.**

This item will be placed on the next scheduled Special Board Meeting agenda, June 15, 2006.

**32. Discussion on providing procedures for the best possible access by the District's public constituents to members of the board of directors.**

This item was struck from the agenda at the start of the meeting.

**33. Nominate candidate to represent Region 2 on the California Special Districts Association Board of Directors for a three-year term ending September 2009.**

**Motion No. 7.** President Masters moved and Director Chinn seconded the motion to nominate Larry Brilliant to represent Region 2 on the California Special Districts Association Board of Directors for a three-year term ending September 2009. Motion carried 4-0-1 (Wyatt absent).

**34.** Elect Board's President and Vice President to serve during Fiscal Year 2006-07 effective at the close of this meeting.

**Motion No. 8.** Director Brilliant moved and President Masters seconded the motion to extend the terms of President and Vice President to Masters and Brilliant respectively and set the term of office when the annual election is held. Motion carried 4-0-1 (Wyatt absent).

### **GENERAL MANAGER REPORTS**

None

### **BOARD OF DIRECTORS COMMENTS & FUTURE AGENDA ITEMS**

President Masters asked Lowery for a monthly status on the Board Action follow up list used by staff.

### **CLOSED SESSION**

The Board went into closed session at approximately 11:00 pm.

President Masters asked if there were public comments on closed session items. No public comment. Masters closed the public session and entered closed session.

### **35. Closed session under California Government Code**

- a. **§54956.9, Conference with legal counsel regarding potential litigation. One case.**
- b. **§54956.8, conference with real estate negotiator prior to the purchase, sale, exchange or lease of real property in Blackstone Subdivision, Valley View Specific Plan Area, El Dorado Hills owned by Lennar Communities. Discussion includes but is not limited to proposed park sites within tentative map TM 99-1359R.**
- c. **§54956.8, conference with real estate negotiator prior to the purchase, sale, exchange or lease of real property in Village J Subdivision, El Dorado Hills (Serrano) Specific Plan Area, El Dorado Hills owned by Serrano Associates LLC. Discussion includes but is not limited to proposed park site in Village J.**
- d. **§54957.6(a), conference with labor negotiator regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of its employees represented by the El Dorado Hills Community Services District Employees Association Local No. 1 and all unrepresented employees.**
- e. **§54957, regarding the appointment, employment, evaluation of performance, or dismissal of an employee. Position: General Manager.**

President Masters re-opened the Regular Meeting and reported that negotiators were provided with follow up instructions for the real estate and the labor issues (b.) (c.) and (d.) No action was taken on the potential litigation (a.) and General Manager evaluation (e.).

**ADJOURNMENT**

President Masters adjourned the meeting at approximately 11:50 pm.

**APPROVED:** \_\_\_\_\_  
Justin Masters, President  
EDHCSD Board of Directors

**DATE:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_  
Wayne A. Lowery, General Manager  
Secretary to the Board of Directors

**DATE:** \_\_\_\_\_