

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, ADOPTING AND REVISING POLICY NO. 3080, PARKWAY AND ROSSMOOR WAY MEDIAN TREE MAINTENANCE, AS THE RULES AND REGULATIONS THAT GOVERN THE MAINTENANCE OF PARKWAY AND ROSSMOOR WAY MEDIAN TREE MAINTENANCE

WHEREAS, Rossmoor Community Services District (“District”) is a district duly organized and existing under and pursuant to the Community Services District Law, Sections 61000 *et seq.* of the California Government Code; and

WHEREAS, the District is empowered by California Government Code Section 61060(b) to adopt, by ordinance, and enforce rules and regulations for the administration, operation and use of facilities and services listed in California Government Code Section 61100; and

WHEREAS, California Government Code Section 61100(e) authorizes the District to acquire, construct, improve, maintain and operate recreation facilities such as parks;

WHEREAS, California Government Code Section 61064(a) provides that any violation of any rule, regulation or ordinance adopted by the District is punishable as a misdemeanor pursuant to California Penal Code Section 19; and

WHEREAS, the District desires to re-adopt and amend Policy 3080, to regulate the maintenance of parkway and median trees.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF ROSSMOOR COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:

SECTION 1. Adoption of Policy No. 3080, Parkway and Rossmoor Way Median Tree Maintenance.

The Board of Directors hereby adopts, and incorporates by reference, the attached revised policy, Policy No. 3080 Parkway and Rossmoor Way Median Tree Maintenance, as the rules and regulations that govern the maintenance of parkway and Rossmoor Way median trees.

SECTION 2. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

effectiveness of the remaining portions of this Ordinance or any part thereof. The Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective. This revised Policy No. 3080 attached hereto hereby replaces and supersedes any and all prior versions of Policy No. 3080.

SECTION 3. Compliance with California Environmental Quality Act

The Board finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, the Board finds that this Ordinance is categorically exempt from the provisions of CEQA under Section 15301(c) and (f) of the Guidelines.

SECTION 4. Effective Date.

This Ordinance shall become effective thirty (30) days from its adoption.

SECTION 5. Publication.

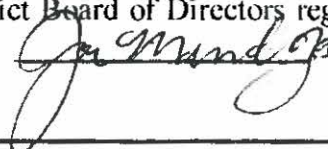
The District Secretary shall certify to the adoption of this Ordinance and cause it and the incorporated exhibits, including the vote for and against the same, to be published once within fifteen (15) days of adoption in a newspaper of general circulation printed and published within the Rossmoor Community Services District in accordance with California Government Code Section 25124(a).

Adopted by the Rossmoor Community Services District Board of Directors this 14 day of January 2020.



President
Rossmoor Community Services District Board of Directors

Attested:

I hereby certify that the foregoing Ordinance is a true copy adopted by the Rossmoor Community Services District Board of Directors regular meeting held on January 14, 2020 and signed by Board Secretary,  on January 14, 2020.