

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

November 18, 2006

MINUTES

CALL TO ORDER

Vice President Brilliant brought the special meeting to order on Saturday, November 18, 2006, at 11:05 a.m. Directors Joe Chinn, Justin Masters, and David Trapani were in attendance. Director Masters arrived at 11:09 a.m. Director Wyatt was absent. Also present were General Manager Wayne Lowery, and Legal Counsel Bob Thurbon. Don Barnett represented Lennar Communities.

General Business

Director Chinn suggested the board review Agenda Items No. 1 and 2 together.

1. **Approve Valley View Parkland Designation/Dedication Agreement and authorize General Manager to execute.**
2. **Adopt Resolution No. 2006-31 Approving the Preliminary Engineer's Report, Declaring Its Intention to Levy FY 2007-08 Assessment in the Valley View Specific Plan Landscaping and Lighting Assessment District (LLAD) #33 and Notice of Public Hearing, in Accordance with the Streets and Highways Code Section 22624.**

Director Trapani reported he is currently representing a client who is in litigation against Lennar and was concerned that there might be a conflict of interest. Upon reviewing the information, Bob Thurbon stated that there was no financial conflict and it was Director Trapani's option to take part in the discussion. Trapani stated that he was comfortable with participating in the vote.

The Board reviewed the engineer's report for Valley View LLAD #33 expressing concern that the assessment discussed with Lennar on November 14, 2006 was \$535 but the engineer's report was \$535.04. Don Barnett, Lennar Communities, stated that they would not object to the Board rounding the assessment to \$535.05.

The Board discussed Section 2.03 "Cost of Construction" with concern that the Lennar provide water to the park without reimbursement. Barnett indicated that Lennar expected to provide the necessary equivalent dwelling units (EDUs) and access to water but installation of the meters should be a reimbursed cost of construction. The board concurred. The agreement should be amended to clarify the intent.

The Section 4 title should be changed from "Purpose and Effect of Memorandum of Understanding" to Purpose and Effect of Agreement."

Counsel was directed to also add a paragraph requiring that any offsite fill dirt be tested and cleared as free from asbestos fibers before being approved for use in the project.

Motion No. 1: Director Chinn moved and Director Brilliant seconded the motion to approve the Valley View Parkland Designation/Dedication Agreement and authorize the General Manager to execute contingent upon (a) amending the \$535.00 assessment to \$535.05, (b) adding language clarifying who is paying for the cost of water installation, (c) correcting the title to Section 4, and (d) adding a paragraph regarding protection of the project from the importation of asbestos materials. Motion carried 4/0/1 (Wyatt absent)

The board reviewed the Preliminary Engineer’s Report for the FY 2007-08 assessment in the Valley View LLAD. The attached map was unclear about excluding Eastridge Village. Both the report map and the assessment roll should be reviewed and corrected to exclude Eastridge Village. Barnett pointed out that the El Dorado Irrigation District water tanks were also excluded from the LLAD boundaries.

Motion No. 2: Director Chinn moved and Director Masters seconded the motion to approve the Preliminary Engineer’s Report, Declaring Its Intention to Levy FY 2007-08 Assessment in the Valley View Specific Plan Landscaping and Lighting Assessment District #33 and Notice of Public Hearing, in Accordance with the Streets and Highways Code Section 22624 including correction of the map and assessment roll (Appendix C), if needed, to reflect the exclusion of Eastridge Village and the inclusion of everything not in Eastridge. Motion carried 4/0/1 (Wyatt absent)

Adjournment

President Masters adjourned the meeting at approximately 11:35 a.m.

APPROVED: _____ DATE: _____
Justin Masters, President
EDHCSD Board of Directors

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