

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

February 12, 2009

MINUTES

CLOSED SESSION

President Tony Rogozinski brought the meeting to order on Thursday, February 12, 2009 at 6:01 p.m. Directors Guy Gertsch, Noelle Mattock, Justin Masters, and Bill Vandegrift were in attendance. Also present were Assistant General Manager Sandi Kukkola, and General Manager Wayne Lowery along with Lindsay Anderson, Erin Holbrook and Bob Thurbon from Legal Counsel.

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

A. Closed session under California Government Code §54957, regarding CC&R litigation.

Owner: Thomas Brown – 3rd and final sent November 18, 2008

Address: 682 Platt Circle

Village: Crescent Ridge Village, Lot 16; APN: 120-462-061

Violation: Failure to maintain the front yard landscape. Failure to store the inoperable vehicle according to the constraints of the CC&Rs for Crescent Ridge Village

Owner: Mike and Joan Cross – 3rd and Final sent September 15, 2008. Agreed to re-landscape; No progress as of January 26, 2009

Address: 3475 Northam Way

Village: Stonegate Village, Lot 301; APN:125-342-191

Violation: Failure to maintain the front yard

Owner: Tuan Dang - 3rd and final sent November 14, 2008

Address: 4078 Samuel Way

Village: Laurel Oaks, Lot 13; APN: 119-350-101

Violation: Failure to maintain the front, side and rear yard landscape to bring it up to a standard that is in conformity and harmony with the surrounding development.

Owner: David Gutierrez - 3rd and final sent November 14, 2008

Address: 981 King Henry

Village: Crown Village, Unit 1, Lot 134; APN: 125-202-091

Violation: Failure to remove the tarps and building materials. Failure to submit an extension request to the DRC for to improvements to the exterior of the residence.

Owner: Luke Jones – 3rd and Final Approved if property improvement application is not submitted to DRC by November 11, 2008 (60 days from 9/11/08); 3rd and final sent December 2, 2008

Address: 1000 Hanover Court

Village: St. Andrews Village, Lot 66; APN: 125-62-141

Violation: Failure to submit a Property Improvement Application to the Design Review Committee for landscaping and fencing

Owner: John Lewellen – 3rd and final sent on April 15, 2008 for fence maintenance. Weed abatement complete. Yard maintenance not required in CC&Rs

Address: 2991 Latham Lane

Village: Governors Village, Unit 1, Lot 17; APN: 125-022-71

Violation: Failure to maintain the front yard and fence

Owner: Scott Zito – 3rd and final sent November 14, 2008

Address: 4091 Brisbane Circle

Village: Stonegate Village, Lot 264, APN: 125-381-051

Violation: Failure to submit a Property Improvement Application to the Design Review Committee for the columns erected in the backyard.

- B. §54956.9, conference with legal counsel regarding pending litigation in the case of El Dorado Hills Community Services District v. Tom Reeves.

CALL TO ORDER

President Tony Rogozinski brought the regular meeting to order on Thursday, February 12, 2009 at 7:00 p.m. after having announced the board had just completed closed session. Directors Guy Gertsch, Noelle Mattock, Justin Masters, and Bill Vandegriff were in attendance. Also present were Executive Assistant Charlene Ambrose, Finance Director Allison Hamaker, Planning Director Dianna Hillyer, Assistant General Manager Sandi Kukkola, General Manager Wayne Lowery and Legal Counsel Bob Thurbon. Also present were 9 staff and 20 members of the public.

ADOPTION OF AGENDA

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

PRESENTATIONS & ANNOUNCEMENTS

C. President Rogozinski reported that, in closed session, the board gave staff and legal counsel direction to proceed.

D. **John Thompson**, President, Bass Lake Action Committee: Bass Lake Village Landscaping & Lighting Assessment District Zone B.

Mr. Thompson was not able to attend the meeting.

E. Recognize **Romeo Barnuevo**, Maintenance Worker, and **Earl Kreger**, Maintenance Worker, for 10 Years of Service to El Dorado Hills Community Services District.

Parks Supervisor Ed Lenger gave the presentation. Each were presented with a Ten-Year Service pin. Regarding Earl Kreger, Lenger's comments were that Kreger is his right arm on pool operations. He also stated his record-keeping is to perfection and complimented him on high energy. Kreger remarked that he appreciates the honor or recognition. Says he enjoys working at the CSD as the staff is close knit like a family.

Regarding Romeo Barnuevo, Lenger's comments were that Barnuevo works the night shift and is overall responsible for the maintenance of the gym and Community Activities Building (CAB). He stated that Barnuevo gives 100% consistently. Barnuevo thanked the board and his supervisor for the great opportunity, the great honor of being recognized. Lowery and Director Vandegrift thanked both staff members for their service.

COMMUNITY COMMENT

President Rogozinski welcomed community comment. None was given.

REVIEW OF WRITTEN COMMUNICATION

None.

COMMUNITY SERVICES DISTRICT CALENDAR

1. February/March 2009 Calendar of District Events and Activities.

General Manager Lowery reviewed the calendar in detail, with changes and additions noted. The Senior Valentine's luncheon was highlighted.

CONSENT CALENDAR

Assistant General Manager noted that Mark Hester under Item 16 third and final notices is resolved and can be struck from the consent calendar listing.

Director Mattock requested that item 9 be pulled for discussion. Director Gertsch requested that item 13 be pulled for discussion and Director Masters requested items 6, 8 and 12 be pulled for discussion.

Motion No. 2. Director Vandegrift moved and Director Gertsch seconded the motion to approve the consent calendar excluding items 6, 8, 9, 12 and 13 as follows. In item 16 Mark Hester was removed as this CC&R violation is resolved.:

2) January 2008 "The Rec-Check" Recreation Department Report; 3) 2008 Calendar Year CC&R Enforcement Report; 4) December 31, 2008 Treasury Report; 5) Approve the minutes of January 7, 14 & 29, 2009 meetings; 7) Approve Cash Disbursements through January 31, 2009; 10) Administration & Finance Committee (Rogozinski/Vandegrift) recommending approval of rewording District Inventory Policy #3300 to incorporate language in policy #3290.12; 11) Approve Resolution 2009-03 Approving the FY 2009-10 Contract with SCI Consulting Group in the Amount of \$21,745 and up to \$850 for Customary Out-of-Pocket Expenses to Prepare the Annual Engineer's Report for the Landscaping and Lighting Districts #1 through #34 and CC&R Assessments; 14) Allocate Proposition 40 grant funds to Deputy Jeff Mitchell Field Renovation Project, in the amount of \$31,790.69; 15) CC&R Citizen Advisory Committee recommending the Board appoints Laura Kopp, Oakridge Village, to the Citizen's Advisory Committee; 16) CC&R Citizen Advisory Committee recommending board approve third and final notice for non compliance: Amtrust Bank, 4164 Hensley Circle, Governors West, Lot 70, APN: 125-511-041 for failure to maintain the front yard; Robert and Heidi Endsley, 2511 Kennedy Place, Fairchild Village, Lot 247, APN: 125-721-061 for failure to restore and maintain front yard landscaping and failure to repair window screens and failure to paint the exterior of the residence; Christopher and Dorothy O'Banks, 3086 Latham Lane, Governors Village Unit 5, Lot 196; APN: 107-321-011 for failure to maintain front yard. Failure to store recreational vehicles and debris according to the constraints of the CC&Rs for Governors Village Unit 5; Wells Fargo Bank NA, 417 Basil, Bass Lake Village Units 6-14, APN: 115-330-191 for failure to maintain front, side and rear yards. Motion carried 5-0-0.

GENERAL BUSINESS

17. Review and direct staff on funding alternatives for priority capital improvement projects including (a) Lake Forest Park, (b) Harvard Way Parking Lot, and (c) El Dorado Hills Community Park Aquatics Center.

Finance Director Allison Hamaker gave a report on the January 7, 2009 Special Board Meeting where the top three projects were identified. She went through funding alternatives for these projects. Questions of board members were entertained. Contingency was defined.

No action was necessary as this was a discussion. Lowery gave an overview as well.

12) Parks & Planning Committee (Gertsch/Vandegrift) recommending approval of Memorandum of Understanding Between the El Dorado Hills Community Services District and Roebbelen Construction Management Services, Inc. regarding donated construction management services for the El Dorado Hills Community charitable project commonly known as the Deputy Jeff Mitchell Project.

General Manager Wayne Lowery asked that this item go ahead of the other General Business items because the Legal Counsel Bob Thurbon is present to make a legal recommendation.

Thurbon reviewed language in the Memorandum of Understanding and clarified questions the board members had on the interpretation. As for the timing of this project, March 21, 2009 is the scheduled groundbreaking with plans to complete the project by mid-summer. Authorization to proceed with the project will be on the March 12, 2009 Regular Board Meeting agenda.

Motion No. 3. Director moved and Director seconded the motion to approve Memorandum of Understanding Between the El Dorado Hills Community Services District and Roebbelen Construction Management Services, Inc. regarding donated construction management services for the El Dorado Hills Community charitable project commonly known as the Deputy Jeff Mitchell Project. Motion carried 5-0-0.

18. Parks and Planning Committee (Vandegrift/Gertsch) recommending Board confirm design of Lake Forest Village Park prior to preparation of Engineer's Report.

Planning Director Dianna Hillyer gave background information on the park planning. The board was given 3 options for park design concepts by the Parks and Planning Committee and upon review, Concept "D" was selected. President Rogozinski thanked the residents and committee attendees for the work.

Public Comment was requested and given by:

Jim Scholl/Lake Forest – concern as to tennis court location in proximity to his home

Pat Honeycutt/Waterford – concern as to tennis court location

Bruce Ramirez/Waterford – positive comments and thanks for board listening to residents

Lori Ramirez/Waterford – likes Concept "D" and 500 people are now on the email list

Paul Raveling/Waterford/Waterford Owners Association –concern of tennis court noise and asked for representation at the Waterford Board Meeting for their input

Bill Stroebel/Waterford – happy

Gabriele Guest/Waterford – loves Concept "D" and says it accommodates all age groups

Dan Francisco/Waterford – commended board and staff, residents support Concept "D"

Stephanie Guest/Waterford – tennis is a quiet game, wants the tennis courts and her friend wants the volleyball court

Board comments were as follows:

Director Gertsch commended Dianna Hillyer and her team, the public and he is very happy with Concept "D"

Director Vandegrift thanked everyone for their comments and said the force of many has come together

Director Mattock echoes all the comments that have been made by the directors

President Rogozinski stated the public spoke and we listened. He commended the community for collaborating.

Lowery remarked that the Lake Forest Park is a good example of a park that is not a sports field. Rogozinski recommends Concept "D" and Dianna Hillyer recommends adoption of Concept "D" in total to use as a basis for the park design in preparation of an Engineer's Report.

Motion No. 4. Director Vandegrift moved and Director Gertsch seconded the motion to adopt Lake Forest Village Park design alternative D in total. Motion carried 5-0-0.

19. Parks and Planning Committee (Vandegrift/Gertsch) recommending Board adopt Resolution No. 2009-04 Initiating the Proceedings for Formation of Lake Forest Park Landscaping and Lighting Assessment District #36 and Ordering the Preparation of the Engineer's Report.

Planning Director Dianna Hillyer reviewed the item and gave background. A resolution is needed to initiate the proceedings for formation of Lake Forest Park Landscaping and Lighting Assessment District #36 and ordering the preparation of the Engineer's Report.

Public comment was given by Jim Scholl.

Motion No. 5. Director Masters moved and Director Mattock seconded the motion to adopt Resolution No. 2009-04 Initiating the Proceedings for Formation of Lake Forest Park Landscaping and Lighting Assessment District #36 and Ordering the Preparation of the Engineer's Report. Motion carried 5-0-0.

20. Parks and Planning Committee (Vandegrift/Gertsch) recommending Board select El Dorado Hills Community Park as the preferred location for an off-leash dog park, Bertelsen Park as a second alternative site and direct staff to prepare necessary applications for county permits.

Planning Director Dianna Hillyer reviewed the item and gave background. A survey to assess resident attitudes towards a dog park at El Dorado Hills Community Park and at

Bertelsen Village Park was conducted. The survey revealed a preference for El Dorado Hills Community Park. Input by residents was also sent in via emails.

Community Comment was as follows:

Holly Morrison, the New President of El Dorado Dog Owners Guild (EDDOG) was present and admittedly not as many people were surveyed near Bertelsen Park.

Vic Walker doesn't want the dog park at Bertelsen

President Rogozinski asked for clarification of the expectation of EDDOG support for the project.

Director Masters stated his reasons for being against Bertelsen Park and said not a lot of community input was requested for that site.

Board comments were also heard as follows:

Director Gertsch who sits on the Parks and Planning Committee recommended choosing El Dorado Hills Community Park and tabling the secondary site of Bertelsen Park. Perhaps more research can be conducted on a secondary site somewhere down the road.

Director Vandegrift echoed Gertsch's comments with identifying El Dorado Hills Community Park as park of choice and doing additional research on a secondary site. He also urged EDDOG to move forward with raising financing to fund the construction of a dog park facility.

Director Mattock suggested going forward with El Dorado Hills Community Park in order for EDDOG to move forward with financing efforts.

Director Masters is in favor of El Dorado Hills Community Park as park of choice.

Motion No. 6. Director Vandegrift moved and Director Gertsch seconded the motion to select the El Dorado Hills Community Park as the preferred location for an off-leash dog park. Consideration of Bertelsen Park as a dog park site was tabled. Staff was directed to conduct no further work until funding or a plan is presented to the District. Motion carried 5-0-0.

21. Receive Presentation of the District's updated Ten-Year Financial Forecast.

Finance Director Allison Hamaker recently updated the District's Ten-Year Financial Forecast using the audited financials replacing the 2008 estimate. Also taken into consideration were the OPEB contribution and the Bass Lake B refunds.

No action was requested.

22. Review items pulled from Consent Calendar for action.

6) Approve January 31, 2009 Finance Report.

Director Masters pulled the item as he had concerns on the miscellaneous. Finance Director Allison Hamaker clarified the items as the coping stones needed for pool repair

and that a special mold had to be made; also the pool inspection and the Deputy Jeff Mitchell Field donation placeholder.

Motion No. 7. Director Mattock moved and Director Gertsch seconded the motion to approve January 31, 2009 Finance Report. Motion carried 5-0-0.

8) Approve upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs.

Director Masters pulled the item but then realized the stipend payments this month are for January not February meetings attended.

Motion No. 8. Director Gertsch moved and Director Mattock seconded the motion to approve upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs. Motion carried 5-0-0.

9) Administration & Finance Committee (Rogozinski/Vandegrift) recommending approval of Mid-year Adjustment for FY 2008-09 General Fund Budget.

Director Mattock pulled the item for discussion. She requested Hamaker to continue working with staff to gain clarification on revisions versus expenses. The approval of the updated 2008-09 budget will be tabled until the March 12, 2009 Regular board meeting.

13) Approve contract with NTD Architecture for design services for the Community Park Aquatic Center, in an amount not to exceed \$47,500.

Director Gertsch stated his concern was to make sure this is the best price possible and best use of taxpayer's money is being spent. He would like to see options rather than simply using NTD Architecture for the design services. Hillyer said the District has a contract for design services with NTD Architecture that was recently approved by the Board and that they recently completed the facility audit so they are familiar with the facility.

Motion No. 9. Director Mattock moved and Director Vandegrift seconded the motion to approve contract with NTD Architecture for design services for the Community Park Aquatic Center, in an amount not to exceed \$47,500. Motion carried 5-0-0.

GENERAL MANAGER REPORT

(a) Requested direction on providing food for early board meetings; (b) Cameron Park CSD community center ribbon cutting is February 21; 2009 (c) Rotary Crab feed to raise

\$100K for Deputy Jeff Mitchell Field. He is requesting board participation on February 28, 2009.

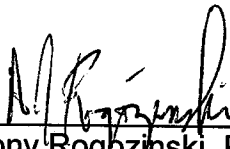
BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

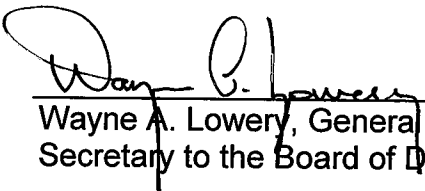
Directors Mattock, Vandegrift, Gertsch, and Rogozinski: Thanks to staff for job well done.

Director Masters: (a) would like response on review of phone costs; (b) are there other maintenance options besides Sun World; (c) Could we force employee vacations to reduce the \$127K in Compensated Absences of budget, (d) Would like to see a review of non-resident fees; and (e) if DRC to receive an annual lunch in appreciation of services, all committees should be treated the same including the CAC.

ADJOURNMENT

President Rogozinski adjourned the meeting at 10:16 pm.

APPROVED:  DATE: 3/12/09
Tony Rogozinski, President
EDHCSD Board of Directors

ATTEST:  DATE: 3-13-2009
Wayne A. Lowery, General Manager
Secretary to the Board of Directors