

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

June 11, 2009

MINUTES

CALL TO ORDER

President Tony Rogozinski brought the regular meeting to order on Thursday, June 11, 2009 at 7:09 p.m. Directors Guy Gertsch, Noelle Mattock, Justin Masters and Bill Vandegrift were in attendance. Also present were Executive Assistant Charlene Ambrose, Finance Director Allison Hamaker, and General Manager Wayne Lowery. Also present were 2 staff members for ballot counting, Kristie Downey and Kent Malonson, 3 staff from SCI Consulting, and 24 members of the public.

ADOPTION OF AGENDA

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

PUBLIC HEARING

1. Board Action on the formation and setting of assessment for the Lake Forest Park 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.

- a. Hold Public Hearing to accept public comment and receive ballots for the Lake Forest Park Landscaping and Lighting Assessment District #36;**
- b. Adopt Resolution No. 2009-10 Accepting certification of the Ballot Results for the Lake Forest Park Landscaping and Lighting Assessment District #36, Accepting the Final Engineer's Report, Establishing the Lake Forest Park Landscaping and Lighting Assessment District #36 and Directing Auditor of El Dorado County to levy and collect assessments for Fiscal Year 2009-2010, if the measure passes, or**
- c. Adopt Resolution 2009-10 Recording the results of the Ballots for the Lake Forest Park Landscaping & Lighting Assessment District #36, if the measure fails.**

Note: *Following the close of the Public Hearing, the tax engineer consultant will count and report back the results of the election later during this meeting.*

General Manager Wayne Lowery gave an overview of the public hearing procedures then reviewed the events that have lead up to this public hearing. He also read an email from Planning Director Dianna Hillyer who was absent from the meeting. "Please share with the Directors and the Lake Forest community how much I appreciate their patience and support during the past six months as we revisited the Park design, the LLAD formation process. I would like to thank them for all their hard efforts to educate the residents about the park possibilities. They are to be commended. Good Luck with the vote tonight!"

President Rogozinski opened the public hearing and invited public comment. There were no comments.

Board Comments:

President Rogozinski commented that the number of signs and the amount of activities speaks volumes to the community to have such passion.

Director Gertsch as Parks and Planning Committee representative said this shows a great unity in the community. Residents working with board and staff; the combined efforts are to be applauded.

Director Vandegrift, also on Parks and Planning Committee, said thank you to all involved; namely Gabriele and Chad Guest and others. He appreciates their comments and concerns to satisfy residents from Windsor Point. He learned a lot having had to separate the two parks from a ballot this time.

President Rogozinski called for a last call for ballot submissions and closed the Public Hearing. SCl was then authorized to proceed with the counting of the ballots.

General Manager Lowery added that the public may watch the ballot counting.

PRESENTATIONS & ANNOUNCEMENTS

None

COMMUNITY COMMENT

President Rogozinski welcomed community comment.

- a. Alistair Dunn/Stonegate – concern that CEQA requirements for EDH Community Park parking lot was not fully followed. He does not want parking lot constructed; prefers to leave as open space.
- b. Jim Miner/St. Andrews – concern with abandoned asbestos pipes in EDH Community Park.

REVIEW OF WRITTEN COMMUNICATION

2. Jordon Knighton, AIA, Partner with NTD Architecture, Letter dated June 4, 2009: Requesting consideration for designing Part II of the EDH Community Park Pool repair and expansion project. Also, proposing pursuit of funding for solar electric improvements at EDH Community Park Pool.

Board Comments:

Director Masters said that this reminds him of the past Creekside Greens issue and lawsuit.

Director Vandegrift hopes this project will be bid out to others.

Director Gertsch seconded the desire for this to go out to bid; even a three week delay would be OK. Get the best price for the taxpayers' dollars.

Director Mattock echoed comments to bid and said a design build compresses the timeframe.

President Rogozinski agreed with Director Mattock.

Lowery said a consensus was reached to go to bid on this project and not just OK NTD Architecture to do the pool repairs.

COMMUNITY SERVICES DISTRICT CALENDAR

3. June/July 2009 Calendar of District Events and Activities.

General Manager Lowery reviewed the calendar in detail, with changes and additions noted.

CONSENT CALENDAR

Director Masters requested that items 9, 10, and 13 be pulled for discussion for minor comments.

Motion No. 2. Director Vandegrift moved and Director Mattock seconded the motion to approve the consent calendar minus items 9, 10 and 13 as follows:

- 4) April/May 2009 Recreation Department Report "Rec Check";**
- 5) Minutes of May 1 and 14, 2009 meetings;**
- 6) April 30, 2009 Finance Report;**
- 7) Cash Disbursements through May 31, 2009;**
- 8) upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs;**
- 11) Notice of completion for Concrete Project of various concrete work completed throughout District properties;**
- 12) Notice of completion for Painting**

Projects of various deferred maintenance areas throughout District properties; Motion carried 5-0-0.

GENERAL BUSINESS

14. Public Hearing: Landscaping and Lighting Assessment Districts.

- a. **Hold Public Hearing to approve budgets and assessment rates for the Landscaping and Lighting Assessment Districts for 2009-10.**
- b. **Approve Resolution No. 2009-11 Confirming Engineer's Report, Diagram, Annual Assessment, and directing auditor of El Dorado County to Levy and Collect Assessments for Fiscal Year 2009-10 in Stonegate – L&L #1, Oaktree – L&L #2, Oakridge – L&L #3, Green Valley Hills – L&L #5, La Cresta – L&L #6, Crescent Ridge – L&L #7, Lake Forest – L&L # 8, Francisco Oaks – L&L #10, Marina Hills, L&L #11, Highland Hills Unit 3 – L&L #13, Wild Oaks – L&L #14, Silva Valley – L&L #15, Bass Lake – L&L #16, Creekside Greens – L&L #18, Roadway – L&L #19, Highland Hills Units 1&2 – L&L #20, Promontory – L&L #22, Hollow Oaks – L&L #23, Highland View/Highland Hills/Sterlingshire Village – L&L #25, North Commercial Boulevard – L&L #37, and Valley View – L&L #38.**

President Rogozinski opened the public hearing and invited public comment.

Finance Director Allison Hamaker provided a detailed overview of the budgets and assessments. An opportunity was given to the public and to the board members to ask questions.

Direction was given to staff to use the reserves within Wild Oaks Park and leave the amount of the assessment unchanged.

Community comment was as follows:

Jim Scholl/Waterford – asked why Lake Forest Park was on the assessment roll for an LLAD when the vote hadn't been taken yet. Lowery pointed out that the "Lake Forest LLAD" was for maintenance of landscape on Lake Hills Drive and is different than the "Lake Forest Park LLAD".

President Rogozinski closed the public hearing.

Motion No. 3. President Masters moved and Director Vandegrift seconded the motion to approve Resolution No. 2009-11 setting assessments for all LLADs in FY 2009-10.

15. Public Hearing: Fiscal Year 2009-10 appropriations limit.

- a. **Hold Public Hearing to consider Resolution 2009-12 adopting Appropriation Limit in Accordance with Article XIII B of the State**

Constitution for FY 2009-10.

- b. Approve Resolution 2009-12 Adopting Appropriation Limit in Accordance with Article XIII B of the State Constitution for FY 2009-10.**

President Rogozinski opened the public hearing and invited public comment.

Finance Director Allison Hamaker provided a detailed overview of the appropriations limit. An opportunity was given to the public and to the board members to ask questions. After Proposition 13 passed GANN limits began.

There were no comments from the board or from members of the public.

President Rogozinski closed the public hearing.

- Motion No. 4. Director Mattock moved and Director Vandegrift seconded the motion to Approve Resolution 2009-12 Adopting Appropriation Limit in Accordance with Article XIII of the State Constitution for FY 2009-10. Motion carried 5-0-0.**

16. Receive and approve Final 2009-10 Budgets.

- a. Approve Resolution No. 2009-13 Adopting the Fiscal Year 2009-2010 General Fund and CC&R Fund Budgets.**
- b. Approve Resolution 2009-14 Setting CC&R Assessment and Directing Auditor of El Dorado County to Levy and Collect Assessments for Fiscal Year 2009-2010.**

Finance Director Allison Hamaker gave a presentation and advised that the changes as requested at the recent budget workshop were incorporated into the budgets that are in the board binders.

Board comments:

Director Vandegrift asked that the previous request to reduce security expenses be reversed, at least for the summer months with kids having time on their hands in the summer, and hearing about the four slashed tires on the new District van.

Director Mattock requested a revision to the proposed General Reserve in the budget. She would like to see the District shift any amount in excess of \$500K to the capital deficiency fund. This is arguably where the money should be given the deficit funding for future parks, facilities, etc.

Director Mattock also stated she is not too confident of receiving grant monies due from the state.

President Rogozinski asked for reconsideration on two items, those being Lake Forest \$50K improvement and \$18K CC&R subsidy staffing remain the same in 2010 as in 2009.

Lowery stated the consensus was to give the staff this direction and we can take care of this action when presenting the final budget.

Public Comments were:

Rob Vomund stated the Comcast monies are sitting in the budget from a grant which bears costs to the CSD in moving forward. He requested those funds be removed from the budget.

Comments were also given by Ralph Caravalla and Will Overholtser.

No action by the board was taken on item 16.

17. Approve election vote to fill vacancy on the El Dorado County Local Agency Formation Commission (LAFCo).

Motion No. 5. Director Gertsch moved and Director Vandegrift seconded the motion to approve election vote to fill vacancy on the El Dorado County Local Agency Formation Commission (LAFCo), nominating Harry Norris as #1 and Barbara Winn as #2. Motion carried 5-0-0.

18. Nominate candidate to Region 2, Seat A, California Special District Association (CSDA) Board of Directors.

Motion No. 6. Director Masters moved and Director Gertsch seconded the motion to Nominate Noelle Mattock as candidate to Region 2, Seat A, California Special District Association (CSDA) Board of Directors. Motion carried 5-0-0.

19. Review items pulled from Consent Calendar for action.

9) Joint Use Agreement between the El Dorado Hills Community Services District and the El Dorado Union High School District regarding the use of vehicle parking areas and Agreement for Financial Contribution to the Construction of a Vehicle Parking Area (Harvard Way Parking Lots).

Director Masters brought up concern on the indemnification clause allowing use of each others' parking lots. Lowery clarified the new parking lot usage and exceptions. Director Masters and Director Mattock were concerned of who would bear the maintenance costs. Lowery suggested approving the Joint Use Agreement with

contingency on good faith negotiations and he will discuss with legal counsel these and Mr. Dunn's issues. Direction to staff was noted.

10) Parks and Planning Committee (Vandegrift/Gertsch) recommendation to approve proposed dog park fundraising program proposed by El Dorado Dog Owner's Guild (EDDOG).

Director Masters asked what the District commitment would be. Director Vandegrift wanted to ensure this would not be taking staff time.

Motion No. 7. Director Vandegrift moved and Director Gertsch seconded the motion to approve proposed dog park fundraising program proposed by El Dorado Dog Owner's Guild (EDDOG).

13) Administration and Finance Committee (Rogozinski/Vandegrift) recommendation to approve modifications to District Policy Series 4000 Board of Directors and Series 5000 Board meetings (Continued from May 14, 2009).

Director Masters brought attention to two minor typos.

Motion No. 8. Director Masters moved and Director Mattock seconded the motion to approve modifications to District Policy Series 4000 Board of Directors and Series 5000 Board meetings (Continued from May 14, 2009).

BALLOT RESULTS

John Bliss of SCI Consulting, reviewed the ballot calculation process. Jeanette Hynson of SCI Consulting announced the results of the ballot count. There were 1158 valid ballots returned (valid denotes signed and marked "Yes" or "No"). 14 invalid ballots were returned of 1893 ballots sent out. That is a 60% ballot return rate. Of them, 766 were in support, 392 were in opposition. That is an adequate amount of ballots for 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.)

GENERAL MANAGER COMMENTS

1. Written reports were requested of board members for qualified stipend activities – forms were provided.
2. Spray ground at Promontory Community Park was tested today and was successful. Target date of park completion is 2-3 weeks.
3. Summer recreation overall registration is down by appx. 100 but revenues are up by appx. \$10K.

BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

Director Vandegrift – congratulations on new Lake Forest Park.

Director Gertsch – One reason he wanted to be a board member was to add parks. He is excited about the park. Grass roots effort was successful. May it create family memories.

Director Mattock – congratulations on the park.

President Rogozinski – preserve what we have and make people happy with results. He is delighted with the results. Applauded the community and invited those responsible to consider board seats when they come up in 1 ½ years.

Director Masters – good job on park election.

ADJOURNMENT

President Rogozinski adjourned the meeting at 9:40 pm.

APPROVED: *A. Rogozinski* **DATE:** 8/13/09
Tony Rogozinski, President
EDHCSD Board of Directors

ATTEST: *Wayne A. Lowery* **DATE:** 8.13.2009
Wayne A. Lowery / General Manager
Secretary to the Board of Directors