

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

September 10, 2009

MINUTES

CALL TO ORDER

President Tony Rogozinski brought the regular meeting to order on Thursday, September 10, 2009 at 6:07 p.m. Directors Guy Gertsch, Noelle Mattock, Justin Masters, and Bill Vandegrift were in attendance. Also present was General Manager Wayne Lowery, and Assistant General Manager Sandi Kukkola.

CLOSED SESSION

President Rogozinski announced that the Board was about to enter a closed session meeting under (A) California Government Code §54957.6(a), to 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, and (B) California Government Code §54957, to meet with legal counsel regarding CC&R litigation in the case of El Dorado Hills Community Services District vs. Mitzutani. He requested any public comments on these topics. Receiving none, the meeting was closed.

CALL TO ORDER

At 7:09 p.m., President Rogozinski brought the meeting back to order announcing that the board had just completed closed session. Directors Guy Gertsch, Noelle Mattock, Justin Masters, and Bill Vandegrift were in attendance. Staff present included Administrative Assistants Kristie Downey and Charlene Ambrose, Finance Director Allison Hamaker, Parks Director Kent Oakley, Interim Recreation Director Michael Cottrell, Recreation Supervisor Whitney Kahn, Assistant General Manager Sandi Kukkola, General Manager Wayne Lowery and three part time Recreation Department staff. Also present were thirteen members of the public.

President Rogozinski reported that staff and legal counsel were provided direction to proceed on the closed session agenda items regarding labor negotiations and potential litigation.

ADOPTION OF AGENDA

Motion No. 1. Director Gertsch moved and Director Mattock seconded the motion to approve the agenda with items 12, 15, and 16 removed. Motion carried 5-0-0.

PRESENTATIONS & ANNOUNCEMENTS

- A. Celebration of the EDH Community Park General Obligation Bond retirement. Lowery pointed out that the 20 year bond was paid off, closing an important chapter in the life of El Dorado Hills. Most of the El Dorado Hills Community Park was constructed with this bond and would not exist otherwise.
- B. Presentation of 2009 Summer KydZone Day Camp Program. The Board received a Power Point presentation from Recreation Supervisor Whitney Ewing which highlighted the popular KydZone program.
- C. Recognition of Rachael & Leah Parkhurst for the Recreation Leader in Training (LIT) Summer & Most Hours Award. The Parkhurst twins were recognized for their outstanding performance as volunteer employees in the Summer KydZone Day Camp.

COMMUNITY COMMENT

None.

REVIEW OF WRITTEN COMMUNICATION

1. Other Post Employment Benefits (OPEB) Trust Annual Statement showing 9.5% interest earned for FY ended 6/30/09.
2. Naomi Lurey, email received 8/8/09: Opposed to EDH Community Park proposed parking lot.
3. Karen Miyagishima, email received 8/14/09: Opposed to EDH Community Park parking lot.
4. Arlene Schafer, President, California Specail Diatrick Association, memo dated 8/21/09: Soliciataion of CSDA committee member participation.
5. Matthew Beckett, email received 8/29/09: Deputy Jeff Mitchell Field ceremony honor guard.
6. Art and Erma Schmer, email received 8/30/09: Appreciate Deputy Jeff Mitchell Field.

COMMUNITY SERVICES DISTRICT CALENDAR

7. September/October 2009 Calendar of District Events and Activities.

Lowery highlighted the pending California Special District Association meeting and two pending holidays.

CONSENT CALENDAR

Doug Handen addressed the Board regarding Agenda Item No. 18 and the scoreboard add alternate element in the bid for additional design services from Stantec. He listed a few options for financing the scoreboard and thanked the Board for being willing to work with the Taz Swim Team's concerns about moving starting block in lanes 1-3. He asked that the measurements be double checked. Sandy Malaney spoke to the Board regarding the history and accomplishments of the Taz Swim Team over their 44 year history. With many of the champion level swimmers the team has produced over the years and with the significant monetary contributions paid to maintain the Community Pool over 19 years, she appealed to the Board to recognize that helping to fund the scoreboard would increase the swim team's ability to host meets and in turn would be a monetary boost to the community.

Director Vandegrift wants to build the District's relationship with the swim team. Director Rogozinski wanted to keep in mind that the Board is responsible for the entire community and suggested the swim team begin looking for ways other than government funding to find the means to fund the scoreboard. He suggested they step up and get creative in finding other sources in the community. Director Gertsch expressed his appreciation for and thanked Doug and Sandy for their efforts on behalf of the swim team.

Director Masters requested that items 12) Upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs be pulled for discussion. Lowery asked that items 15) Design Review Committee and the Board's CC&R Committee recommending Board approve DRC meetings to be held on the 1st, 3rd, and 5th Tuesdays of the month, and 16) CC&R Citizen's Advisory Committee and the Board's CC&R Committee recommendation to amend Policy No 7010.30 CCR Enforcement Process to allow staff to send 2nd notices to property owners be pulled for discussion.

Motion No. 2. Director Gertsch moved and Director Vandegrift seconded the motion to approve the consent calendar with exceptions of items 12, 15, and 16 as follows: 8) Second Quarter 2008 Solid Waste Diversion, 9) Bass Lake Village Landscaping & Lighting Assessment District, Zone B Refund Project Recap, 10) Retirement of El Dorado Hills Community Park General Obligation Bond, 11) Minutes of August 13, 2009 Board of Directors meeting, 13) Cash Disbursements through August 31, 2009, 14) Notice of completion for the second phase of construction in Promontory Community Park. Motion carried: 5-0-0

GENERAL BUSINESS

17. Review EDH Comm Pk Mstr Pln Parking needs and provide direction to staff on the completion of the Harvard Way Parking Lot Project, Capital Improvement Project #911.

Allastair Dunn narrated a PowerPoint presentation regarding the parking study he conducted. His presentation looked at the parking needs of the Oak Ridge High School (ORHS) and compared the school's opportunities and constraints to several other high schools in the region. A second study evaluated and addressed the parking at the Community Park and compared the Community Park parking opportunities and constraints to several other parks in the region. Mr. Dunn noted that the construction cost per parking space is between \$3,200 and \$3,600 per a Gen Corp (Aerojet) plan. He conceded that the cost in EDH would cost more due to the terrain and grading requirements. Mr. Dunn presented a letter to Mr. Lowery.

Lowery listed the three options identified by staff including:

1. Proceed with the original plans to bid and construct the parking lot. Construction could begin spring 2010.
2. Place the parking lot construction on hold indefinitely.
3. Remove the parking lot from EDH Community Park Master Plan which was not recommended without further public input.

He expressed concern that if the District decides to move forward with the parking lot construction at a future date, it would be unlikely that the School District would be in a position to participate at the half million dollar level. The District, therefore, would have to find a new funding source.

Scott Bernstein spoke to the Board about concerns with 1) safety and crossing Harvard Way, 2) there shouldn't be concern about the distance the H.S. students are walking from the current parking lot, and 3) shared his belief that strings would be attached to the \$500k from the school district. 4) He also shared that he didn't think the \$20K price for annual maintenance of the proposed lot should be taken on solely by the CSD.

The general consensus of the Board was to keep the parking lot in the EDH Community Park master plan, but table the construction at this time. Director Vandegrift suggested moving the Admin Office trailer to the empty lot by the quad and reestablishing those parking spaces as well as making a few more parking spaces on the empty lot adjacent to where the trailer would be moved.

Director Rogozinski was concerned about the utilization of the parking lot for the District since the swimming pool was not being redesigned. He encouraged further investigation of converting the high school tennis courts to parking and having the Administration & Finance Committee look at moving the Administration trailer to free up parking spaces.

Lowery had two points: He asked the Board to consider that in general, construction costs are lower at this time which makes it a good time to build due to the economic situation. He also complimented Mr. Dunn's effort to research student parking needs stating that the information about declining enrollment for EDUHSD was accurate with the exception that Oak Ridge High School is the only school projecting to increase enrollment by at least 10% in the next ten years.

Parks Director Kent Oakley informed the board about the funds spent to date on the design and permitting process for this project. Approximately \$8K is on deposit with El Dorado County for the permits. He asked for clarification from the Board with regard to the future of the project. Director Rogozinski, with general consent from the Board, said to stop work on the project for now and the foreseeable future.

Motion No. 3. Director Masters moved and Director Vandegrift seconded the motion to keep the parking lot in the Community Park Master Plan but do not move forward with the construction of the parking lot and to decline the offer of \$500,000 from El Dorado Union High School District. Motion carried 5-0-0.

21. Approve a commercial fee for green waste at the Latrobe Buy Back Center similar to fees charged in local landfills.

Staff members Lowery and Hamaker reported meeting with El Dorado Disposal Service's District Manager Sue Farris to discuss the options at the Latrobe Road recycling facility. Ms. Farris said her company is absorbing the expense for hauling at least four 30-yard bins a day from the Latrobe Rd. facility, amounting to a monthly expense of \$20-25K. The issue is more and more landscape companies are dropping off green waste there because it is free to do so. She agreed that there should be designated lanes for the commercial users to speed the process for residential users. Ms. Farris explained that in order to arrive at a fair fee increase for the commercial users, they looked at the Sacramento County landfill at Keifer Rd. (\$20 flat rate for a load level with the pickup truck bed and an additional \$25 for any amount over that) and the MRF rates in Diamond Springs (\$15.65/pickup truck load).

So the site attendant won't have to take more time away from assisting residential users while the commercial customers are dropping off green waste, El Dorado Disposal Service will be able to set up commercial green waste accounts ahead of time in order to pay for the new fees for green waste. CSD's legal counsel agrees there is a requirement for a public hearing to change the fee structure. Director Mattock requested language be added to account for new residents to use the facility. She also requested that in the future staff provide the methodology when proposing new rates.

Motion No. 4 Director Masters moved and Director Mattock seconded a motion to set a public hearing for commercial fees for green waste at the Latrobe Rd Recycling Center for the next regular board meeting. Motion carried, 5-0-0.

18. Approve contract with Stantec Corporation for additional design services for the Community Pool, in the amount of \$27,600.

Motion No. 5 Director Gertsch moved and Director Vandegrift seconded the motion to approve the contract with Stantec Corporation for additional design services for the Community Pool in the amount of \$27,600. Motion carried 5-0-0.

19. Admin & Finance Committee recommending approval of amendments to Policy Nos. 3230, 3250, 3272, and 3282, including the addition of a Capital Deficiency Reserve.

Finance Director Allison Hamaker recommended the board generally clean up the capital deficiency reserve policy and bring it current with contemporary accounting practices.

There was much discussion regarding the reserve funds, accountability and frequency to review the goals and levels of capital deficiencies. Hamaker listed the priorities as 1) funding compensated absences, 2) contingency at 15%, 3) Browning Reserves, 4) Capital deficiencies and a ghost priority of 5) General Reserve. She suggested tying the fund balance to the District's effort to build the Capital Deficiency Reserve Fund.

Motion No. 6 Director Gertsch moved and Director Masters seconded the motion to approve recommended amendments to Policy Nos. 3230, 3250.20, and 3250.30-60. Motion carried 5-0-0.

Policies 3250.40., 3272, and 3282 will be reworded back for approval at the October 8, 2009 meeting. Board members were instructed to submit their comments to Hamaker before the next meeting.

20. Administration & Finance Committee recommending District participation in the California Communities Joint Powers Agency restoring state Proposition 1A fund shift.

Hamaker related that she participated in a webinar outlining the options available to Special Districts and recommends Option #1—to allow the Joint Powers Agency to market the District's loan to the state—which is the most fiscally conservative choice. Director Masters asked if there was anything new learned from other agencies or jurisdictions. Hamaker responded that there was nothing that would change the recommended action.

Motion No. 7 Director Masters moved and Director Gertsch seconded the motion to approve District participation in the California Communities Joint Powers Agency restoring state Proposition 1A fund shift. Motion carried 5-0-0.

Communities Joint Powers Agency restoring state Proposition 1A fund shift. Motion carried 5-0-0.

22. Appoint District representatives to the vacancies on the El Dorado Hills Community Vision Board of Directors.

General Manager Lowery introduced Assistant General Manager Sandi Kukkola who reviewed the Community Visions appointment process and gave the Board background.

Motion No. 8 Director Masters moved and Director Vandegrift seconded the motion to appoint Sandi Kukkola as the EDH CSD representative on the Community Visions Inc. Board of Directors for the term ending 2011 and to direct staff to bring back a recommendation for the second CVI Board vacancy at the regular meeting in October 2009. Motion carried, 5-0-0.

23. Review items pulled from Consent Calendar for action.

Item #12 – Upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs.

Lowery requested clarification on what items are eligible activities for the Board members to receive stipends. It was unclear whether Saturday Night in the Park and the Deputy Jeff Mitchell Field dedication should be listed. Consensus was that special events are not part of Board member stipends.

Motion No. 9 Director Masters moved and Director Vandegrift seconded the motion to approve the monthly board member meetings and/or reports as written. Motion carried 5-0-0.

Item #15 – DRC and the Board's CC&R Committee recommending Board approve CC&R Design Review Committee meetings to be held on the first, third and fifth Tuesdays of the month.

Lowery acknowledged that current policy requires the District Board to set the Design Review Committee meeting schedule but felt this was a ministerial issue not policy. He requested the Board's authorization to have staff and the CC&R Committee review CC&R policies to recommend amending those policies which could be ministerial be moved to Administrative Procedures. Kukkola agreed that this item is a procedure vs. policy issue. With the building construction slow down, the volunteer DRC members could be more effective meeting every other week.

Motion No. 10 Director Masters moved and Director Gertsch seconded the motion to approve changing the DRC meetings to the first, third and fifth Tuesdays of the month. Motion carried 5-0-0.

Item #16 – CC&R Citizens’ Advisory Committee and the Board’s CC&R Committee recommendation to amend Policy No. 2010.30 CC&R Enforcement Process to allow staff to send 2nd Notices to property owners.

Kukkola explained the efficiencies of the proposed change of policy; using less of legal counsel’s time and better communication between staff and recipients of enforcement letters.

Motion No. 11 Director Masters moved and Director Gertsch seconded the motion to approve changing the CC&R enforcement policy regarding 2nd Notices. Motion carried 5-0-0.

GENERAL MANAGER COMMENTS

- 1 LAIF account over limit; options: increase limit, transfer to banks, adopt State policy
- 2 Dog park info from other agencies
- 3 Monday, 9/14/09 beginning streetscape construction
- 4 Steven Harris/Tennis Courts Park bids
- 5 Option for sign at Lake Forest Park
- 6 Board Pres informal meeting with Elk Grove CSD
- 7 Board Pres informal meeting with Cameron Park CSD
- 8 Solid Waste Cmte heads-up re County Study to form JPA for different MRF location

BOARD OF DIRECTORS COMMENTS AND FUTURE AGENDA ITEMS

Director Vandegrift – If public hearing on October agenda, keep agenda light

Director Masters – Disputed validity of Jim Campo’s letter re: Community Park parking lot and destruction of trees

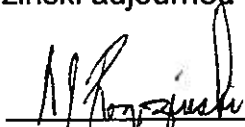
Director Mattock – Asked staff to distribute a flyer on the H1N1 flu virus.

President Rogozinski – Suggested saving funds by not posting a Lake Forest Park construction sign. General consensus of the board was to allow the sign as an important communication tool with residents.

ADJOURNMENT

President Rogozinski adjourned the meeting at 10:34 pm.

APPROVED:

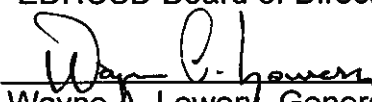


Tony Rogozinski, President
EDHCSD Board of Directors

DATE:

10/8/09

ATTEST:



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

DATE:

10-8-2009