

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

May 8, 2008

MINUTES

CLOSED SESSION

President Bill Vandegrift brought the regular meeting to order on Thursday, May 8, 2008 at 6:30 p.m. Directors Larry Brilliant, Justin Masters, and Tony Rogozinski were in attendance. David Trapani was absent. Also present were Assistant General Manager Sandi Kukkola and General Manager Wayne Lowery.

President Vandegrift announced that the board was entering closed session and asked if there were public comments on closed session items. Hearing none, Vandegrift closed the public session and the board entered closed session.

- A. **Closed session under California Government Code §54956.8, conference with real estate negotiator prior to the purchase, sale, exchange or lease of real property in the El Dorado Hills Business Park.**
- B. **CC&R Compliance staff recommending filing complaint with El Dorado County Court against Vallar and Alfonso for non-compliance.**
- C. **CC&R Compliance staff recommending filing complaint with El Dorado County Court against Rice for non-compliance.**
- D. **CC&R Compliance staff recommending filing complaint with El Dorado County Court against Endsley for non-compliance.**

CALL TO ORDER

President Bill Vandegrift brought the regular meeting to order at 7:07 p.m. announcing that the Board had just completed closed session. Directors Larry Brilliant, Justin Masters and Tony Rogozinski were in attendance. David Trapani was absent. Also present were Recreation Director Marni Francisco-Cady, Planning Director Dianna Hillyer, Assistant General Manager Sandi Kukkola, General Manager Wayne Lowery, Director of Finance Allison Hamaker, and Executive Assistant Charlene Ambrose. Also present were 2 staff members from the Planning Department, Kristie Downey and Kent Malonson, and 39 members of the public.

President Vandegrift announced that this meeting is being held in memory of Moni Gilmore, a senior activist and friend of the El Dorado Hills community. He also stated the El Dorado County Board of Supervisors plans to sign a resolution to name the Senior Center in her name.

ADOPTION OF AGENDA

Director Brilliant asked that item 17, Appointment to Board vacancy, be moved from General Business to Presentations and Announcements. President Vandegrift said it would behoove us all and he would rather wait and give this important matter adequate time and attention. There are ten candidates who applied to fill the vacancy. General Manager Wayne Lowery stated that Director Trapani is not present, he does not have a signed letter of resignation from him and yes it is best to wait. It was decided to hold a special meeting to interview candidates to fill the pending vacancy on the Board of Directors Thursday, May 15, 2008 at 6:30 pm.

Motion No. 1. Director Brilliant moved and Director Rogozinski seconded the motion to approve the agenda with item 17 Appointment to Board vacancy rescheduled to a separate meeting Thursday, May 15, 2008. Motion carried 4-0-1 (Trapani absent).

PRESENTATIONS & ANNOUNCEMENTS

E. President's report on Closed Session Board actions.

President Vandegrift reported that the board gave direction to staff regarding the CC&R non-compliance issues.

F. Recognize employee Mike Grassle, Maintenance Lead Worker, for ten years of District service.

Lowery advised the Board that Mike Grassle has been with the District ten years, having begun as a recreation leader in High School part time and later became a maintenance worker. Mike has since advanced to a lead maintenance worker. Lowery stated Grassle is a very good employee and he is glad to have him at the District. He had a conflict and was not able to attend the meeting. The board members asked if Mike might possibly be available at the next regular meeting to be honored.

G. Volunteer recognition: Home Depot and Nugget Market, for their role as major sponsors of the Green Party event on April 26, 2008.

Lowery prefaced this item by stating three recent great events have taken place in a short period of time at the District; the Community Cleanup Day, the Spring Community Garage Sale and the Green Party. He said the event was packed and there have been requests to do this on a bi-annual basis rather than once a year.

Director of Recreation Marni Francisco-Cady gave an update on the Green Party event that was held Saturday, April 26, 2008 at the District. She showed a slide presentation. A plaque was presented to Ellen Monroe of the Home Depot. Home Depot provided a variety of eco friendly products for viewing at the event. Nugget Market supplied lunch food and beverages at the Teen Center on the patio for all staff and volunteers.

Director Rogozinski thanked Marni and staff for putting this event together. He relayed that he along with Director Masters promotes community volunteerism and he stated this event was great to see. He encouraged each and every person in the audience to volunteer. Masters seconded the request.

H. FY 2006-07 Outstanding Financial Reporting Award from the California Society of Municipal Finance Officers.

Lowery stated he was very proud of the Finance staff for having received the award. Four hundred fifty nine items are reviewed in the District's annual financial report and it is a real honor to receive this highly recognized award. Mentioned were former Finance Directors Gene Albaugh, Gerry Tryhane, and Randy Graham, as well as Finance Staff members Sherry Shannon, Lotus Cole, Betty Engelhardt and Wanda Kelly.

Gerry Tryhane was presented the award plaque.

COMMUNITY COMMENT

President Vandegrift welcomed community comment. There was none.

Vandegrift asked the ten Board candidates to stand and be introduced. They were Harold "Hal" Erpenbeck (absent) and Guy Gertsch, Jeff Haberman, Charles "Chuck Hammond", Noelle Mattock, Dorothy Nesbitt, Paula Smith, Al Vargas, Myrlys Stockdale and Rob Vomund.

REVIEW OF WRITTEN COMMUNICATION

None.

PUBLIC HEARING

1. Board Action on the formation and setting of assessment for the North Peninsula Parks Landscaping and Lighting Assessment District #36 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. (*D. Hillyer*)
 - a. Conduct a Public Hearing to accept public comment and receive ballots;
 - b. Adopt Resolution No. 2008-06 accepting the final engineer's report, establishing the North Peninsula Parks Landscaping and Lighting Assessment District #36 and directing auditor of El Dorado County to levy and collect assessments for Fiscal Year 2008-2009, provided a majority vote in favor of the assessment as determined by ballots cast, certified and weighted according to the amount of assessment for each parcel.

Planning Director Dianna Hillyer gave an overview of the public hearing procedures then gave a presentation on the events that lead up to this public hearing.

President Vandegrift opened the public hearing and invited public comment. Comments were received from:

Opposed to the formation of the Landscaping and Lighting Assessment District #36:

Birney Docktor, Lake Hills, not happy as this area was voted down as a park before so why again, stated the economy was in a shambles, why build now?

Nick Agina was adamantly opposed and agrees with Mr. Docktor

Ralph Garamucca, had issue with the assessment calculation method

Ray Matoza, Windsor Park resident, stated the ballot did not look authentic

Other comments:

Paul Raveling, Waterford Homeowner Association President, gave the cost comparisons

Bruce Ramirez, Waterford, asked if there can be a separate vote for just one park if Waterford does not pass

President Vandegrift asked if there was any public comment that was in support of the formation of the landscaping and Lighting Assessment District #36 and those were as follows:

Guy Gertsch appreciates the work the board and staff have done and appreciates an opportunity to vote

Brook Evenchenzy of Windsor Point it would be an attractive feature to have the park completed as it has been a vacant lot the past 5 years

Rob Vomund is in support of the assessment and is happy with the process that has been followed at the CSD with input sought every step of the way and meetings were well attended

Susan Parker of Windsor Point, is in favor of the parks. She stated this has been in the local newspapers and the ballots were official. Her concern is that of a children's safety issue not having sidewalks and adequate passage from school and the neighborhood

Ron DeLaCruz is in agreement with the first 4 or 5 speakers and that an assessment is a financial burden to him as a retiree. He believes vandalism and drinking and car racing at school during the summer months activities will move to new parks and the kids will use park as a hangout

Ms. Evenchenzy said the kids need a safe place to hang out

Al Vargas said you can't have too many parks. He stated he was on the EID board in the past and recalls how area residents wanted the park

President Vandegrift asked if there was any further community comment; hearing none, the public hearing was closed. Dianna Hillyer asked whether there was any written comment received. There was no written comment; Public Hearing was officially closed.

Hillyer then addressed the questions and comments received during the community comment.

There was a half mile service area balloted for the new proposed neighborhood park and a mile service area for the new proposed village park.

Why three parks in a mile area? Standards were adopted by the Board of Directors and were recommended in the Park Master Plan.

Economy – yes the economy is currently poor, and may be a burden on the tax payer. An L & L is a dedicated funding source. All comments directed state it is desirous to have well maintained parks.

Assessment calculations are determined in the final Engineers Report. The report is available on line, from the District website, copies are available at the front table and at the front counter, See page 16 for Zone A \$71.32 per year assessment. See page 15 Zone B 452 homes at \$168.93 per unit, a total of \$240.15 for both parks.

To separate the votes, there can be an individual analysis 453 weighted zones. Board can levy one zone and not the other.

A sample of the envelope containing the ballot was shown.

President Vandegrift called for a last call for ballot submissions. SCI was then authorized to proceed with the counting of the ballots.

COMMUNITY SERVICES DISTRICT CALENDAR

5. May – June 2008 Calendar of District Events and Activities.

General Manager Lowery reviewed highlights on the two months represented on the calendar. A reminder was given that a Special Board Meeting has since been added on May 15, 2008 at 6:30 pm.

CONSENT CALENDAR

Item 11 b. was requested to be pulled for discussion.

Motion No. 2. Director Brilliant moved and Director Rogozinski seconded the motion to approve the consent calendar items with the exception of pulled item 11b. as follows:

3) April 2008 Parks Department Report; 4) April 2008 “The Rec-Check” Recreation Department Report; 5) April 2008 Communications Report Update; 6) First Quarter 2008 Solid Waste Diversion Report; 7) Approve the minutes of April 2, 10, 15, and 30 2008 meetings; 8) Approve Cash Disbursements through April 30, 2008; 9) Approve April 2008 Finance Report; 10) Approve upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs; 11) C&R Citizen Advisory Committee and the Board’s CC&R Committee (Vandegrift/Masters) recommending board approve third and final notice for non compliance: a) David Dias, 3350 Tea Rose, Bass Lake Village, Lot 10; APN: 115-262-021 for failure to restore front yard (lawn); c) David and Rhonda Melendez, 1954 Shelby Circle, Stoneridge Village, Lot 67; APN: 125-465-011 for failure to restore front yard (lawn); and d) David Ross, 9049 Orchid Shade, Bass Lake Village, Lot 115; APN: 116-800-161 for failure to store commercial

vehicle(s) according to the constraints of the CC&Rs for Bass Lake Village.

Motion carried 4-0-1 (Trapani absent).

GENERAL BUSINESS

12. Approve El Dorado Union High School District request that the EDHCSD board adopt Resolution No. 2008-07 El Dorado Hills Community Services District in Support of the El Dorado Union High School District Bond Election.

Lowery went over the El Dorado Union High School District support of Measure Q request and stated the District is in support of all school measures. He introduced Mary Muse, Trustee of the High School District, who further elaborated on Measure Q. She requested support of the Board by adopting a resolution and reached out to the members of the community to vote in favor at the upcoming election.

Motion No. 3. Director Masters moved and Director Rogozinski seconded the motion to Approve El Dorado Union High School District and request that the EDHCSD board adopt Resolution No. 2008-07 El Dorado Hills Community Services District in Support of the El Dorado Union High School District Bond Election. Motion carried 4-0-1 (Trapani absent).

13. Approve proposed master plan revision for Serrano Village “J” Community Park.

Lowery stated that two parks have already been constructed in Serrano and this is the third. He asked Planning Director Dianna Hillyer to overview the proposed revision to the master plan.

Director Masters said he was not in favor of the new proposal and stated some safety concerns.

Director Brilliant stated 82 homes are now in the middle of the Serrano Village “J” Community Park. He is in favor of the Parks and Planning Committee to review this request.

President Vandegrift directed the Parks and Planning Committee to review and make recommendations to the Board. He agreed to sit in on the Parks and Planning Committee to keep the momentum until a new director is appointed.

Director Rogozinski is ok with a Committee Review but re-iterated the continued need for fields.

Andrea Howard of Parker Development Company stated she would like to sit down with the Committee at their meeting tentatively set on May 15th at 10:00 am. Meetings of that committee have been held the 3rd Thursday of every month.

14. Approve contract with Godbe Research to perform a resident survey to assess community priority of Capital Improvement Projects.

Lowery asked Planning Director Dianna Hillyer to review the request to the Board. She went over the sequence of events leading up to this request for a telephonic survey of the residents. She strongly recommends Board support of the survey.

Director Masters asked why the staff was not using the Master Plan.

Director Rogozinski mentioned the void in the Parks and Planning Committee and asked President Vandegrift if he would also review this contract at their meeting tentatively set on May 15th at 10:00 am.

President Vandegrift recommended postponing a decision until after the upcoming election before spending \$26k on the survey. Lowery expressed concern that if delayed until June, it won't make the November election ballot.

15. Receive draft FY 2008-09 Budget and approve budget meetings for May 27 and June 12, 2008.

Director of Finance Allison Hamaker provided the board members and public with copies of a draft FY 2008-09 budget. She stated she wanted them to have a couple weeks to review the draft budget before the scheduled May 27 Special Meeting and invited them to contact her with any questions they may have prior to that meeting. She reminded them that the budget will be on the agenda at the next Regular Board Meeting on June 12 for final approval.

16. Review items pulled from Consent Calendar for action.

Item 11b. CC&R Citizen Advisory Committee and the Board's CC&R Committee (Vandegrift/Masters) recommending board approve third and final notice for non compliance for:

Owner: Eric McCollum

Address: 3877 Yellowstone Lane

Village: Park Village, Unit 2, Lot 41; APN: 107-082-07

Violation: Failure to store inoperable vehicle according to the constraints of the CC&Rs for Park Village Unit 2. Failure to maintain the front yard.

This agenda item was pulled for discussion because Eric McCollum was present to submit some evidence. Assistant General Manager Sandi Kukkola invited Mr. McCollum to the podium to review the evidence he brought before the board to support he is in compliance regarding the inoperable vehicle, as he drove said vehicle to the meeting. He also stated he has asked Cynthia Diez for assistance in recommendations to front yard maintenance, saying he would like to do it right the first time.

Director Masters said it was a homeowner responsibility to maintain property.

Director Rogozinski said to Mr. McCollum that he appreciates his coming in today. Ms. Kukkola said the CSD wants to resolve this issue face to face and invited a meeting or phone call between she and Mr. McCollum. They agreed to do so and will take it offline.

President Vandegrift asked if prior to the General Manager and Director reports there were election results to reveal. SCI Consultant relayed they would need 15 additional minutes to tally the final ballots.

A break was taken while awaiting final ballot count.

GENERAL MANAGER REPORT

There was no report by the General Manager.

BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

1. Director Masters asked for a map to be included with the CC&R violations so that he may drive around and check on the violations prior to the meetings. He also asked that the elapsed time periods on these violations be tightened up.
2. Director Masters commented on the letter received on artificial turf dangers.
3. Director Brilliant asked what has happened to the DRC and CC&R processes.

BALLOT RESULTS

Gerard van Steyn, President of SCI Consulting, announced the results of the ballot count. There were 939 valid ballots returned (valid denotes signed and marked "Yes" or "No"). Eight invalid ballots were returned of 1895 ballots sent out. That is a 50% ballot return rate. Of them, 450 were in support, 489 were in opposition. That is 39 votes short of approving the formation and setting of assessment for the North Peninsula Parks Landscaping and Lighting Assessment District #36 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.

ADJOURNMENT

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

APPROVED: _____
Wm. F. Vandegrift, President
EDHCSD Board of Directors

DATE: _____

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

DATE: _____