

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

July 13, 2006

MINUTES

CALL TO ORDER

President Justin Masters brought the regular meeting to order on Thursday, July 13, 2006, at 7:07 p.m. Director Larry Brilliant, Director Joe Chinn, 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. General Counsel Bob Thurbon was present. Approximately 5 members of the public were present.

ADOPTION OF AGENDA

General Manager was asked if there were any changes or additions to the agenda.

Motion No. 1. Director Chinn moved and Director Trapani seconded the motion to adopt the agenda. Motion carried 4-0-1. (Wyatt absent).

PRESENTATIONS & ANNOUNCEMENTS

- 1. Brian Holloway; Status of public infrastructure improvements in Bass Lake Hills Specific Plan Area. Questions by Board Members were entertained by Brian Holloway and Dave Crosarial of C J Engineering.**

COMMUNITY COMMENT

1. Fred St. Jean – asked the reason Item 32. was struck from the last regular board meeting agenda (June 8, 2006). President Masters clarified two unrelated issues on one topic were confusing so it was struck altogether.

REVIEW OF WRITTEN COMMUNICATIONS

2. None

COMMUNITY SERVICES DISTRICT CALENDAR

- 3. July - August 2006 Calendar of District Events and Activities.**

Lowery reviewed key events such as the youth triathlon, the last summer concert, Bayou Boys, and Saturday in the Park, which is a big family event. Board members are encouraged to attend.

CONSENT CALENDAR

Director Chinn pulled item 10 and Director Trapani pulled item 15 from the consent calendar.

Motion No. 2. President Masters moved and Director Trapani seconded the motion to approve Consent Calendar Items remaining:

4) Approve the minutes of June 6, 8, 15, and 22, 2006 meetings; 5) Ratify Cash Disbursements through June 30, 2006; 6) Approve Finance Report for May 31, 2006; 7) Approve the Proposition 218 Annual Certification of Direct Charge for Fiscal Year 2006-2007; 8) Approve upcoming board member meetings and/or reports of board committees; 9) Approve purchase and installation of playground equipment for Bertelsen Park at a not-to-exceed cost of \$54,772; 11) Approve change order with Network Environmental Systems Inc. (NES) in the amount of \$60,000 for asbestos ambient air monitoring on the Teen Center/Skate Park project according to the proposal dated March 3, 2006 and, further, authorize a 10% contingency of \$6,000; 12) Adopt Resolution 2006-23 Authorizing the Filing of a Claim of \$205,494, Regional Surface Transportation Program Exchanged Funds with El Dorado County Transportation Commission; 13) Adopt Resolution 2006-24 Accepting the Tax Increment Distribution and Waiving the 60-Day Hearing Requirement for the Kain Reorganization of APN #107-130-13 into El Dorado Hills Community Services District; LAFCo Project No. 06-03 (Revised), with Concurrent Detachment from Area 9, Zone 17 of Ponderosa Recreation Zone; and 14) Accept first quarter 2006 Solid Waste Diversion Report. With items 10 and 15 pulled, Motion carried to approve Consent Calendar items 4-0-1 (Wyatt absent).

GENERAL BUSINESS

16. Review items pulled from Consent Calendar for action.

10) Approve proposal by JMS & Associates in the amount of \$141,723 for the Community Park Harvard Way Multi-Use Trail Project according to plans and specifications prepared by Callander Associates, Landscape Architects dated October 21, 2005 and, further, authorize a 10% project contingency of \$14,172. Also, amend the Capital Improvement Plan (CIP) project budget from \$231,608 to \$289,542.

Director Chinn requested the dollar amount of \$57,938 be taken from the General Fund Balance rather than from the General Fund Contingency revenue source.

Public comment was invited, there was none.

Motion No. 3. Director Chinn moved and Director Brilliant seconded the motion to Approve proposal by JMS & Associates in the amount of \$141,723 for the Community Park Harvard Way Multi-Use Trail Project according to plans and specifications prepared by Callander Associates, Landscape Architects dated October 21, 2005 and, further, authorize a 10% project contingency of \$14,172. Also, amend the Capital Improvement Plan (CIP) project budget from \$231,608 to \$289,542. utilizing the revenue source of General Fund rather than General Fund Contingency for the \$57,938. Motion carried 4-0-1 (Wyatt absent).

15) CC&R Citizen Advisory Committee recommending board approve third and final notice for non-compliance for:

Owner: Augustino and Diane Carcione
Address: 2164 Summer Drive
Village: Bass Lake Village, Unit 6, APN: 115-330-011
Violation: Modification of Front Yard Landscaping not approved by DRC

Director Trapani will abstain from this agenda item. President Masters asked why the lot line adjustment items were included in the recap. Kukkola advised that the recap is a full outline of events, without gaps. She stated Cindy Diez, Compliance Officer, visited the site today, the fence is designed to be eight foot high, the county is aware and that the CC&R Citizen Advisory has recommended a third and final notice.

Director Brilliant asked if legal had reviewed; Thurbon indicated Erin Holbrook has reviewed.

Motion No. 4. Director Brilliant moved and Director Chinn seconded the motion to approve a third and final notice for non-compliance to Augustino and Diane Carcione, 2164 Summer Drive, for violation of modification of front yard landscaping not approved by DRC. Motion carried 3-1-1 (Trapani abstained; Wyatt absent).

17. Waive second reading, read by title only and approve Draft CC&R Policy No. 7020: Roofing Materials. (First reading June 8, 2006).

Lowery overviewed the agenda item and provided an update to recent meetings on the subject matter. Legal input was requested. Mr. Thurbon reviewed the language suggested by Dorothy Nesbitt.

Director Trapani stated the recent version of the policy is very good.

Public comment was invited.

1. L. G. Lloyd, Park Village, stated the draft policy places more limitations than the previous policy did.

Commentary and input was given by the Board members. This item will be postponed to later in the meeting after Thurbon captures the requested modifications to the policy for Board approval.

18. Delinquent Garbage Collection Accounts.

PUBLIC HEARING: To determine whether certain delinquent garbage collection charges shall be a lien against Collections Premises located in a Mandatory Collection Area.

Adopt Resolution 2006-25 Making Delinquent Garbage Collection Charges a Lien Upon the Real Property from which Service was Furnished or Chargeable.

Lowery reviewed the item in the absence of Hillyer. The public hearing was opened. Hearing no public comments, President Masters closed the public hearing.

Motion No. 5. President Masters moved and Director Brilliant seconded the motion to adopt Resolution No. 2006-25 Making Delinquent Garbage Collection Charges a Lien Upon the Real Property from which Service was Furnished or Chargeable. Motion carried 4-0-1 (Wyatt absent).

20. Accept status report for Valley View (Blackstone Village) elementary school/park site and provide direction to staff as necessary.

Lowery updated the board on staff's weekly meetings the past two months with Lennar. Don Barnett was available to answer any questions. No action is required; this is an informational update. Director Brilliant and President Masters expressed interest in lighting at the park site.

21. Approve director participation in the California Special District Association Annual Conference, September 25-26, 2006.

President Masters requested GM to enroll interested Directors at the early enrollment price and asked interested Directors to decide whether to attend before the deadline of August 30, 2006. Director Brilliant expressed interest.

Motion No. 6. Director Chinn moved and Director Brilliant seconded the motion to approve directors participating in the annual conference of the California Special District Association September 25-26, 2006. Motion carried 4-0-1 (Wyatt absent).

17. Waive second reading, read by title only and approve Draft CC&R Policy No. 7020: Roofing Materials. (First reading June 8, 2006). Continued.

Thurbon read the requested paragraph 7020.15 to be re-written in the CC&R Policy no. 7020: Roofing Materials. The word neighborhood will be replaced globally by the word "unit".

Motion No. 7. Director Chinn moved and Director Brilliant seconded the motion to waive second reading, read by title only and approve CC&R Policy No. 7020:Roofing Materials. Motion carried 4-0-1 (Wyatt absent).

GENERAL MANAGER REPORTS

1. Promontory Park is making good progress.
2. Teen Center 2" x 4" walls are going up.
3. Bertelsen Park driveway and parking lot is ahead of schedule.
4. Harris Park is nearing completion. Tennis Court lights are next phase.
5. Pavilion Kitchen should be completed in two weeks.
6. Phil Bristol, The Alternative Board, facilitator for strategic planning, met with the department heads this afternoon. Target date for presentation to the Board of Directors is August 22, 2006.

BOARD OF DIRECTORS COMMENTS & FUTURE AGENDA ITEMS

1. Director Chinn: RE: Blackstone Village (Valley View), will District be charged for grading the school/park site? (yes)
2. Director Trapani: Is July 19th Utilities Committee Meeting canceled? (yes)
3. Director Brilliant: When is the grant funding for park trail resurfacing? (Sept.)
4. Director Brilliant: County Supervisors fee structure confirmation? President Masters: Requested that GM get hold of Joe Harn regarding County Supervisors fee structure.
5. Director Trapani: Land Acquisition Ad Hoc Committee would like to speak with Kirk Bone regarding Village J and will meet on August 7.

CLOSED SESSION

The Board went into closed session at approximately 9:30 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.

21. **Closed session under California Government Code**
 - a. **§54956.9, Conference with legal counsel regarding potential litigation: El Dorado Hills Community Services District v. Jay and Lauren Bolton, 3027 Youngs Court.**
 - b. **§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.**

President Masters re-opened the Regular Meeting and reported that

- a. direction was given to proceed
- b. Ratified MOU with Unit 1 (Management); directed counsel and staff on other issues.

ADJOURNMENT

President Masters adjourned the meeting at approximately 10:30 pm.

APPROVED: _____
Justin Masters, President
EDHCSD Board of Directors

DATE: _____

ATTEST: _____
Wayne A. Lowery, General Manager
Secretary to the Board of Directors

DATE: _____