

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

**June 14, 2010**

**MINUTES**

**Closed Session**

President Noelle Mattock brought the meeting to order on Thursday, June 14, 2010 at 6:10 p.m. Directors Guy Gertsch, Justin Masters and Tony Rogozinski were in attendance. Director Billy Vandegrift arrived at 6:15 p.m. Also present was General Manager Wayne Lowery, Assistant General Manager Sandi Kukkola, HR Manager Tracey Lynn Lowry and the District's legal counsel, Lindsey Moore.

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 pursuant to California Government Code §54956.9(b), to meet with legal counsel regarding potential litigation in one case.

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, June 14, 2010 at 7:07 p.m. Directors Guy Gertsch, Justin Masters, Tony Rogozinski and Bill Vandegrift were in attendance. Also present were General Manager Wayne Lowery, Assistant General Manager Sandi Kukkola, HR Manager Tracey Lynn Lowry, Interim Director of Finance, Sherry Shannon and Administrative Assistant Kristie Downey. Also present were 15 staff members and approximately 10 members of the public. Design Review Committee members Ellison Rumsey and Cindy McCray were present.

President Mattock asked United States Veteran Director Rogozinski to lead the Pledge of Allegiance on this Flag Day.

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**Adoption of Agenda**

**Motion No. 1. Director Rogozinski moved and Director Vandegrift seconded the motion to approve the agenda with item 17 moved to the first item in General Business. Motion carried 5-0-0.**

**Presentations & Announcements**

**President report out of closed session Board action.**

President Noelle Mattock reported the board had just completed closed session where labor negotiations, a potential litigation issue, and performance of an employee was discussed.

- A. Recognition of Raelene Nunn for El Dorado Hills volunteer and 2010 El Dorado County Senior of the Year.** CSD Recreation Supervisor Janet Kenneweg presented Raelene Nunn with the award.
  
- B. Recognition of Wayne Lowery for twenty years service to El Dorado Hills Community Services District.** President Mattock read a list of Mr. Lowery's professional accomplishments at the CSD over the last 20 years. Sandi Kukkola presented him with a 20-year award. Mr. Lowery thanked the CSD staff and board for all their hard work over the years to bring the District to today and have a plan for the future.

**Community Comments**

President Mattock opened the floor to community comment. Gene Harter, Business Manager for Local 1 introduced Phil Stamborsky as the Union's new president and explained the change of Union leadership due to Kent Oakley's pending retirement. Mr. Harter requested a time for him and Phil to meet individually with each Board member in the near future. Sandi Kukkola was asked to coordinate scheduling the meetings.

**Written Communications**

1. Hon. Dave Cox, California State Senate, letter dated May 12, 2010: Status of Assembly Bill 155 (Mendoza).
2. Rhonda Johnson, Vice President, AT&T California Regulatory Affairs, letter dated May 19, 2010: AT&T Uverse TV program changes.
3. Shasha Avonov, 7141 Silva Valley Parkway, El Dorado Hills, letter dated May 25, 2010: Encouraging construction of BMX facility.
4. Ginger Root, California Special District Association Region 2 Board Candidate, letter received May 26, 2010: Solicitation for election support.
5. Richard Draeger, 3049 Stanford Lane, El Dorado Hills, letter dated May 27, 2010: Concern with District's lack of CC&R enforcement.
6. Charlotte Heath, 1961 Outrigger Drive, El Dorado Hills, letter dated June 7, 2010: Addressing McPeak CC&R issue at 773 Lakecrest Drive.

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**Consent Calendar**

General Manager Wayne Lowery asked that the report for the visit to the Roseville Material Recovery Facility (MRF) on May 7, 2010 be added to item 13.

**Motion No. 2.** Director Masters moved and Director Vandegrift seconded the motion to approve the consent calendar as presented with the insertion of the omitted report as follows:

**Receive & File: 7) June/July 2010 Calendar of District Events and Activities; 8) Parks & Recreation Seasonal Operations Report; 9) Report on Fiscal Year 2009-10 Capital Projects;; Approve: 10) Minutes of May 6, 20 & 25, 2010 Board of Directors meetings; 11) Cash Disbursements through May 31, 2010; 12) April 30, 2010 Finance Report; 13) Upcoming board member meetings and/or reports of recent board committees including upcoming schedule of meetings and training programs; 14) Agreement with Caporicci & Larson, Inc., for fiscal year 2009-2010 Financial Audit Services; 15) Resolution No. 2010-07 Approving the Application for Nature Education Facility Program Funds: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.**

**Motion carried: 5-0-0**

**General Business**

**16. Receive letters from Paul and Donna Walgenbach and John and Danielle Duhe requesting the board reconsider action taken at the May 20<sup>th</sup> meeting to approve the back yard parking pad on property located at 773 Lakecrest in Marina Village.**

DRC Alternate Member Ellison Rumsey addressed the Board noting that after much review by members of the committee with years of professional experience reviewing plans and designs, the decision by the DRC to deny the McPeak application was unanimous. He also reminded the board that their CC&R committee also fully supported the DRC's decision. Paul Walgenbach addressed the board noting several errors that were made in approving the appeal of the property owner of 773 Lakecrest, as the decision adversely impacts his property and property value. He asked the board to reconsider their action by reversing the decision to approve the driveway in the backyard of his neighbor at 773 Lakecrest. John Duhe addressed the board and noted the ways in which the approval of the same driveway also negatively impacts his property. He also asked the Board to reverse their decision and do the right thing. Brian DeAmicis, attorney for homeowner McPeak, addressed the board, and Ms. McPeak addressed the board.

President Mattock received confirmation from legal counsel that the matter was not open for discussion unless a motion was made by the board to re-open the issue for re-consideration. Although no motion was made, Director Rogozinski noted that the board is serious about CC&Rs, he is disappointed in the process and would like to see the neighbors work together.

**17. Public Hearing: Landscape and Lighting Assessment Districts.**

- a. Hold Public Hearing to approve budgets and assessment rates for the Landscaping and Lighting Assessment Districts for 2010-2011.**

**STONEGATE - L&L #1, - OAK TREE - 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 #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, HIGHLAND VIEW-HIGHLAND HILLS-STERLINGSHIRE VILLAGE - L&L #25, HOLLOW OAKS - L&L #23, NORTH COMMERCIAL BLVD - L&L #29, VALLEY VIEW - L&L #33, BELL RANCH - L&L #34, HAWK VIEW - L&L #31, and LAKE FOREST PARK - L&L #36**

- b. Approve Resolution No. 2010-08 Confirming Engineer's Report, Diagram, Annual Assessment, and Directing Auditor of El Dorado County to Levy and Collect Assessments for Fiscal Year 2010-2011.**

President Mattock asked if any members of the public were present to speak to the scheduled Public Hearing. Since no one responded and in light of a request by the Parker Development Company to continue the Public Hearing, Lowery recommended the agenda item be continued to the July 8, 2010 regular meeting of the board.

**Motion No. 3 Director Masters moved and Director Gertsch seconded the motion to continue the Public Hearing for the Landscaping and Lighting Assessment District to 7:00 pm, July 8, 2010. Motion carried: 5-0-0**

**18. Public Hearing: Appropriation Limit [GANN LIMIT] for fiscal year 2010-2011.  
(S. Shannon)**

- a. Hold Public Hearing to consider Resolution to Adopt Appropriation Limit in Accordance with Article XIII B of the State Constitution for Fiscal Year 2010-2011.**
- b. Approve Resolution No. 2010-09 Adopting Appropriation Limit in Accordance with Article XIII B of the State Constitution for Fiscal Year 2010-2011.**

President Mattock opened the Public Hearing. There being no public comment the public hearing, President Mattock closed the public hearing.

**Motion No. 4. Director Masters moved and Director Gertsch seconded the motion to approve Resolution 2010-09 adopting Appropriation Limit in Accordance with Article XIII B of the State Constitution for FY 2010-11. Motion carried 5-0-0.**

**19. Adoption of fiscal year 2010-2011 specified Budgets and Approval of Resolutions. (S. Shannon)**

- a. **Adopt final General Fund budget for fiscal year 2010-2011.**
- b. **Adopt final Capital Project budget for fiscal year 2010-2011.**
- c. **Adopt final CC&R Fund budget for fiscal year 2010-2011.**
- d. **Approve Resolution No. 2010-010 Adopting the Fiscal Year 2010-2011 General Fund, Capital Project, and CC&R Fund Budgets.**
- e. **Approve Resolution No. 2010-011 Setting the CC&R Assessment and Directing the Auditor of El Dorado County to Levy and Collect the Assessments for Fiscal Year 2010-2011.**

Interim Finance Director Sherry Shannon addressed the Board and answered their questions. The Board's suggestions included putting off development of Serrano Village J Park and Windsor Point Park until 2013. Director Rogozinski said he had a problem with budgeting \$50K for a dog park. There was discussion about other special interest groups receiving a higher level of funding from the CSD (Taz, Little League, etc.), whether it was through budget or land. Director Gertsch asked that there be consistency from one special interest group to the next.

**Motion No. 5. Director Vandegrift moved and Director Gertsch seconded the motion to A. Adopt final General Fund budget for fiscal year 2010-2011, B. Adopt final Capital Project budget for fiscal year 2010-2011, C. Adopt final CC&R Fund budget for fiscal year 2010-2011, D. Approve Resolution No. 2010-010 Adopting the Fiscal Year 2010-2011 General Fund, Capital Project, and CC&R Fund Budgets, and E. Approve Resolution No. 2010-011 Setting the CC&R Assessment and Directing the Auditor of El Dorado County to Levy and Collect the Assessments for Fiscal Year 2010-2011. Motion carried, 5-0-0.**

**20. Review Items pulled from Consent Calendar for action.**  
No items were pulled from the Consent Calendar.

**General Manager Comments**

Mr. Lowery thanked the staff for all the work on the budget and mentioned that attendance was close to 3000 at the first Friday night concert of summer, 6/11.

**Board of Director Comments**

Director **Vandegrift**: Kudos on concert last Friday. He suggested charging a small (\$2) fee or collecting donations, and handed written correspondence from his neighbor to the General Manager. Work on vendor list.

Dir. **Rogozinski**: CC&Rs are tough – trying to disassociate the CSD from the CC&Rs. Thanks to staff for working on the budget.

Dir. **Masters**: Wants to see action on the BMX track. Tony R knows someone who would be interested to help

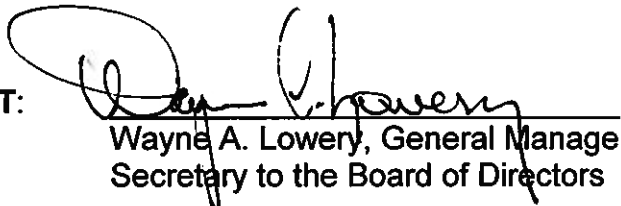
Dir **Gertsch**: Concerts: appreciates staff. Acknowledged that KydZonE is cranking with the numbers, Pool: the parking lot is full and nowhere to park = good! Thanks to Kent's team. Budget affects all and he appreciates working within tight constraints.

Dir **Mattock**: Echoes comments of other board members.

**Adjournment**

President Mattock adjourned the meeting at 8:29 p.m.

APPROVED:  DATE: 7/8/10  
Noelle C. Mattock, President  
EDHCSD Board of Directors

ATTEST:  DATE: 7.9.2010  
Wayne A. Lowery, General Manager  
Secretary to the Board of Directors