

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

**March 15, 2007**

**MINUTES**

**CALL TO ORDER**

President Larry Brilliant brought the regular meeting to order on Thursday, March 15, 2007 at 7:07 p.m. Directors Justin Masters, David Trapani, and Bill Vandegrift were in attendance. Director Tony Rogozinski was absent. Also present were Executive Assistant Charlene Ambrose, Planning Director Dianna Hillyer, Assistant General Manager Sandi Kukkola, General Manager Wayne Lowery and Finance Manager Gerry Tryhane. Also present were approximately 3 staff members. Approximately 22 members of the public were in attendance.

**ADOPTION OF AGENDA**

**Motion No. 1. Director Trapani moved and Director Masters seconded the motion to approve the agenda. Motion carried 4-0-1 (Rogozinski absent).**

**PRESENTATIONS & ANNOUNCEMENTS**

None

**COMMUNITY COMMENT**

1. L. G. Lloyd, Park Village, commented on closed session item RE: Local 1 negotiations that has been repeating
2. John Everett, St. Andrews Village, thinks Board should use Citizens Committee to filter finance reports
3. Fred St. Jean, St. Andrews Village, wants to comment as agenda items come up
4. Jay and Lauren Bolton RE: CC&R non-compliance - gave Board members written rebuttal of their compliance; President forwarded complaint to CC&R Committee to review

**REVIEW OF WRITTEN COMMUNICATION**

None

**COMMUNITY SERVICES DISTRICT CALENDAR**

1. **March – April 2007 Calendar of District Events and Activities.**

General Manager Lowery reviewed changes to the calendar. Executive Assistant will update the calendar and re-circulate to Board and staff.

## **CONSENT CALENDAR**

Items 6 and 12 were requested to be pulled by Lowery. Item 14 was pulled by Director Masters. President Brilliant asked staff to give a brief overview of Item 13. Fred St. Jean requested that Item 11 be pulled.

**Motion No. 2.** Director Trapani moved and Director Vandegrift seconded the motion to approve the remaining consent calendar items as follows:

3) Minutes of February 6, 8, 20 & 27, 2007 meetings; 4) Cash Disbursements through February 28, 2007; 5) Finance Report for January 31, 2007; 7) February progress report of FY 2006-07 capital and renovation projects; 8) Update on Design Review Committee 2006 Action Plan; 9) Joint Use Agreement with Buckeye Union School District for Valley View Elementary School and Sports Park; 10) Contract for landscape architect services and preparation of construction documents for renovation of Deputy Jeff Mitchell Field and related field improvements at Bertelsen Park; 15) Outsourcing of payroll and implementation of automated timekeeping system and execution of contract by the General Manager; 16) Accept February 2007 status on Strategic Planning; 17) CC&R Citizen Advisory Committee recommending board approve third and final notice for non compliance for owner, Matt and Suzie Petersen, 2101 Wood Mar Drive, Marina Village, Lot 10; APN 110-054-011 for storing boats, trailers and commercial vehicles on the property, visible from the street.

Motion carried 4-0-1 to approve the Consent Calendar items remaining (Rogozinski absent).

## **GENERAL BUSINESS**

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

**6) Board Member Meetings and/or reports of recent board committees.**

Lowery stated some meetings have been scheduled since the calendar was published in the Board package. Volunteer Committee is scheduled to meet March 20 as well as the Board's Parks & Planning Committee on March 20. A date for the Board's CC&R Committee rescheduling is yet TBD at this time. Director Masters asked that reports of various committees routinely be added to Lowery's staff report. President Brilliant attended a CSDA meeting on March 9.

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**Motion No. 3. Director Masters moved and Director Vandegrift seconded the motion to approve the Board Member Meetings report as amended. Motion carried 4-0-1 (Rogozinski absent).**

**11) Contract for feasibility, marketing and operational analysis of El Dorado Hills Golf Course.**

D. Hillyer reviewed the status of the RFP for EDH Golf Course Feasibility Analysis to date. Three proposals were received and Planning staff recommends awarding the contract to National Golf Foundation Consulting, Inc. (NGF Consulting) in an amount not to exceed \$28,000. Funding assistance will be requested of the Board of Supervisors. If and when a conclusion to the analysis is favorable without the District losing money, the Board will make a final decision as to how to proceed with operating the EDH Golf Course.

Public comments were received by Ed Spellacy, Mary Mearns and L. G. Lloyd. Board members had a discussion and several comments were as follows. Director Trapani stated the speed of awarding a contract and concluding the analysis is crucial to keeping the golf course green. Director Vandegrift stated the County is willing to split the cost. He also recommended that Ms. Mearns direct her comments to the Board of Supervisors. President Brilliant relayed that the Board is committed to act quickly and will ensure the land is maintained as open space recreation. Ms. Hillyer stated other recreational facility usage is in the scope of the proposal.

**Motion No. 4. Director Masters moved and Director Trapani seconded the motion to award a contract for feasibility, marketing and operational analysis of El Dorado Hills Golf Course be awarded to NGF Consulting Inc.. Motion carried 4-0-1 (Rogozinski absent).**

**12) Board's Park and Planning Committee (Trapani/Rogozinski) recommending Board approve revised Park Naming Policy, District Policy No. 6300.**

Hillyer went over the Committee's review and suggestions to the policy. Suggestions made by Director Rogozinski were in her report and reviewed with the Board. President Brilliant suggested the words "will" and "shall" be changed to "may". Director Masters suggests the proposed changes to the policy be re-visited by the Committee. President Brilliant asked if the policy revisions were time sensitive; hearing that they were not, he asked the Parks and Planning Committee to review the proposed changes by the Board and bring the policy back for approval at the April 12, 2007 Regular Board Meeting.

**13) Board's CC&R Committee (Masters/Vandegrift) recommending first reading, read by title only, and schedule the Draft CC&R Design Review Guidelines for approval at the April 12, 2007 regular meeting of the Board of Directors.**

Lowery relayed that the Board's CC&R Committee, Design Review Task Force and Design Review Committee members have all had meetings to review the document, which was written by the District's Legal Counsel, Thurbon and McHaney Law Firm. The Board's CC&R

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Committee recommends approval of the first reading at this meeting. Public will have 30 days to review the document before the second reading at the April 12, 2007 Regular Board Meeting.

Public comment was received from L. G. Lloyd.

**Motion No. 5. Director Masters moved and Director Vandegrift seconded the motion to approve the first reading, read by title only, and schedule the CC&R Design Review Guidelines for approval at the April 12, 2007 regular meeting of the Board of Directors. Motion carried 4-0-1 (Rogozinski absent).**

**14) Board's Utility Committee (Brilliant/Trapani) recommending notify the Local Agency Formation Commission (LAFCo) of the District's intent to provide electrical power services to the El Dorado Hills community and, therefore, retain its electrical power authority under California Government Code Section 61000.**

The General Manager gave background to the Utility Committee's recent meetings. The Committee recommends directing staff to notify LAFCO that the District has been and is currently planning to provide electrical power services to the El Dorado Hills community.

Public comment was received from John Everett, Fred St. Jean, L G. Lloyd and Mary Mearns.

**Motion No. 6. Director Trapani moved and Director Vandegrift seconded the motion to notify the Local Agency Formation Commission (LAFCo) of the District's intent to provide electrical power services to the El Dorado Hills community and, therefore, retain its electrical power authority under California Government Code Section 61000. Motion carried 4-0-1 (Rogozinski absent).**

**19) Park Impact Fee Nexus Study**

- a. Public Hearing: Public hearing to receive comments, consider and approve the 2006 Park Impact Fee Nexus Study as prepared by Economic Planning Systems (EPS) and recommend approval to the El Dorado County Board of Supervisors.**
- b. Board of Directors to adopt Resolution #2007-06 adopting the Park Development Impact Fee Nexus Study Update, dated November 17, 2006, and requesting the El Dorado County Board of Supervisors to Adopt and Implement the Increased Park Development Impact Fee.**

Ms. Hillyer introduced Jaime Gomes of Economic Planning Systems (EPS) who made a presentation of the Park Impact Fee Nexus Study for the Public Hearing. In his presentation he summarized results of five meetings between Lowery, Hillyer, he and other EPS consultants, legal counsel Robert Thurbon and the BIA Committee. A summary of amendments to the Nexus Study by the working group since the Public Hearing on November 30, 2006 and next steps were reviewed. Before the Study can be put on the Board of Supervisors agenda it must first be heard by the El Dorado County Planning Commission. This agenda item scheduled for February 8,

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2007 was continued to March 22, 2007. A District Resolution must be presented as well as revised Park Development Impact Fees must be adopted by the Board of Supervisors.

Public Hearing was conducted and public comment was heard from Fred St. Jean. John Costa of BIA, who was present at the five meetings discussed, stated BIA desires an independent consultant to review and they are willing to pay for this review. President Brilliant stated that BIA has had since November 2006 to review the Nexus Study and meet with staff.

Don Barnett of Lennar (Blackstone) also offered public comment. He said significant progress has been made but there is still work to be done in the area of differences from outlying jurisdictions. While recognizing asbestos and topography issues in El Dorado Hills, the percentage of difference is double to triple. Director Masters stated recent costs of building parks is being compared to areas that have not built parks in the past three years and did not think this was a fair comparison.

Kirk Bone gave public comment on Table 15 presented. Public hearing was closed as was public comment. Hillyer thanked Bob Thurbon, BIA staff, EPS staff, and General Manager Wayne Lowery.

Director Masters comments were on level of service, Director Trapani commented on BIA not coming forth until tonight to offer to pay for an independent review. Director Vandegrift commented that much progress has been made since November 2006 yet local commercial developers are not aware of these non resident fees that are proposed. He understands the realism of the market and would like the CSD to identify input from local commercial developers. President Brilliant commented on his concerns with non-residential fees put in at the last minute and asked for re-calculation. He asked Hillyer whether our proposal is in compliance with the General Plan and with the Specific Plan. She stated yes it was and that land acquisitions get credits up to 50% on land donation.

After much discussion and input by Board members, Bob Thurbon gave legal input that the validity of fees has to be defended. Credit reimbursement agreements can be made, independent studies are not advised. This item was referred back to staff to continue updating the financial reports and bring the item back to the next Regular Board Meeting.

**Motion No. 7. Director Vandegrift moved and Director Trapani seconded the motion to continue the Public Hearing to April 12, 2007 and direct staff to work with BIA and work group to meet and talk as appropriate and come up with a Final Nexus Study to go to the Planning Commission by April 26, 2007. Motion carried 3-1-1 (Masters No, Rogozinski absent).**

**20) Elect Special District Representative(s) to the El Dorado County Local Agency Formation Commission (LAFCo) during an election period which ends April 13, 2007.**

Mutual agreement confirmed the District send a ballot to LAFCO to vote Justin Masters first choice, Harry Norris second choice, and John Hidahl third choice for the three Special District Representative LAFCo open seats.

**Motion No. 8. Director Brilliant moved and Director Vandegrift seconded the motion to Elect Special District Representatives Justin Masters, Harry Norris and John Hidahl to the El Dorado County Local Agency Formation Commission (LAFCo) during and election period which ends April 13, 2007. Motion carried 4-0-1 (Rogozinski absent).**

### **GENERAL MANAGER REPORTS**

1. Hired Next Step Marketing Group to assist with communicating Nexus Study.
2. Promontory Community Park lights expert was flown in this week. After observation, he determined longer shields need to be manufactured to the lights. Therefore, can't use the lights as is except for on the Soccer field once a week until adjustments are made.
3. Monday, March 19, 2007 is the last Cycle 2 Strategic Planning Meeting with Phil Bristol and Board Members. One more meeting between the Board and Staff is needed; Board members were asked to try to accommodate scheduling to conclude this process.
4. Suggested we handle the consent calendar public comment differently in future meetings. Pulled items should be discussed at the end of General Business in the future.

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

1. President Brilliant would like to invite CSDA staff to April 12, 2007 Regular Board Meeting.
2. Director Trapani would like to see the parks alcohol policy and Canterbury/Riviera Circle on a future agenda. Lowery commented that this item is before the Parks & Planning Committee.
3. Director Masters asked S. Kukkola to provide input to the Bolton CC & R violation case for the CC&R Committee.

### **CLOSED SESSION**

The Board went into closed session at approximately 11:10 pm.

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

21. Closed session under California Government Code §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.

22. Closed session under California Government Code §54956.9, Conference with legal counsel regarding potential litigation. Three cases: Miller, Tena and Wheat.

Upon returning from closed to open session, President Brilliant reported that direction was given to staff and legal counsel.

**ADJOURNMENT**

President Brilliant adjourned the meeting at approximately 12:30 am.

**APPROVED:** \_\_\_\_\_  
Laurence S. Brilliant, President  
EDHCSD Board of Directors

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

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

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