

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

April 9, 2009

MINUTES

CLOSED SESSION

President Tony Rogozinski brought the meeting to order on Thursday, April 9, 2009 at 6:35 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. Jackie McHaney was present as the 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 in the case of El Dorado Hills Community Services District v. Reeves.

B. 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/or all unrepresented employees.

CALL TO ORDER

President Tony Rogozinski brought the regular meeting to order on Thursday, April 9, 2009 at 7:07 p.m. after having announced the board had just completed closed session. Directors Guy Gertsch, Noelle Mattock, Justin Masters, and Bill Vandegrift were in attendance. Also present were Executive Assistant Charlene Ambrose, Finance Director Allison Hamaker, Planning Director Dianna Hillyer, Assistant General Manager Sandi Kukkola, and General Manager Wayne Lowery. Also present were 3 staff and 8 members of the public.

ADOPTION OF AGENDA

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

PRESENTATIONS & ANNOUNCEMENTS

C. President's report of Closed Session Board action.

President Rogozinski announced that staff and legal counsel were provided direction on closed session items.

D. Recognition of Whitney Ewing, Recreation Supervisor, and Marni Francisco-Cady, Recreation Director, for five years of service.

Recreation Director Marni Francisco-Cady recognized Whitney Ewing Kahn for five years of service. Ms. Kahn was presented with a five-year service pin. Francisco-Cady said that Kahn is a beaming light that adds so much to this community. Assistant General Manager Sandi Kukkola added that Kahn is passionate, loves what she does and has lots of energy.

General Manager Wayne Lowery recognized Marni Francisco-Cady for five years of service. Francisco-Cady was presented with a five-year service pin. Lowery stated that Francisco-Cady is passionate, enthusiastic and dedicated. He thinks she has an awesome staff and that El Dorado Hills CSD Recreation Department has the best programs in the state. He also gave thanks to the team.

President Rogozinski also thanked both the staff members and asked them to keep up the outstanding work. Director Vandegrift said that he thinks the concert series is awesome. Rogozinski concurred.

E. Third Quarter Balanced Scorecard report by General Manager Wayne Lowery.

General Manager Wayne Lowery reviewed the projects on the Balanced Scorecard and their third quarter status.

F. Thurbon-McHaney, L.P., review of 2009 legislative changes to the Ralph M. Brown (Open Meeting) Act.

Legal Counsel Jackie McHaney reviewed changes to the Ralph M. Brown (Open Meeting Act) that went into place January 1, 2009. The most significant changes are board communications. 1. The board members cannot have any serial communication on any matter. 2. Limitations have been made to communications, particularly via email. It was suggested that the General Manager be utilized as guardian of the communications via email. 3. Documents that are made available to the board members must be made available to the public at the same time.

COMMUNITY COMMENT

President Rogozinski welcomed community comment.

a. Michael Piroto – asked Board to direct staff to proactively remove unauthorized signage on CSD property or in calling DOT or CalTrans. He was encouraged to do the same.

b. Holly Morrison/EDDOG - provided update since last board meeting. Asked for support through emails to cpdogpark@yahoo.com.

c. Chad Guest/Waterford – Suggested CSD website provide guidelines for communicating to the Board that is Brown Act appropriate.

REVIEW OF WRITTEN COMMUNICATION

None

COMMUNITY SERVICES DISTRICT CALENDAR

1. April/May 2009 Calendar of District Events and Activities.

General Manager Lowery reviewed the calendar in detail, with changes and additions noted. Highlights were the egg hunts in April and the Community Clean Up and Garage Sale events in May as well as “Green Party” in May.

CONSENT CALENDAR

Lowery recommended that **Item 10) Administration and Finance Committee Recommends the Board of Directors approve modifications to Policy Series 4000 Board of Directors and Series 5000 Board meetings;** be continued for further input from Legal Counsel.

Director Masters requested **item 7) Approve upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs** be pulled for discussion.

Director Mattock requested that items **6) The Administration and Finance Committee (Rogozinski/Vandegrift) Recommends the Board of Directors change the District Investment Policy to increase the amount that can be invested in an institution from \$250,000 to \$500,000, and to allow unlimited investment in collateralized bank deposits; and 8) Administration and Finance Committee Recommending approval of a purchase of 2009 Chevrolet crew cab pickup truck in the amount of \$25,934 from Coalinga Chevy under a CMAS agreement (California Multiple Award Schedule)** be pulled for discussion.

Motion No. 2. Director Masters moved and Director Vandegrift seconded the motion to approve the consent calendar with exceptions of items 6, 7, 8 and 10.

2) March 2009 “The Rec-Check” Recreation Department Report; 3) Minutes of March 12, and March 21, 2009 meetings; 4) Approve February 28, 2009 Finance Report; 5) Approve Cash Disbursements through March 31, 2009; 9) Receive report on

Community Activities Building Energy Efficiency Study and direct staff to evaluate recommendations and funding options for inclusion in the FY 2010 Budget; 11) Cindy McCray, DRC alternate member, to replace Myrlys Stockdale as standing member of the Design Review Committee. Motion carried 5-0-0.

GENERAL BUSINESS

12. Parks & Planning Committee (Gertsch/Vandegrift) recommending approval of Resolution No. 2009-06 Approving the Preliminary Engineer's Report, Declaring Its Intention to Levy FY 2009-2010 Assessment in Lake Forest Park Landscape & Lighting Assessment District #36 and Notice of Public Hearing, in Accordance with the Streets and Highways Code Section 22624.

Planning Director Dianna Hillyer gave the background to the agenda item. She relayed that there have been two Parks & Planning Committee meetings since the last regular board meeting and the Committee recommends that the Board conduct a special workshop to discuss Landscape & lighting Assessment Districts (LLADs). She feels the District has been consistent in the methodology used in establishment of LLADs.

Three options for assessment were presented. Hillyer recommended the Public Hearing be opened at the beginning of the June 11th Board Meeting so that the ballot count can be concluded by the end of the meeting.

Director Vandegrift added that contract reviews are conducted.

Community comment was as follows:

Jim Scholl/Waterford – says he has a minority opinion (being against park development) and was not happy with the apartment inclusion in the last vote.

Ralph Caravaca – asked for a copy of the approved park concept.

Rob Vomund – is a Lake Forest Park supporter and recommends adopting the \$59.72 maximum assessment option. He also believes the apartment complex issue is more accurate and reflective of benefit allocation.

Lowery explained the apartment complex issue and the differences in the first vote to the upcoming vote. A sample of the ballot was shown by Hillyer.

Motion No. 3. Director Vandegrift moved and Director Gertsch seconded the motion to adopt Resolution No. 2009-06 Approving the Preliminary Engineer's Report, Amending maximum assessment to \$59.72 maximum assessment and first year assessment \$16.15. Declaring Its Intention to Levy FY 2009-

2010 Assessment in Lake Forest Park Landscape & Lighting Assessment District #36 and Notice of Public Hearing, in Accordance with the Streets and Highways Code Section 22624. Motion carried 5-0-0.

13. Parks & Planning Committee (Gertsch/Vandegrift) recommending approval of an updated master plan for Oak Knoll Park.

Planning Director Dianna Hillyer gave the background to the agenda item. She stated the newest master plan proposes demolition of the Oak Knoll Park pool and expansion of the patio area where the pool is. The plan includes a basketball court overlay on the patio. The Parks and Planning Committee recommends the Board adopt the new master plan of the park. There is no fiscal impact at this time.

Board comments were as follows:

President Rogozinski wanted confirmation that approval of the update master plan bears no commitment. Hillyer said the updated master plan gives it CIP inclusion for the next five years and adopting the updated master plan suggests agreement in demolition of the pool.

Director Mattock expressed concern that at the Oak Knoll public workshop half the residents wanted the pool to stay and half the residents wanted the pool to go. She thought that the residents should have the final say so.

There were no Public Comments when solicited.

Motion No. 4. Director Vandegrift moved and Director Masters seconded the motion to approve an updated master plan for Oak Knoll Park. Motion carried 4-1-0 (Mattock No).

14. The Administration and Finance Committee (Rogozinski/Vandegrift) recommends approval of Mid-year Adjustment of FY 2008-09 General Fund Budget. (Continued February 12, 2009 Agenda Item No. 9 and March 12 Agenda Item No. 14)

Finance Director Allison Hamaker asked the Board whether they prefer to adopt the Mid-year adjustment of the FY 2009-09 General Fund Budget or whether they prefer to stick with the original annual budget. Lowery clarified that adoption of the mid-year adjustment is to accept the budget cuts and move forward in the direction of the proposed cuts. Director Vandegrift applauded the department heads, especially Parks Director Kent Oakley, for cuts to the adjusted budget.

There were no Public Comments when solicited.

Motion No. 5. Director Masters moved and Director Gertsch seconded the motion to approve the Mid-year Adjustment of FY 2008-09 General Fund Budget. Motion carried 5-0-0.

Hamaker said that sacrifices were made to adjust the budget and she appreciates the direction from the board to initiate the budget cuts and appreciates the department heads for doing so.

15. Nominate candidate for the Special District Risk Management Authority Board of Directors (SDRMA) and Adopt Resolution No. 2009-07 nominating TBD as a candidate for election to the Special District Risk Management Authority Board of Directors.

The Board members and staff will consider a nominee; none were suggested at this time. The deadline is June 10 so if someone has a suggestion it can be added to the May Regular Board Meeting agenda. Director Mattock asked if Finance Director Allison Hamaker might be interested to which Hamaker stated she would consider it.

16. Nominate candidate for the Local Agency Formation Commission (LAFCo) Special District Representative.

Director Mattock recommended nominating Harris Norris, El Dorado Irrigation District, for the LAFCo Special District representative.

Motion No. 6. Director Gertsch moved and Director Masters seconded the motion to nominate Harry Norris for the Local Agency Formation Commission (LAFCo) Special District Representative. Motion carried 5-0-0.

17. Review items pulled from Consent Calendar for action.

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

Director Masters requested be pulled for discussion as he questioned the CC&R Citizen's Advisory Committee Meeting on March 30. He also asked about the truck purchase review in the Administration and Finance Committee meeting notes.

Motion No. 7. Director Masters moved and Director Gertsch 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.

6) The Administration and Finance Committee (Rogozinski/Vandegrift) Recommends the Board of Directors change the District Investment Policy to

increase the amount that can be invested in an institution from \$250,000 to \$500,000, and to allow unlimited investment in collateralized bank deposits;

Director Mattock requested that item be pulled for discussion as she is unfamiliar with collateralization. Hamaker defined collateralization which means that liquid assets are set aside at 110% of the District's investment, and the funds will be paid out before any other if the bank fails. Hamaker urges passing of the policy change.

Director Mattock also mentioned a security issue of separation of power and is satisfied with the procedure of the General Manager being the only person to authorize wire transfers, with the Assistant General Manager being authorized in his absence. Mattock asked why the urgency to pass this policy change today. President Rogozinski recommended the Administration and Finance Committee further research this item. And, it was agreed to hold a Board Study Session. Rogozinski asked the board members to send input to Hamaker.

8) Administration and Finance Committee Recommending approval of a purchase of 2009 Chevrolet crew cab pickup truck in the amount of \$25,934 from Coalinga Chevy under a CMAS agreement (California Multiple Award Schedule)

Director Mattock requested that this be pulled, citing a conflict between information in the board packets. When it was explained that the Parks staff gave detailed justification to the Administration and Finance Committee on the fleet of vehicles, there were no further questions. Mattock suggested that the board be provided a little more information on what was reviewed in committee meetings in order to base their decisions.

Motion No. 8. Director Gertsch moved and Director Vandegrift seconded the motion to approve of a purchase of 2009 Chevrolet crew cab pickup truck in the amount of \$25,934 from Coalinga Chevy under a CMAS agreement (California Multiple Award Schedule). Motion carried 5-0-0.

GENERAL MANAGER COMMENTS

1. Update on status of Bass Lake B LLAD refunds was given.
2. BARD made a request for public records regarding asbestos.
3. Serrano Village J update was given.
4. PG&E liquid natural gas presentation, asked how to proceed. Parks & Planning to re-review.
5. County Assessors have advised CSD that growth is expected to flat line.
6. Asked for preference on board packets. Decision is to go back to board binders for all rather than CDs.

BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

Director Masters – none

Director Vandegrift - He is participating in two events on April 14th: Brain Gain class at Senior Center and Kidney Foundation walk in Town Center.

Director Mattock - 1. Thanked everyone for bringing the mid-year budget adjustments in line as it will help down the line. 2. Reminder Appointments Training is April 20th.

Director Gertsch – asked Board to hold a Special Board Meeting regarding review of information on Community pool modernization.

President Rogozinski – Will send Board and Cabinet members request for input to General Manager's upcoming performance review with a deadline of April 30th for input back to him.

ADJOURNMENT

President Rogozinski adjourned the meeting at 10:30 pm.

APPROVED: _____ **DATE:** _____
Tony Rogozinski, President
EDHCSD Board of Directors

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