

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

May 20, 2010

MINUTES

Closed Session

President Noelle Mattock brought the meeting to order on Thursday, May 20, 2010 at 6:30 p.m. Directors Guy Gertsch, Justin Masters, Tony Rogozinski and Billy Vandegrift were in attendance. Also present was General Manager Wayne Lowery for the first segment of the closed session.

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

Pursuant to 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.

Closed session under California Government Code §54957, regarding the performance of an employee: General Manager.

Call to Order

President Noelle Mattock brought the regular meeting to order on Thursday, May 20, 2010 at 7:30 p.m. She announced the board had just completed closed session. Directors Guy Gertsch, Justin Masters, Tony Rogozinski and Bill Vandegrift were in attendance. Also present were Administrative Assistant Charlene Ambrose, Recreation Director Ken Bailey, Assistant General Manager Sandi Kukkola, General Manager Wayne Lowery and Interim Director of Finance, Sherry Shannon. Also present were staff members Michael Cottrell, Lori Cox, Christine Foster, Tracey Lynn Lowry, Dave Luckscheider and approximately 17 members of the public. Design Review Committee member Jack Davidson was present.

Adoption of Agenda

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

Presentations & Announcements

President report out of closed session Board action.

President Noelle Mattock reported that collective bargaining and the General Manager's performance review were discussed and general direction was given to staff.

A. Recognition of the Church of Jesus Christ of Latter-day Saints for sponsoring Renewing California Parks volunteer event in El Dorado Hills May 8, 2010.

Recreation Supervisor Michael Cottrell reviewed all the accomplishments that were made at this grand event and thanked all of those that prepared for and participated in the day of Renewing California Parks volunteer event. A plaque was given to Jeff Schouse who initiated the suggestion and coordinated the event on behalf of the Church of Jesus Christ of Latter-day Saints.

Director Rogozinski shared that Director Justin Masters has been instrumental in driving volunteer efforts at the CSD and he also promotes volunteerism. Director Mattock also thanked Director Masters. Masters saw all the efforts staff made to make this event happen; it took lots of organization and logistics and he was very pleased with the outcome. Jeff Schouse would like this to take place as an annual event.

B. Presentation of proposed design for a Veteran's Memorial at Promontory Community Park by the El Dorado Hills Veterans Memorial Committee.

John Cordova, Robert Leon, Bob Diesel, Heather Mazzanti all shared in the excitement of presenting the design and plans to hold the site dedication in time for Memorial Day of this year at Promontory Community Park on Sunday, May 30, 2010. John Cordova handed out and read statistics on heroes and fallen warriors from El Dorado Hills.

C. Teen Council presentation on progress since formation.

Recreation Coordinator Christine Foster was pleased to introduce six Teen Council members who reported on the progress and events they participated in so far this year while showing a PowerPoint™ presentation. A member of the youth council serving on the CSD board will be pursued. Board members thanked the council members for being examples of leadership in the community.

D. Presentation by Waste Connections, dba El Dorado Disposal Service, of plans to introduce the Recycle Bank program in El Dorado Hills, Fall 2010.

General Manager Wayne Lowery introduced Sue Farris, District Manager of El Dorado Disposal. She and Axel Newe, VP of Operations and General Manager for California RecycleBank®, gave a presentation that overviewed the program promoting recycling in the community and how it will reward recycle efforts. This program is voluntary and the

primary focus is to change behaviors where everybody wins. Questions from board members were answered.

Community Comments

President Mattock welcomed community comment.

Dave Soper, Highland View Village, was concerned he was not adequately informed of plans for Murray Homestead Park improvements made at Renewing California Parks volunteer event and that he had no input on design changes. He was not pleased with the outcome. Additionally he stated that approximately \$10,000 was raised for a shade structure in the LLAD fund for improvements and he would like to see that used and he will put that in a letter to the Board of Directors.

Written Communications

1. Mitzi Givens-Russell, Franchise Operations Manager, Comcast California, Letter Dated April 19, 2010: Rate adjustments effective June 1, 2010.
2. Jim Abercrombie, General Manager, El Dorado Irrigation District, letter dated May 10, 2010: Invitation to tour El Dorado Hills Wastewater Treatment Plant and solar photovoltaic farm on June 29, 2010.
3. Mitzi Givens-Russell, Franchise Operations Manager, Comcast California, letter dated May 11, 2010: Announcing change of video, Internet and voice services for El Dorado Hills effective May 17, 2010.

Consent Calendar

General Manager Wayne Lowery asked that item 7 be continued.

Director Masters requested that items 8, 13 and 16 be pulled for discussion.

Motion No. 2. Director Rogozinski moved and Director Gertsch seconded the motion to approve the consent calendar minus agenda items 7, 8, 13 and 16 as follows:

Receive & File: 4) May/June 2010 Calendar of District Events and Activities; 5) Report on Fiscal Year 2009-10 Capital Projects; 6) Report of First Quarter (Jan-Mar 2010) solid waste diversion results; **Approve:** 9) Minutes of April 8, 25 & 28, 2010 Board of Directors meetings; 10) Cash Disbursements through April 30, 2010; 11) March 31, 2010 Finance Report; 12) Quarterly Treasurer's Report for January-March 2010; 14) Upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings

and training programs; 15) EDHCS Resolution No. 2010-05 Declaring an Election be Held in its Jurisdiction Consolidation with Other Districts, and Requesting Election Services; 17) Approve Notices of Completion for the following completed capital improvement projects: a. Stephen Harris Park, Phase 2, b. EDH Blvd. Streetscape Project, and c. EDH Community Swimming Pool Renovation Project. Motion carried 5-0-0.

General Business

18. Public Hearing: Board to consider appeal of CC&R Design Review Committee denial of driveway extension and approval of variance request for driveway extension installed prior to receiving DRC approval.

Owner: Jeffery Leonard
Site: 4081 Bancroft Drive
Village: Green Valley Hills, Unit 1, Lot 121, APN: 110-262-041
Violation: Driveway Extension and Gate

Assistant General Manager briefly gave the background and stated the board recommended residents of Green Valley Hills Unit 1 change their CC&Rs; variance requests were sent to 300 homes in an effort to change the CC&Rs rather than approve this variance.

A public hearing was lead by President Mattock who went over the public hearing procedures. She stated there was much discussion at the last regular board meeting and she asked the board to uphold and deny an appeal and further directed the affected residents to amend their CC&Rs. When the public hearing was opened Jeffery Leonard was given a five minute opportunity to speak. He said two residents stopped by and there was no mention made on amending CC&Rs. He also made mention to other driveway extensions in the village. Public comment was sought; hearing no further comment, public hearing was closed and discussion ensued by the board members.

Motion No. 3. Director Masters moved and Director Vandegrift seconded the motion to approve the variance request for driveway extension that was installed prior to receiving DRC approval. Directors Gertsch and Mattock were Nays. Motion failed.

Motion No. 4. Director Masters moved and Director Vandegrift seconded the motion to approve the variance for this home only. Directors Gertsch and Mattock were Nays. The motion failed.

Director Rogozinski said his approach is not about bureaucracy but rather democracy and said he struggles with such approvals. Director Vandegrift supports the variance and stated too much time has already been spent by staff for a CC&R amendment request.

Motion No. 5. Director Masters moved and Director Vandegrift seconded the motion to approve Mr. Leonard's driveway extension, accepting the appeal. Motion carried 3-2-0.

19. Board re-consideration of the Design Review Committee's and Board CC&R Committee's (Gertsch/Mattock) recommendation to deny the appeal of the EDHCSD Board of Directors regarding DRC denial of application for property improvements and require removal of violation within sixty days.

Owner: Patricia McPeak
Site: 773 Lakecrest Drive
Village: Marina, Unit 3, Lot 228/227, APN: 110-110-181
Mailing: 100 Rock Lane, El Dorado Hills, CA 95762
Violation: RV Pad, Driveway Extension, and Additional Driveway in Front Yard.

President Mattock asked Kukkola to give an overview. Kukkola stated that four board members have visited the site. The CC&R Committee has met twice and their recommendation is in front of you. Jack Davidson on the Design Review Committee was present. Mattock asked the board continue with the DRC Committee denial and stated the improvements are not in harmony and conformity with other homes in the village. She said the project would have been denied by the DRC if an application was submitted, that the driveway extension is five feet above the grade and can be seen from driving down the street. She gave Ms. McPeak five minutes to address the board. Ms. McPeak said there is nothing in the CC&R document that clearly states harmony and conformity. She said she has spent tens of thousands of dollars. She told the board both her son and the lady across the street from her were present. Neighbor Charlotte Heath said she thought nothing was wrong and she is tired of looking at this project which started in 2007. She said the street is too narrow and that is why people plan to create offsite parking.

Board comments were heard. Director Masters said he thought there may have been a safety issue prior to a stop order being lifted. He also was ready to approve the project because it has already been approved by the County.

Director Gertsch said he hates to be in this situation. He said that Patty McPeak is a philanthropist and is good for the community. Gertsch said whatever Patty touches turns to gold and that he wishes a property improvement application was submitted and the DRC denied it because then the board would not be sitting in this situation.

Motion No. 6. Director Masters moved and Director Vandegrift seconded the motion to approve the RV Pad, Driveway Extension and Additional Driveway in the Front Yard appeal. Motion carried 3-2-0. (No: Mattock, Gertsch).

20. Review Items pulled from Consent Calendar for action.

8) Administrative procedures for the rental of Promontory Community Park Group Picnic Area.

Director Masters reviewed his concerns. Assistant General Manager Sandi Kukkola relayed that this is not a policy being requested for approval but rather procedures for information to the board that the Promontory Community Park picnic area is now going to be available for rental.

Motion No. 7. Director Masters moved and Director Vandegrift seconded the motion to receive and file the agenda item. Motion carried 5-0-0.

13) Adopt Resolution No. 2010-06 Accepting, Filing and Approving Preliminary Engineer's Report for Budgets and Assessments for the Landscaping and Lighting Assessment District for Fiscal Year 2010-11 and setting a Public Hearing for June 10, 2010 on the Fiscal Year 2010-11 Annual Assessments;

General Manager introduced Interim Finance Director Sherry Shannon. Shannon asked that the board approve the resolution and give direction on the proposed rates. She gave a handout and conducted a presentation on preliminary budgets for the fiscal year 2010-11 in the Landscaping and Lighting Assessment Districts. Shannon stated the staff recommendation was part time staffing be reduced in the LLAD area of business and reduction of subsidy to LL's and poll residents in the next engineers report rather than continuing to subsidize from the General Fund. She stated the top 3 staff members recommend reducing the subsidy.

Director Rogozinski asked when 10 day noticing had to be made. He suggested with a Special Board Meeting being scheduled for Tuesday, May 25, 2010 why not discuss this further.

Motion No. 8. Director Rogozinski moved and Director Masters seconded the motion to postpone making a decision until careful review at the May 25, 2010 Special Board Meeting. Motion carried 5-0-0.

16) Two-year contract extension with Sunworld, LLC for Landscape Maintenance services for the period of July 1, 2010 through June 30, 2012 in the amount of \$615,144.00 (\$307,572 per year).

Director Masters asked the question if the entire amount must come out of this years' budget or can half be taken each of the two year period. The answer given by the General Manager was the contractors are paid on a monthly basis.

Motion No. 9. Director Rogozinski moved and Director Gertsch seconded the motion to approve a Two-year contract extension with

Sunworld, LLC for Landscape Maintenance services for the period of July 1, 2010 through June 30, 2012 in the amount of \$615,144.00 (\$307,572 per year). Motion carried 5-0-0.

General Manager Comments

EID is having a wastewater treatment plant tour on June 29th.
Special Board meeting scheduled May 25th 6pm for careful review of budget and 10-year forecast
Saturday, May 22: 7:30am TAZ Mock Meet celebration, 8:30am EDH Blvd cleanup, 9am Community Cleanup, Noon ATSDR NOA presentation with Open House following at 1:30pm.

Board of Director Comments

Director **Masters** asked about moving June Regular Board meeting; decided to stay with June 10, 2010.
Director **Rogozinski** we've got to do a better job of informing the public on projects such as Murray Homestead Park, so they are part of the solution.
Director **Vandegrift** asked if there will be bleachers under the shade structure at the pool - yes they will be there.
And, storage of touch pads electronics alternative solutions will be explored

Adjournment

President Mattock adjourned the meeting at 11:15 pm.

APPROVED: Noelle C. Mattock DATE: 6/14/10
Noelle C. Mattock, President
EDHCSD Board of Directors

ATTEST: Wayne A. Lowery DATE: 6.15.2010
Wayne A. Lowery, General Manager
Secretary to the Board of Directors