

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

**May 14, 2009**

**MINUTES**

**CLOSED SESSION**

President Tony Rogozinski brought the meeting to order on Thursday, May 14, 2009 at 6:45 p.m. Directors Guy Gertsch, Noelle Mattock, and Justin Masters, were in attendance. Director Bill Vandegrift was absent. Also present was General Manager Wayne Lowery.

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.

**Closed session to meet with District General Counsel under California Government Code §54957 regarding CC&R litigation in the case of El Dorado Hills Community Services District vs. Newman.**

**CALL TO ORDER**

President Tony Rogozinski brought the regular meeting to order on Thursday, May 14, 2009 at 7:00 p.m. after having announced the board had just completed closed session. Directors Guy Gertsch, Noelle Mattock, and Justin Masters were in attendance. Director Bill Vandegrift was absent. Also present were Executive Assistant Charlene Ambrose, Finance Director Allison Hamaker, Planning Director Dianna Hillyer, General Manager Wayne Lowery, Parks Director Kent Oakley and Staff Accountant Sherry Shannon. Also present were 5 staff and 2 members of the public.

**ADOPTION OF AGENDA**

General Manager Wayne Lowery asked that item 14 **District Policy Series 4000 Board of Directors and Series 5000 Board meetings** be continued to the June 11, 2009 Regular Board Meeting.

**Motion No. 1. Director Gertsch moved and Director Vandegrift seconded the motion to approve the agenda with item 14 continued to June 11, 2009. Motion carried 4-0-1 (Vandegrift absent).**

**PRESENTATIONS & ANNOUNCEMENTS**

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

President Rogozinski announced that staff and legal counsel were provided direction to proceed on closed session item of a CC&R violation.

### **COMMUNITY COMMENT**

President Rogozinski welcomed community comment.

Holly Morrison/President EDDOG – gave an update on fundraising and handed out flyers on the sale of memorial bricks for the Dog Park projects in Cameron Park and El Dorado Hills. Director Mattock expressed concern of a “cemetery” feel. Parks and Planning Committee will review at the May 21, 2009 regular meeting to approve before EDDOG starts the promotion. President Rogozinski asked for review of district policies for memorials and similar projects to be on the agenda as well.

### **REVIEW OF WRITTEN COMMUNICATION**

1. **John Knight, Board of Supervisors—District 1, El Dorado County, 330 Fair Lane, Placerville, CA 95667, letter received April 14, 2009: Congratulations to District for California Park & Recreation Society Award of Excellence.**

### **COMMUNITY SERVICES DISTRICT CALENDAR**

2. **May/June 2009 Calendar of District Events and Activities.**

General Manager Lowery reviewed the calendar in detail, with changes and additions noted. Highlights were the Special Election on Tuesday, May 19, First Concert in the Park series on Friday, May 22, the pancake breakfast and Fallen Heroes Memorial Ride on Saturday, May 23, and the Open House on Saturday, May 30, 2009.

### **CONSENT CALENDAR**

Director Mattock requested that items 5 and 15A be pulled for discussion.

**Motion No. 2. Director Masters moved and Director Gertsch seconded the motion to approve the consent calendar with exceptions of items 5 and 15A.**

- 3) **March/April 2009 Parks Department “Operations Report”;**
- 4) **First Quarter (January-March 2009) Solid Waste Diversion Report;**
- 6) **Approve March 31, 2009 Finance Report;**
- 7) **Approve Cash Disbursements through April 30, 2009;**
- 8) **Third Quarter Treasury Report;**
- 9) **Agreement with Larry Bain, CPA, for fiscal year 2008-09 audit services;**
- 10) **upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs;**
- 11) **Adoption of Resolution No. 2009-07 nominating Allison**

**Hamaker as a candidate for election to the Special District Risk Management Authority Board of Directors; 12) Proposed amendment to the California Special District Association bylaws; 13) RFE Engineering for District's pre-qualified bidders list; 14) Administration and Finance Committee (Rogozinski/Vandegrift) recommendation to approve modifications to District Policy Series 4000 Board of Directors and Series 5000 Board meetings; 15) The El Dorado Hills CC&R Citizens Advisory Committee and the Board CC&R Oversight Committee recommendations to authorize staff to direct Legal Counsel to send Third/Final Notice of non-compliance to: B. Owner: Kenlan and Patti Mitzutani, Site:1864 Alburn Place, Village: Stonegate Village, Lot 256, APN 125-440-281, Violation: Failure to maintain front yard. Motion carried 4-0-1 (Vandegrift absent).**

### **GENERAL BUSINESS**

#### **16. Adopt specified fund budgets for fiscal year 2009-2010:**

- a. **Adopt preliminary General Fund budget for fiscal year 2009-2010 and schedule June 11, 2009 to adopt the final FY 2009-2010 budget.**
- b. **Adopt Resolution No. 2009-08 accepting, filing and approving Preliminary Engineer's report for budgets and assessments for the Landscaping and Lighting Assessment District for Fiscal Year 2009-10 and setting a Public Hearing for June 11, 2009 on the Fiscal Year 2009-10 annual assessments.**
- c. **Parks & Planning Committee (Gertsch/Vandegrift) recommending approval of the five-year Capital Improvement Program.**
- d. **Adopt preliminary CC&R Fund budget for fiscal year 2009-2010 and Adopt preliminary budget for fiscal year 2009-2010 and schedule June 11, 2009 to adopt the final FY 2009-2010 budget.**

Finance Director Allison Hamaker provided a detailed overview of each of the budget areas. An opportunity was given to the public and to the board members to ask questions, and input was solicited on what the board would like to see included or taken out of the preliminary budgets.

Community comment was as follows:

Jim Scholl/Lake Forest asked what happens to funds if they are directed for a particular project and that project is delayed or put on hold; i.e. Lake Forest Park. The response was that the funds would get re-distributed to other projects.

It was decided to hold a Special Board Meeting budget workshop on either June 1 or 2 and that will be set up as soon as possible.

Director Mattock relayed that she is abstaining from voting on Resolution No. 2009-08.

**Motion No. 3.** President Rogozinski moved and Director Masters seconded the motion to Adopt Resolution No. 2009-08 accepting, filing and approving Preliminary Engineer's report for budgets and assessments for the Landscaping and Lighting Assessment District for Fiscal Year 2009-10 and setting a Public Hearing for June 11, 2009 on the Fiscal Year 2009-10 annual assessments with the following modifications to assessments: Highland Hills \$399.00 (from \$299.00) and Francisco Oaks \$250.00 (from \$183.00) from what was presented. Motion carried 3-0-1-1 (Mattock abstained, Vandegrift absent).

Items a., c., and d. were not adopted at this meeting. They were presented as preliminary budgets.

**17. Approve Administration and Finance Committee (Rogozinski/Vandegrift) recommendation to approve a one-year contract extension with Sunworld for Landscape Maintenance Services for the period of July 1, 2009 through June 30, 2010 at a cost of \$323,760.**

Parks Director Kent Oakley presented the item. Questions by the board members were answered.

President Rogozinski applauded Oakley for his effort to re-negotiate this large contract at a reduction of \$16,349. in contract services for FY 2010 and stated more of this re-negotiating is needed.

There were no Public Comments when solicited.

**Motion No. 4.** Director Gertsch moved and Director Mattock seconded the motion to approve Administration and Finance Committee (Rogozinski/Vandegrift) recommendation to approve a one-year contract extension with Sunworld for Landscape Maintenance Services for the period of July 1, 2009 through June 30, 2010 at a cost of \$323,760. Motion carried 4-0-1 (Vandegrift absent).

**18. Approve amendments to District Investment Policy #3350.30(e).**

The policy was reviewed by Hamaker

Board comments suggested the policy go back to the Administration and Finance Committee for further review, and meanwhile the Finance Director will review policies of other districts and agencies.

There were no Public Comments when solicited.

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

**5) Minutes of April 9, 2009 meeting.**

Corrections to the minutes were requested by Director Mattock. They will be corrected prior to signing, posting and filing.

**Motion No. 5. Director Gertsch moved and Director Mattock seconded the motion to approve the minutes of April 9, 2009 with corrections noted. Motion carried 4-0-1 (Vandegrift absent).**

**15) The El Dorado Hills CC&R Citizens Advisory Committee and the Board CC&R Oversight Committee recommendations to authorize staff to direct Legal Counsel to send Third/Final Notice of non-compliance to:**

**A. Owner: Gary M. Wingert, Site: 2556 Pendleton, Village: St. Andrews Village, Lot 138; APN: 112-191-081, Violation: Failure to maintain the front yard and roof.**

This was sent back to the CC&R Oversight Committee.

**GENERAL MANAGER COMMENTS**

Lowery informed the directors that the Parks Department had several unexpected vacancies in facility maintenance and was using the opportunity to explore contract service options for both custodial services and pool operations. Dave Luckscheider, Park Supervisor, had stepped into the Facility Supervisor role for a couple weeks doing an excellent job carrying the work load for both divisions. Effective next week Kent Malonson, currently a Park Planner, will make a lateral transfer to the Facility Supervisor position. The District will leave his position unfilled indefinitely. The Employee Association (Local No. 1) has been informed that we are exploring the possibility of displacing existing, unfilled positions with contract services since this modification would be subject to collective bargaining.

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

**Director Masters – None**

**Director Gertsch – None**

**Director Vandegrift - Absent**

**Director Mattock - Felt the board should provide an opportunity for issues surrounding AB 1204 (A. Huber) to modify the El Dorado Transportation Commission membership be made available to El Dorado Hills residents by a town hall meeting or similar forum. She suggested co-sponsoring with the El Dorado Hills Chamber of Commerce. She**

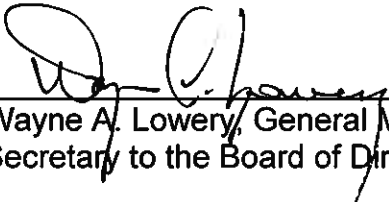
provided background about the pending bill and recent discussions by the current EDTC members.

**President Rogozinski** –.expressed concern relative to Director Mattock’s comment that any involvement by the CSD could be construed as taking a position on the bill but did suggest the District should facilitate opportunities for the public to be adequately informed with correct information. He added that the District’s positive relationship with the County should be kept foremost in mind.

**ADJOURNMENT**

President Rogozinski adjourned the meeting at 11:15 pm.

APPROVED:  DATE: 6/11/09  
Tony Rogozinski, President  
EDHCSD Board of Directors

ATTEST:  DATE: 6-11-2009  
Wayne A. Lowery, General Manager  
Secretary to the Board of Directors