

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

September 11, 2008

MINUTES

CLOSED SESSION

President Bill Vandegrift brought the meeting to order on Thursday, September 11, 2008 at 6:10 p.m. Directors Larry Brilliant, Justin Masters, Tony Rogozinski and Rob Vomund were in attendance. Also present were Director of Finance Allison Hamaker, 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 Citizen Advisory Committee recommending filing complaint with El Dorado County Court under California Government Code §54956.9, against (1) John and Sandra Ellis and (2) Tom Reeves for non-compliance of covenants, conditions and restrictions (CC&Rs).**

- C. **Closed session under California Government Code §54957, regarding the appointment, employment, evaluation of performance or dismissal of an employee: General Manager.**

CALL TO ORDER

President Bill Vandegrift brought the regular meeting to order at 7:04 p.m. announcing that the Board had just completed closed session. Directors Larry Brilliant, Justin Masters, Tony Rogozinski and Rob Vomund were in attendance. Also present were Executive Assistant Charlene Ambrose, Recreation Director Marni Francisco-Cady, Assistant General Manager Sandi Kukkola, and General Manager Wayne Lowery. Also present were 2 staff members and 9 members of the public.

ADOPTION OF AGENDA

Motion No. 1. Director Brilliant moved and Director Masters seconded the motion to approve the agenda. Motion carried 5-0-0.

PRESENTATIONS & ANNOUNCEMENTS

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

President Vandegrift reported that the board gave direction to staff regarding real property in the business park and staff was directed to direct counsel to initiate litigation on item B. (1) and (2) regarding the CC&R non-compliance issue. C. No action was taken regarding the General Manager's performance review because time did not permit it.

E. Presentation to Taylor Eilders Recreation Department's 2008 Volunteer of the Year Award.

Recreation Supervisor Whitney Kahn made a presentation to Taylor Eilders as the KydZonE 2008 Volunteer of the Year Award recipient. A plaque from the Board of Directors was presented and another plaque from the KydZonE staff overseeing the volunteer program for her 155 hours of volunteer service in two four week sessions this summer with the shooting star six year old age group. Her parents and grandparents were in attendance. Taylor is only 13 years old and was an attending member of the camp two years prior to volunteering in the program. The board members and the General Manager also extended their congratulations to Taylor.

COMMUNITY COMMENT

President Vandegrift welcomed community comment. None was given.

REVIEW OF WRITTEN COMMUNICATION

1. **Stephen Noe, President and CEO, Sportex, letter dated July 31, 2008: No lead risk to children using synthetic sports turf.**
2. **James Acosta, President, California Special District Association, memorandum dated August 21, 2008: Soliciting volunteers for CSDA committees.**

COMMUNITY SERVICES DISTRICT CALENDAR

3. September – October 2008 Calendar of District Events and Activities.

General Manager Lowery stated the Rededication of Saint Andrews Park to the William McCabe Park will be held Saturday, September 13, 2008 at 11:00 am. Gilmore Senior Center Dedication Ceremony will take place Monday, September 15, 2008 at 12:45 pm. President Vandegrift relayed that he will be attending both events.

CONSENT CALENDAR

Items 12 A and 12 D were requested to be pulled for discussion by Director Brilliant.

Item 11 was requested to be pulled for discussion by Director Masters

President Vandegrift stated that the pulled items will be handled before the general business item because public comment was requested by three attendees regarding their CC&R non-compliance issues.

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

4) August 2008 Parks Department "Operations Report"; 5) August 2008 "The Rec-Check" Recreation Department Report; 6) Saturday Night in the Park (SNITP) Recap; 7) Landscaping & Lighting Assessment District Public Information Booklet; 8) Approve the minutes of August 14 & 28, 2008 meetings; 9) Approve Cash Disbursements through August 31, 2008; 10) Approve upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs; 12) CC&R Citizen Advisory Committee and the Board's CC&R Committee (Masters/Vomund) recommending board approve third and final notice for non compliance to C. Mike and Joan Cross, 3475 Northam Way, Stonegate Village, Lot 301; APN:125-342-191 for failure to maintain the front yard; and E. Shauna Hagan, 3434 Tah Nee Way, Oakridge Village, Lot 40; APN: 121-031-091 for failure to remove the debris and inoperable vehicle from the driveway in the front of the property and store them according to the constraints of the CC&Rs for Oakridge Village.

Motion carried 5-0-0.

14. Review items pulled from Consent Calendar for action.

11) Parks & Planning Committee (Rogozinski/Vandegrift) recommending approval of Promontory Community Park Phase II Contract Change Order No. 001 adding the construction of additional recreation facilities at a cost not to exceed \$57,000.

Director Masters pulled this item because he had questions. Director Rogozinski gave clarification to the items questioned.

Motion No. 3. Director Masters moved and Director Brilliant seconded the motion to approve Promontory Community Park Phase II Contract Change Order No. 001 adding the construction of additional recreation facilities at a cost not to exceed \$57,000.
Motion carried 5-0-0.

12) CC&R Citizen Advisory Committee and the Board's CC&R Committee (Masters/Vomund) recommending board approve third and final notice for non compliance to:

A. Oddvar and Deborah Soma, 2915 Senator Court, Governors Village Unit 8, Lot 10; APN: 125-341-101 for Failure to store vehicles, trailers, boats, machinery and debris according to the constraints of the CC&Rs for Governors Village.

Director Brilliant pulled this item as he feels the violations have been corrected. Assistant General Manager Sandi Kukkola advised that Mr. Soma told the Board CC&R Committee that he will continue to park the vehicles on his front and side yards. She recommends approval of a third and final notice with a caveat to pursue only if he continues to violate the CC&Rs. Director Vomund reviewed the CC&Rs for Governors Village Unit 8 and they clearly disallow parking. Soma has been a seven year plus violator. Director Brilliant's point is that Mr. Soma has made a correction.

Community Comment was received:

Rick Sanne, of Governors Village Unit 8, clarified that his neighbor drives the commercial vehicle on a daily basis but that he is not in violation by parking the commercial vehicle as the CC&Rs state just RV,s trailers or stored vehicles. Kukkola and Vomund gave further clarification on what took place at the CC&R committee meeting.

Motion No. 4. Director Masters moved and Director Vomund seconded the motion to direct legal counsel to send third and final notice of non-compliance only upon violation within the next 12 months of the following CC&Rs for Governors Village Unit 8: 4d, 4j, 9 and 11. Motion carried 5-0-0.

B. Luke Jones, 1000 Hanover Court, St. Andrews Village, Lot 66; APN: 125-62-141 for Failure to submit a Property Improvement Application to the Design Review Committee for landscaping and fencing.

Luke Jones was present at the meeting. Kukkola gave the background to the proposed violation. A metal field fence not approved was removed and replaced with a wood fence which was not submitted for approval to the Design Review Committee. Vomund indicated the Citizens Advisory Committee also had a concern of no landscaping in the front yard.

Mr. Jones provided his input and he was told the Design Review Application fee would double. Director Masters asked questions of Mr. Jones and encouraged fencing. Director Rogozinski thanked Jones for coming in and asked if the Design Review Application fee could be waived so that the funds could be put into the purchase of landscaping out front. GM Lowery stated the District cannot waive the fee as fees cover cost of holding the weekly meetings and legal costs. Jones agreed to submit a property

improvement application. Kukkola recommended he get this in within 60 days and she will work with him on his application. There will be no double fee because the fence was removed.

Motion No. 5. Director Masters moved and Director Rogozinski seconded the motion to direct legal counsel to send third and final notice of non-compliance if no application has been received by the District within 60 days. Motion carried 5-0-0.

D. James and Lynne Jowski, 960 Perkins Court, Governors Village Unit 1, Lot 7; APN: 125-022-07 for Failure to maintain the front yard, fence and paint the exterior of the house.

Jim Jowski was present at the meeting. Kukkola gave the background to the proposed violations. She stated his house is in dire need of paint and there is lumber and debris stored in the driveway. Director Masters asked questions on the CC&R specific violation. Mr. Jowski maintains it has been too hot to paint and that he has cleaned up all but three pieces of lumber on the driveway. He also stated he did not receive a January notice and the first notice he received was the legal notice in April. Director Brilliant suggested Jowski be given 30 days to get the projects completed. President Vandegrift asked why the attorney does not suggest the CSD use certified or registered mail as Kukkola has indicated. Kukkola will get advice from legal counsel.

Motion No. 6. Director Masters moved and Director Brilliant seconded the motion to continue this item to the next regularly scheduled Board Meeting which is October 9, 2008. Motion carried 5-0-0.

GENERAL BUSINESS

13. Administration and Finance Committee (Brilliant/Vandegrift) recommending the board approve relevant Landscaping & Lighting Assessment District (LLAD) meeting topics for this fiscal year and approve a timetable for workshops.

Finance Director Allison Hamaker reviewed the background and details on how the Landscaping & Lighting Assessment District (LLAD) informational manual came to fruition. She reviewed what contents are compiled for each assessment district. President Vandegrift said the document was very well done. Hamaker stated she is proud of it. She said the Administration and Finance committee reviewed the booklet at the recent meeting and the top five issues were in her staff report. She asked the Board members if anything is missing, or needs to be removed. She asked if the proposed dates can be attended by any board members and asked for approval of the list and the dates of the workshops she is suggesting. Questions were entertained and approval was gained. Directors Vomund and Vandegrift each committed to attending one of the workshops.

Motion No. 7. Director Vomund moved and Director Brilliant seconded the motion to approve relevant Landscaping & Lighting Assessment District (LLAD) meeting topics for this fiscal year and approve a timetable for workshops. Motion carried 5-0-0.

GENERAL MANAGER REPORT

1. Special use permit for Promontory Community Park Phase 2 is now moving forward thanks and kudos to Dianna Hillyer on running interference at the County Planning Department.
2. Kent Oakley is working on the RFP for Pool and should have something for the board in November.
3. County Planning Department re-visiting the county ordinance on the LED sign the district wants to install in the EDH Community Park. Current policy may not apply to government agencies.
4. TAZ swim team has submitted a petition with six signatures asking that a pool expansion be included in the five-year Capital Improvement Plan (CIP).
5. This afternoon Allison Hamaker had eight companies respond to the RFP conference for a new financial software program that was approved in this year's budget

BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

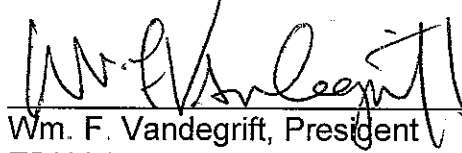
1. Director Masters – asked about the PG&E liquid natural gas demonstration
2. Director Masters – questioned the payment to AirCon; said it seemed high and he asked for a review of costs of repairs that are being done
3. Director Brilliant –challenged Allison Hamaker's projections on growth of 6%; he suggested 0% would be more accurate. Hamaker stated more information will be available at mid-year budget review and an adjustment of budget can be done accordingly. He was not in favor of waiting until mid year.
4. President Vandegrift – none
5. Director Rogozinski – asked about the progress of the HR Analyst recruitment
6. Director Vomund – none

(President Vandegrift departed 8:30 pm)

ADJOURNMENT

Vice President Rogozinski adjourned the meeting at 8:35 pm.

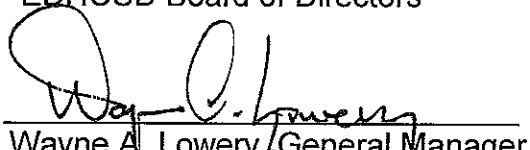
APPROVED:


Wm. F. Vandegrift, President
EDHCSD Board of Directors

DATE:

10-9-2008

ATTEST:


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

DATE:

10-10-2008