



**MINUTES
BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT**

REGULAR MEETING

RUSH PARK
Auditorium
3021 Blume Drive
Rossmoor, California 90720

Tuesday, July 11, 2023

A. ORGANIZATION

1. CALL TO ORDER: 7:00 p.m.

2. ROLL CALL:

Present: Directors Barke, Maynard, Searles, President DeMarco

Absent: Director Shade

3. PLEDGE OF ALLEGIANCE: Boy Scout Troop 642 Color Guard

4. PRESENTATIONS:

a. Southern California Bluebird Club – Bill Wallace

General Manager Joe Mendoza introduced Bill Wallace and deferred to him for a presentation.

Bill Wallace, President, Southern California Bluebird Club, narrated a PowerPoint presentation with details of the organization and addressed images of various Bluebird species, decreases in the number of Bluebirds, a history of Bluebirds, conservation efforts, Bluebird activity in California, nest box configuration and positioning, nesting, challenges with Easter grass and fishing line, incubation, monitoring nesting boxes and invited the public to attend club meetings.

Discussion followed regarding the number of boxes installed in Rossmoor and differences between Bluebirds and Blue Jays.

b. Recognition of Lindsey Ludwig for organizing a water safety awareness event for the community

President DeMarco called Lindsey Ludwig to the podium and presented her with a Certificate of Recognition for organizing a water safety awareness event for the Rossmoor community.

Ms. Ludwig shared a story about her young daughter falling into a pool and being revived; spoke about the importance of water safety and indicated she would like to continue the program in Rossmoor.

c. Orange County Sheriff's Department Captain AJ Patella presents Quarterly Crime Statistics

Orange County Sheriff's Department Captain AJ Patella spoke about the importance of having a "water watcher" at all times when people are in pools and presented a summary of crime statistics over the first six months of the year including calls for service, 911 calls, total crime reports, crimes against persons, property crimes, steps to take to avoid catalytic converter and other property thefts and citations.

B. ADDITIONS TO AGENDA

President DeMarco requested moving Item No. H.2. to immediately after Item No. D.1.

Motion by Director Barke, seconded by Director Searles, to consider Item No. H.2. immediately after Item No. D.1. Motion passed 4-0, with Director Shade, absent.

C. PUBLIC FORUM

President DeMarco opened the Public Forum portion of the meeting.

Sue Clark expressed concerns with park maintenance at Rossmoor Park; spoke about the fields being dry and brown; stated she would like more effort given to maintaining the fields, greens and encouraged focusing on maintaining existing features at Rossmoor Park.

Jody Roubanis noted there are no designated bicycle lanes on Montecito; hoped that RCSD's plan is to consider active transportation including bike safety and mentioned there has been an uptick in the number of children walking and bicycling to school, since COVID and spoke about the RHA Liaison, who is on the Traffic Committee, noting that what the person presents to the Traffic Committee has not been approved by the RHA.

Michele Fieldson read an email she sent previously to RCSD; spoke about the need for a long-range plan for parks; presented suggestions for consideration including movie nights at both Rossmoor and Rush Parks, Family Festivals and a Farmers Market at Rossmoor Park; called for an equitable distribution of activities; discussed the need for increased maintenance; addressed the need for a Capital Improvement Projects plan, depletion of Capital Improvement Reserves and oversight of Proposition 68.

There being no others wishing to address the Board, President DeMarco closed Public Forum.

D. REPORTS TO THE BOARD

1. RECREATION REPORT

Recreation Superintendent Chris Argueta presented details of the Recreation Report and highlighted recent and upcoming events and activities.

The Board considered Item No. H.2. at this juncture.

E. CONSENT CALENDAR

1. MINUTES:

- a. Regular RCSD Board Meeting of June 13, 2023

2. MAY 2023 REVENUE AND EXPENDITURE REPORT

Motion by Director Barke, seconded by Director Searles, to approve the Consent Calendar as presented. Motion passed 4-0, with Director Shade absent.

E. PUBLIC HEARING

1. FISCAL YEAR 2023-2024 PROPOSED FINAL BUDGET FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT

President DeMarco opened the public hearing.

General Manager Mendoza presented details of the Fiscal Year 2023-2024 proposed final budget for the Rossmoor Community Services District.

Discussion followed regarding whether any organization has requested clarification on the budget and comments made by RHA regarding it.

President DeMarco noted that General Manager Mendoza will provide clarity to any resident requesting information on the budget and reported nothing has been requested to date.

Director Maynard spoke about this being a net positive budget and needing clear-cut commentary from the General Manager regarding the major differences between last fiscal year and this fiscal year and spoke about centralized administrative costs and issues with cashflow.

Discussion followed regarding considering costs for a canopy at Rossmoor Park and Proposition 68.

President DeMarco invited public comments. There was no response and President closed the public hearing.

Motion by Director Barke, seconded by Director Searles, to approve the Fiscal Year 2023-2024 Proposed Final Budget for RCSD. The motion carried 4-0, with the following vote:

AYES: Directors Barke, Maynard, Searles, President DeMarco
NOES: None
ABSTAIN: None

ABSENT: Director Shade

G. RESOLUTIONS:

1. RESOLUTION NO. 23-07-11-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT ESTABLISHING THE ANNUAL REVENUE AND EXPENDITURE TOTAL AMOUNTS FOR FISCAL YEAR 2023-2024 FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT

Motion by Director Maynard, seconded by Director Searles, to approve, waive full reading and adopt by title, Resolution No. 23-07-11-01, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT ESTABLISHING THE ANNUAL REVENUE AND EXPENDITURE TOTAL AMOUNTS FOR FISCAL YEAR 2023-2024 FOR THE ROSSMOOR COMMUNITY SERVICES DISTRICT. The motion carried 4-0, with the following vote:

AYES: Directors Barke, Maynard, Searles, President DeMarco
NOES: None
ABSTAIN: None
ABSENT: Director Shade

ORDINANCES – None

H. REGULAR CALENDAR:

1. ORANGE COUNTY PUBLIC WORKS TRAFFIC STUDY PRESENTATION

General Manager Mendoza presented details of the report and noted the need for input from LAUSD and addressed next steps.

President DeMarco commented favorably on the report; spoke about the need for robust input and buy-in from the community and LAUSD.

Director Maynard spoke about the need to address traffic, parking and safety in Rossmoor and stressed the need for the City of Seal Beach to be stakeholders of this issue.

Discussion followed regarding sending out “teasers” in August for the September Board meeting for the St. Cloud/Montecito Corridor Improvement Project.

2. DISCUSSION AND POSSIBLE ACTION RE: PICKLEBALL REVIEW AND RECOMMENDATIONS, INCLUDING A FINDING OF EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(3) (IT CAN BE WITH CERTAINTY THAT THE ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT), 15301 (MINOR ALTERATIONS TO EXISTING FACILITIES) AND 15378 (NOT A PROJECT UNDER CEQA) IF PICKLEBALL IS APPROVED.

President DeMarco opened public comments on this item.

Susan Kaplan asked the Board to consider postponing any decision on pickleball as Director Shade is not in attendance; urged the Board to vote, "No"; listed reasons pickleball should not be allowed at Rossmoor Park; discussed the recent trials; noted that there is evidence that RCSD cannot enforce the hours and conduct of pickleball play and players and asked the Board to represent all Rossmoor residents, fairly and in an unbiased manner.

Julie Miller spoke about one of the Board Members voting for pickleball when his wife is an ardent and active pickleball player and opined he should have recused himself from voting on the matter.

President DeMarco noted that his wife's activities have no bearing on his activities as a Board Member.

General Counsel Preziosi indicated he is not aware of any violation to the Political Reform Act or Fair Political Practices Commission regulations requiring his recusal as there is an absence of financial interest.

Ralph Vartabedian referenced a letter dated July 9, 2023, he remitted to the Board; reviewed key points in the letter; asked that the Board not make a decision on pickleball tonight, as Director Shade is absent and many constituents are on vacation; noted the pickleball trial revealed there was non-compliance with the rules that were established; spoke about the lack of staff to monitor/enforce play; suggested consulting with the District Attorney of Orange County; believed RCSD should have a formal plan for pickleball before moving forward with the project and should install cameras for increased security and discussed the shade structure at Rossmoor Park.

Michele Fieldson mentioned the pickleball trial; felt that it would have been a perfect opportunity to gain objective data; spoke about the number of pickleball courts in Seal Beach; discussed the need for a balance between recreation and quiet green space and asked that a vote on this item be postponed until Director Shade can attend the meeting and to vote, "No" when the issue is decided.

Jody Roubanis spoke about RCSD's consideration of bike lanes; questioned how a small number of residents can be so loud and present skewed research who live around Rossmoor Park; urged the Board to vote tonight and to vote, "Yes" on implementing pickleball at Rossmoor Park.

Rona Goldberg spoke in support of pickleball at Rossmoor Park; hoped that the Board can reach a compromise; noted statistics can be found to support either position; reported it is not just those who play pickleball that break the rules and urged the Board to approve implementing pickleball at Rossmoor Park.

Rob Keats noted that he and his wife are not against pickleball and love to play; asked that the Board consider building a proper facility with proper mitigation; spoke about finding a compromise and the possibility of private fundraising to build a good pickleball facility; stated this issue has stressed his wife who is now on medication; discussed impacts on property values and urged the Board to vote, "No" and delay the vote until Director Shade can attend.

Victor Predoza spoke about physical injuries and the impact of increased, persistent noise levels from pickleball play; wondered if research has been conducted about the matter; believed tennis and pickleball should be separated and urged the Board to consider impacts of noise.

Art Howe spoke about the pickleball trial bringing the community together and urged the Board to vote, "Yes" to implement pickleball at Rossmoor Park.

There were no other members of the public wishing to address the Board on this matter and President DeMarco closed public comments.

General Manager Mendoza provided a summary and an update of the Board's review of the issue of implementing pickleball at Rossmoor Park; noted no issues were found in terms of parking; discussed restrooms; spoke about the possibility of closing courts by 5:00 p.m. on weekends and addressed options for the Board's consideration.

President DeMarco deferred to Parks Committee Chair Director Maynard, and he deferred to other Board Members.

Director Searles suggested deferring consideration of the matter until Director Shade and the entire Board can be in attendance; discussed emails received including one from 35 households in opposition to pickleball; felt the measurables were not achieved and spoke about challenges with enforcement of non-compliance.

Director Maynard read his statement into the record; noted this has been a thoughtful, open and transparent process; discussed the process and the pilot programs; shared his experience observing pickleball play; observed that pickleball is needed and viable in Rossmoor and felt that respect and kindness go a long way.

General Counsel Preziosi reported that the County noise ordinance exempts public parks on public agency property from the provisions and decibel levels of the noise ordinance.

General Manager Mendoza addressed one call for service from a resident who felt threatened by confronting pickleball players; responded to various questions from Director Maynard and confirmed that allowing for pickleball play is feasible and will be good for the community.

General Counsel Preziosi commented on CEQA and CEQA categorical exemptions.

Director Barke noted there have been threats of lawsuits against RCSD if the Board approves pickleball at Rossmoor Park.

General Counsel Preziosi stated he is not aware of legal challenges that have been filed in Superior Court, over pickleball.

President DeMarco felt he does not need to recuse himself from this item; spoke about comments received by residents; discussed his participation in pickleball and observing play; talked about visiting the Keats' home to observe noises from the park; addressed other park sounds and availability of parking; noted issues will exist whether pickleball is approved or not; commented on

setting fee structures for the various park activities and stated the Board should make a decision, one way or another.

Motion by Director Maynard, seconded by Director Barke, that pickleball is a suitable recreational activity for Rossmoor, that lighted courts in Rossmoor Park is the most practical and feasible site for permanent play and that the hours of operation, fees and any and all codes of conduct be consistent with tennis.

Discussion followed regarding enforcement, costs related to implementing reservations only, clean ups and close ups, subsequent steps to implement the program after approval, budget adjustments,

The motion carried 3-1, with the following vote:

AYES: Directors Barke, Maynard, President DeMarco
NOES: Director Searles
ABSTAIN: None
ABSENT: Director Shade

Motion by Director Maynard, seconded by Director Barke, to convert Court 1 to four pickleball courts.

Director Searles asked to amend the motion to install a higher partition between Courts 1 and 2.

Director Maynard agreed and felt that it could be decided later, if needed.

The motion carried 3-1, with the following vote:

AYES: Directors Barke, Maynard, President DeMarco
NOES: Director Searles
ABSTAIN: None
ABSENT: Director Shade

Motion by Director Maynard, seconded by Director Barke, for hours for all racket sports to have a summer and winter schedule with summer hours being Monday-Sunday, 7:00 a.m. to 9:00 p.m.

Director Searles indicated the proposed hours are against what the consultant advised.

Director Maynard noted those are the recommendations for summer hours and a winter schedule can be developed later.

Director Barke stated adjustments can be made along the way.

Motion passed 3-1, with Director Searles opposed and Director Shade absent.

Motion by Director Maynard, seconded by Director Searles, that reservation fees for all racket sports be set consistently until the Parks and Facilities Committee returns to the Board in the fall for a full

fee structure recommendation encompassing courts, buildings and all rentals along with a winter schedule. Motion passed 4-0, with Director Shade absent.

Director Maynard commented on next steps; spoke about making adjustments if needed and discussed the need to make adjustments to RCSD's policies.

Motion by Director Barke, seconded by Director Maynard, to declare a FINDING OF EXEMPTION FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(3) (IT CAN BE WITH CERTAINTY THAT THE ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT), 15301 (MINOR ALTERATIONS TO EXISTING FACILITIES) AND 15378 (NOT A PROJECT UNDER CEQA) IF PICKLEBALL IS APPROVED. Motion passed 3-1, with Director Searles abstaining and Director Shade absent.

RECESS/RECONVENE

President DeMarco called for a brief recess at 10:01 p.m.

The meeting was reconvened at 10:15 p.m. with all Board Members, present except for Director Shade.

The Board returned to consider Item No. E. at this juncture in the agenda.

I. GENERAL MANAGER ITEMS

General Manager Mendoza presented an update on the final phase of the installation of street sweeping signs; addressed enforcement; reported Ken Vacherelli will give a presentation on water at the August Board meeting and discussed maintenance of Rossmoor and Rush Parks fields.

J. BOARD MEMBER ITEMS

Director Maynard spoke about the sales tax issue and requested the General Manager coin a letter from President DeMarco to various businesses in Rossmoor, letting them know they are in the unincorporated Orange County (7.75%) and should not be collecting sales tax for Los Alamitos (9.2%) and noted current estimate is that Rossmoor residents are paying over \$500,000 more in sales taxes than they should.

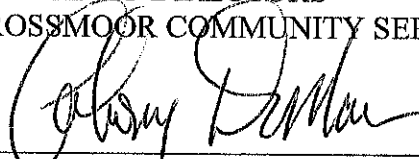
K. GENERAL COUNSEL ITEMS - None

L. ADJOURNMENT

The meeting was adjourned at 11:04 p.m. without opposition.

ATTEST:

BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT



Tony DeMarco, President



Joe Mendoza, Secretary
Rossmoor Community Services District

APPROVED: