

ROSSMOOR

COMMUNITY SERVICES DISTRICT



Regular Meeting of the Board
Amended Agenda Package

December 10, 2019

BOARD OF DIRECTORS

AMENDED AGENDA
BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, December 10, 2019

7:00 p.m.

This agenda contains a brief description of each item to be considered. Except as provided by law; no action shall be taken on any item not appearing in the agenda. To speak on an item, complete a Speaker Request Form(s) identifying the item(s) and topic and deposit it in the speaker request box. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Directors, you may do so during Public Comments at the beginning of the meeting. Speaker request forms must be deposited prior to the beginning of Public Comments. When addressing the Board, it is requested that you state your name for the record. Address the Board as a whole through the President. Comments to individual Directors or staff are not permitted. Speakers are limited to three (3) minutes per item with nine (9) minutes cumulative for the entire meeting. Supporting documentation is available for review in the Rush Park main office, 3001 Blume Drive, Rossmoor, 90720—9:00 am - 5:00 pm, Monday-Friday. The Agenda is available online at: <http://www.rossmoor-csd.org>. Meetings are broadcast live on LATV-3 and may also be viewed on Vimeo.com or on our website at <http://www.rossmoor-csd.org>.

A. ORGANIZATION

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Directors Barke, DeMarco, Maynard, Nitikman
President Casey
3. PLEDGE OF ALLEGIANCE: AYSO 159
4. PRESENTATIONS:
 - a. ROSSMOOR WINTER FESTIVAL SPONSOR APPRECIATION AWARDS
 - b. MCAULIFFE MIDDLE SCHOOL CHOIR ACAPELLA PERFORMANCE
 - c. ORANGE COUNTY FIRE AUTHORITY RE: HOLIDAY FIRE SAFETY

B. ADDITIONS TO AGENDA – None

In accordance with Section 54954 of the Government Code (Brown Act), action may be taken on items not on the agenda, which was distributed, if:

A majority of the Board determines by formal vote that an emergency exists per Section 54956.5 (for example, work stoppage or crippling disaster which severely impairs public health and/or safety); or

Two-thirds (2/3) of the Board formally votes or, if less than 2/3 of members are present, all of the Board members present vote, that there is a need to take immediate action, which arose after the agenda was posted.

C. PUBLIC FORUM

Any person may address the Board of Directors at this time upon any subject within the jurisdiction of the Rossmoor Community Services District; however, any matter that requires action may be referred to Staff at the discretion of the Board for a report and action at a subsequent Board meeting.

D. REPORTS TO THE BOARD:

1. REPORT OF THE GENERAL MANAGER REGARDING CITIZEN POLL RESULTS OF ROSSMOOR STREET SWEEPING PROPOSED ALTERNATIVES

E. CONSENT CALENDAR

1. MINUTES:

- a. Regular Board Meeting of October 8, 2019—Receive and file
- b. Regular Board Meeting of November 12, 2019—Receive and file

2. OCTOBER 2019 REVENUE AND EXPENDITURE REPORT—Receive and file

Consent items are expected to be routine and non-controversial, to be acted upon by the Board of Directors at one time. If any Board member requests that an item be removed from the Consent Calendar, it shall be removed by the President so that it may be acted upon separately.

F. PUBLIC HEARING-None

G. RESOLUTIONS

1. RESOLUTION NO. 19-12-10-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS
2. RESOLUTION NO. 19-12-10-02 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT FORMALLY REQUESTING FAIR VOTING AND GEOGRAPHIC REPRESENTATION ON THE LOS ALAMITOS SCHOOL DISTRICT BOARD OF EDUCATION

ORDINANCES

3. INTRODUCTION OF ORDINANCE NO 2019-01 AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, ADOPTING POLICY NO. 3098, ADMINISTRATIVE CITATIONS, THAT GOVERNS THE IMPOSITION, ENFORCEMENT, COLLECTION, AND ADMINISTRATIVE REVIEW OF ADMINISTRATIVE FINES OR PENALTIES FOR VIOLATIONS OF DISTRICT POLICY

4. INTRODUCTION OF 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

H. REGULAR CALENDAR

I. GENERAL MANAGER ITEMS

This part of the Agenda is reserved for the General Manager to provide information to the Board on issues that are not on the Agenda, and/or to inform the Board that specific items may be placed on a future Agenda. No Board action may be taken on these items that are not on the Agenda.

J. BOARD MEMBER ITEMS

This part of the Agenda is reserved for individual Board members briefly to make general comments, announcements, reports of his or own activities, and requests of staff, including that specific items be placed on a future Agenda. The Board may not discuss or take action on items not on the Agenda.

K. GENERAL COUNSEL ITEMS

This part of the Agenda is reserved for District General Counsel to provide information to the Board on issues that are not on the Agenda, and/or to inform the Board that specific items may be placed on a future Agenda. No Board action may be taken on these items that are not on the Agenda.

L. CLOSED SESSION-None

M. ADJOURNMENT

It is the intention of the Rossmoor Community Services District to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the District will attempt to accommodate you in every reasonable manner.

Please contact the District Office at (562) 430-3707 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

Pursuant to Government Code Section 54957.5, any writing that: (1) is a public record; (2) relates to an agenda item for an open session of a regular meeting of the Board of Directors; and (3) is distributed less than 72 hours prior to that meeting, will be made available for public inspection at the time the writing is distributed to the Board of Directors.

Any such writing will be available for public inspection at the District offices located at [3001 Blume Drive, Rossmoor, CA 90720](#). In addition, any such writing may also be posted on the District's web site at www.rossmoor-csd.org.

CERTIFICATION OF POSTING

I hereby certify that the attached Agenda for the December 10, 2019, 7:00 p.m. Regular Meeting of the Board of Directors of the Rossmoor Community Services District was posted at least 72 hours prior to the time of the meeting.

ATTEST:

Elizabeth Deering for _____ Date 12/06/19 _____
JOE MENDOZA
General Manager

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM A-4a.

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Subject: ROSSMOOR WINTER FESTIVAL SPONSOR APPRECIATION AWARDS

RECOMMENDATION

Receive and file presentation.

BACKGROUND

The report reflects the order of presentations for your Regular December Meeting of the Board.

a. Rossmoor Winter Festival Sponsor Appreciation Awards

- Title Sponsor: AYSO 159
- Gold Sponsor: Rossmoor Homeowners Association
- Silver Sponsor: Jones & Mayer
- Silver Sponsor: Glowaki Chiropractic
- Silver Sponsor: Memorial Care
- Silver Sponsor: Brightview
- Community Sponsor: Sir Speedy
- Community Sponsor: Braithwaite Chiropractic
- Community Sponsor: Ganahl Lumber
- Community Sponsor: Betts Realty Group
- Community Sponsor: The Youth Center
- Community Sponsor: AT&T
- In Kind Sponsors: Orange County Sheriff's Department, Orange County Fire Authority, CR&R Waste and Recycling Services, Care Ambulance

ATTACHMENTS—None

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM A-4b.

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Subject: MCAULIFFE MIDDLE SCHOOL CHOIR ACAPELLA PERFORMANCE

RECOMMENDATION

Receive and file presentation.

BACKGROUND

The report reflects the order of presentations for your Regular December Meeting of the Board.

b. McAuliffe Middle School Choir Acapella Performance

ATTACHMENTS—None

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM A-4c.

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Subject: ORANGE COUNTY FIRE AUTHORITY RE: HOLIDAY FIRE SAFETY

RECOMMENDATION

Receive and file presentation.

BACKGROUND

The report reflects the order of presentations for your Regular December Meeting of the Board.

c. Orange County Fire Authority Re: Holiday Fire Safety

ATTACHMENTS—None

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM D-1

Date: December 10, 2019

To: Honorable Board of Directors

From: General Manager Joe Mendoza
Initiated by Liz Deering

Subject: REPORT OF THE GENERAL MANAGER REGARDING CITIZEN POLL RESULTS OF ROSSMOOR STREET SWEEPING PROPOSED ALTERNATIVES

RECOMMENDATION

Receive and file the report and direct staff how to proceed.

BACKGROUND

Currently, the Rossmoor Community Services District (RCSD) contracts with R.F. Dickson to perform street sweeping services on the first and third Monday of every month between the hours of 8:30 a.m. and 4:30 p.m. Parking is prohibited on local streets during street sweeping hours as authorized by California Vehicle Code Section 22507.6. Orange County Sheriff's Department is responsible for the enforcement of the no parking provision on street sweeping days. Rossmoor has 63 curb miles of winding roads and cul-de-sacs. County signs and courtesy reminder banners are posted at community entryways.

Over time, residents have expressed frustration with the current all-day street sweeping schedule. At the August 13, 2019 Rossmoor Community Services District regular Board meeting, staff reported on the benefits of changing the current street sweeping policy/ordinance from the first and third Mondays of the month to the first and third Monday (*even numbered homes*) and the first and third Tuesday (*odd numbered homes*) of the month, in order to provide alternative parking opportunities on street sweeping days. The RCSD Board directed staff to schedule a stakeholders meeting in order to obtain input from the community and provide information on future strategies.

On Thursday, October 3, 2019 at 7 p.m. the Rossmoor Community Services District held a public stakeholders meeting in the Rush Park Auditorium to discuss alternative options to the current street sweeping schedule in Rossmoor. Rossmoor residents were encouraged to attend and express their thoughts, concerns and suggestions. The meeting included representatives from County Supervisor Michelle Steel's office, RCSD, the Rossmoor Homeowners Association, Los Alamitos Unified School District, Orange County Sheriff's Department, Community Traffic/Safety Advisory Committee and Rossmoor residents. There were approximately 125 attendees. During the meeting a paper poll was conducted, and 98 attendees responded.

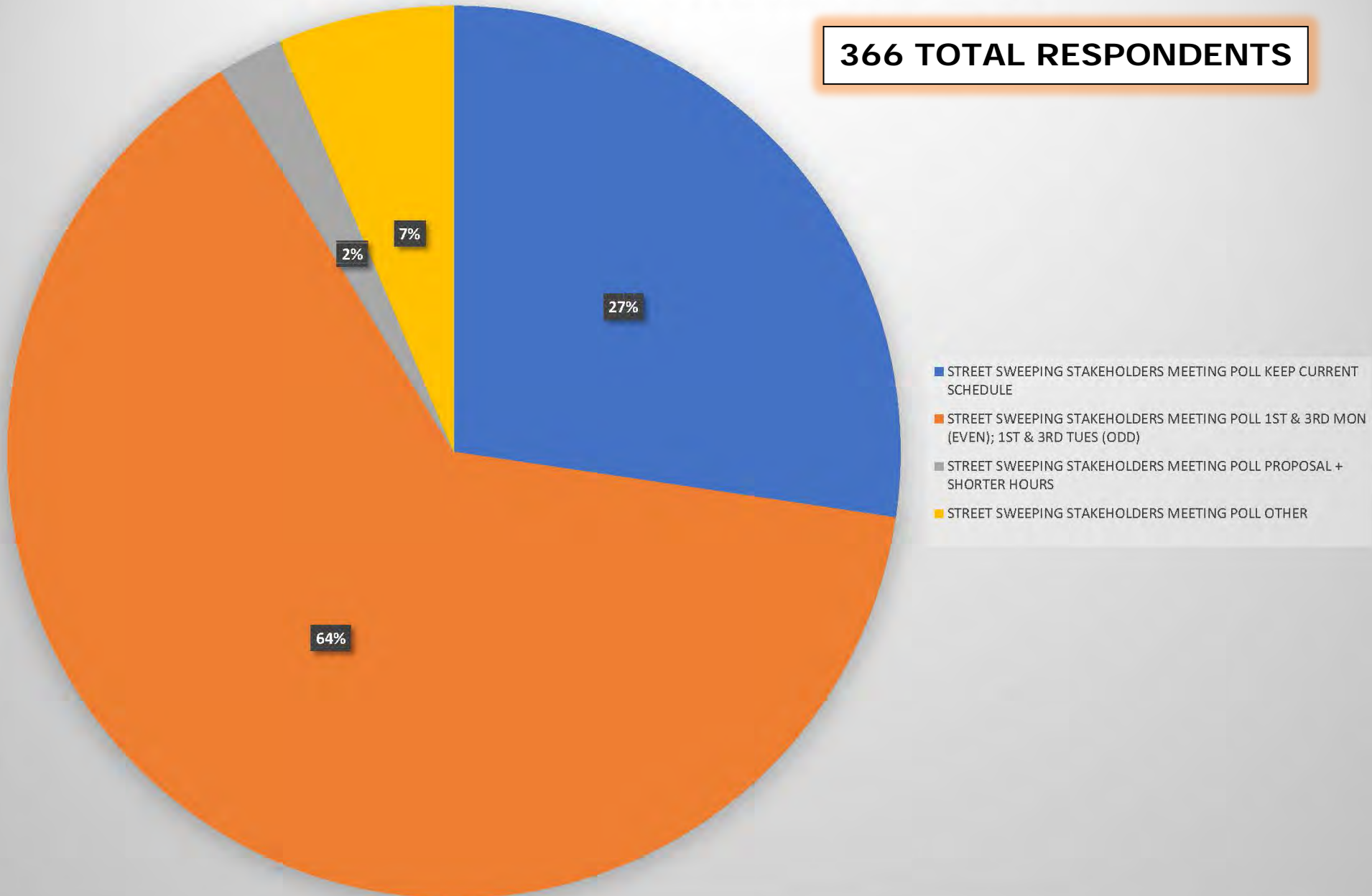
Rossmoor residents who were unable to attend the October 3, 2019 meeting, were given an additional opportunity to take the poll by visiting the Rossmoor Community Services District website and clicking on the Spotlight poll link. Feedback was accepted until 5:00 p.m. Friday, November 29, 2019. An additional 268 responses were collected using this method. The Rossmoor Street Sweeping Poll concluded with a total of 366 respondents. The majority, 64%, chose the proposed alternative schedule: First and third Monday (even addresses); first and third Tuesday (odd addresses), 27% voted to keep the schedule as is; and 9% chose other variations ranging from shorter hours and alternative days. The data will be analyzed by district staff and shared with County Supervisor Michelle Steel's Office in mid-January to discuss scheduling options.

ATTACHMENTS

1. Street Sweeping Poll Results
2. Paper Poll

STREET SWEEPING STAKEHOLDERS MEETING POLL RESULTS

366 TOTAL RESPONDENTS

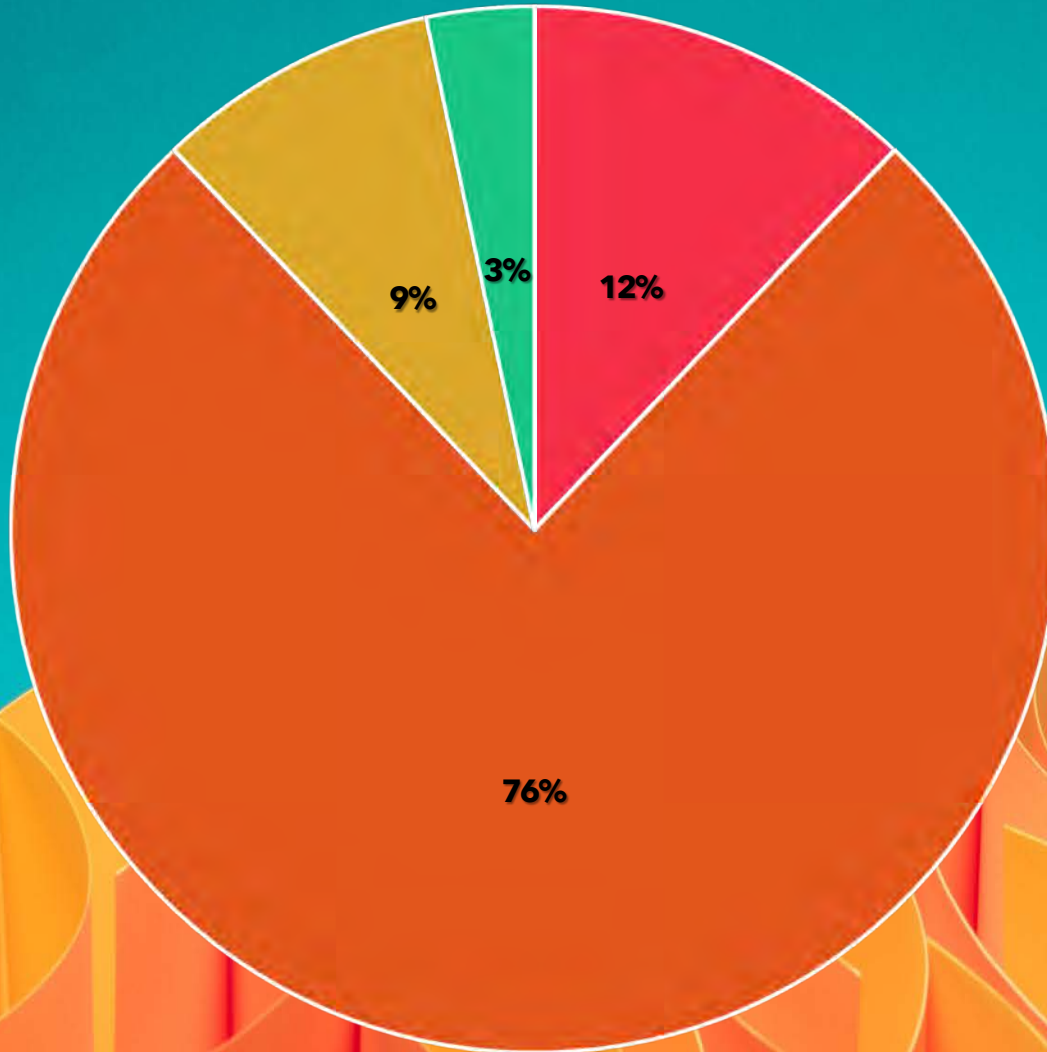


STREET SWEEPING SOLUTIONS STAKEHOLDERS MEETING

98 RESPONDENTS

STREET SWEEPING POLL

OCTOBER 3, 2019



- STREET SWEEPING STAKEHOLDERS MEETING POLL KEEP CURRENT SCHEDULE
- STREET SWEEPING STAKEHOLDERS MEETING POLL 1ST & 3RD MON (EVEN); 1ST & 3RD TUES (ODD)
- STREET SWEEPING STAKEHOLDERS MEETING POLL PROPOSAL + SHORTER HOURS
- STREET SWEEPING STAKEHOLDERS MEETING POLL OTHER

1. No citations after the street sweeper has passed.
2. Teachers, volunteers need parking options around school perimeter.
3. Trash cans should be placed on the curb so as not to conflict with street sweeping.
4. Since calendar is uneven, augment street sweeping support for additional days and leaf season.
5. Remove the all-day no parking restrictions.
6. Staggered/overlap street sweeping start times near schools and utilize school parking lots.
7. Hopkinson Elementary has no place to park on street sweeping days.
8. Add parking enforcement cameras in street sweepers and save money.
9. Eliminate summer street sweeping; sweep for shorter periods of time.
10. Only one sign at community entrance like Rossmoor Highlands in Los Alamitos.
11. PTA supports available options that facilitate school volunteer parking availability 5 days per week.
12. County revenue surplus go back to street sweeping programs.
13. Utilize GPS technology to issue automated street sweeping citations and know route locations.
14. No street sweeping quadrants as they will increase signage and sign blight.
15. Increase street sweeping in Fall to remove leaves.
16. Sweep every week on alternate days like Long Beach.
17. GPS Sweeper Pilot Program like LA County.
18. Shorten the time duration to accommodate school dismissals.
19. School parking permits/waivers around school perimeter.
20. Retain accommodations for contractors and construction.
21. Home Health Care and Child Care Workers need street parking.
22. Need more consistent enforcement.
23. Go out to bid for a contractor who utilizes modern technology.
24. New construction should include adequate driveway clearance lengths for large/long vehicles.
25. Keep the overflow parking at Rossmoor Park.
26. Schedule street sweeping on Tuesday/Wednesday in order to allow for Monday holidays.
27. Consider trash day due to competition for curb space.
28. Research existing scheduling apps and technology downloads for street sweeping notification.
29. Keep the schedule the same as it is now.
30. Talk to neighbors and communicate more.
31. Thoroughly research and obtain cost estimates and signage requirements before decision made.
32. Sweep school perimeters first.
33. Remove 8-hour time block and implement a 4-hour time block for 2 days, odd/even.
34. Install license plate cameras on the street sweepers to cite those vehicles that block the sweeper.

STREET SWEEPING PUBLIC INPUT

OCTOBER 3, 2019

ROSSMOOR STREET SWEEPING SOLUTIONS SURVEY

Please check the appropriate box.

Keep our current schedule:
1st & 3rd Mondays of the month

Alternative:
1st & 3rd Mondays (even addresses) and
1st & 3rd Tuesdays (odd addresses)

Other _____

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-1a.

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Initiated by Liz Deering
Subject: REGULAR BOARD MEETING MINUTES OF NOVEMBER 12, 2019

RECOMMENDATION:

Approve the Minutes of the Regular Meeting of November 12, 2019 as prepared by the Board's Secretary/General Manager.

BACKGROUND:

The report reflects the actions of the Board at their meeting of November 12, 2019 as recorded by the Board's Secretary/General Manager.

ATTACHMENTS:

1. Regular RCSD Board Meeting Minutes of November 12, 2019



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, November 12, 2019

A. ORGANIZATION

1. CALL TO ORDER: 7:00 P.M.

- 2. ROLL CALL:** Directors Barke, Nitikman, Maynard
President Casey
Director DeMarco had an excused absence

- 3. PLEDGE OF ALLEGIANCE:** WWII Veteran William Foster Cass led the Pledge of Allegiance and was presented with a certificate of appreciation.

4. PRESENTATIONS:

a. OCSD QUARTERLY CRIME STATISTICS

Orange County Sheriff's Department Sergeant Feeley presented the quarterly crime statistics to the community. Sergeant Feeley observed that most crimes were due to unlocked doors and windows. He further reported on the security options offered in support of the Holiday Lights Bicycle Tour should the Board choose to go forward with cosponsorship of the event. The report was received and filed.

b. CHP QUARTERLY CRIME STATISTICS

California Highway Patrol Officer Matthew Musselmann reported on traffic and speeding issues within the community. Officer Musselmann stated that stop sign violations and speeding are the biggest challenges he faced within Rossmoor. He added that his attention was primarily concentrated on areas near the schools and certain busy intersections. He encouraged residents to report any problem areas directly to him. The report was received and filed.

c. JFTB SUNBURST ACADEMY

Chief Rochelle Sonza reported on the Sunburst Academy Youth Program at the Joint Forces Training Base in Los Alamitos, California. Two Sunburst Academy students gave testimony about how the program had positively impacted their lives. The report was received and filed.

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM—None

D. REPORTS TO THE BOARD:

1. QUARTERLY STATUS REPORT

The General Manager discussed staff progress over the quarter in reaching the District’s Mission, Goals and Objectives. The report was received and filed.

2. QUARTERLY FACILITIES AND MAINTENANCE REPORT

Park Superintendent Omero Perez discussed quarterly maintenance which included Rush Park Playground repairs, roof repairs and the removal of built up sand at Rossmoor Park. The report was received and filed.

3. QUARTERLY RECREATION REPORT

Recreation Superintendent Chris Argueta discussed the success of the summer events program and the new R.A.S.C.A.L.S. After School Program at Rush Park. He stated that he was busy planning the Rossmoor Winter Festival on December 13, 2019 and that a ticket booth selling \$5 wristbands would be implemented this year to recover the growing costs required to manage and enhance the popular event. The report was received and filed.

4. QUARTERLY TREE REPORT

District Arborist Mary Kingman reported on the number of service requests, tree trims and safety trims over the last quarter. She also discussed the number of limb failures due to canopy growth and the tree species prone to limb failure. The report was received and filed.

E. CONSENT CALENDAR:

DIRECTOR NITIKMAN PULLED ITEM E-1a. MINUTES FROM THE AGENDA

1a. MINUTES OF THE REGULAR BOARD MEETING—October 8, 2019

Motion by Director Nitikman, seconded by Director Barke to move the minutes of the October 8, 2019 meeting to the December 10, 2019 board meeting for approval due to lack of a quorum of October meeting attendees present this evening. Motion passed 4-0.

2. REVENUE AND EXPENDITURE REPORT—September 2019

3. LONG TERM RENTERS

Motion by Director Nitikman, seconded by Director Maynard to approve Items E-2 and E-3 on the consent calendar as submitted. Motion passed 4-0.

F. PUBLIC HEARING—None

G. RESOLUTIONS:

1. RESOLUTION NO. 19-11-12-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT FORMALLY REQUESTING FAIR VOTING AND GEOGRAPHIC

REPRESENTATION ON THE LOS ALAMITOS SCHOOL DISTRICT BOARD OF EDUCATION

Recommendation to approve Resolution No. 19-11-12-01 formally requesting fair voting and geographic representation on the Los Alamitos School District Board of Education.

The General Manager reported that on Tuesday, August 27, 2019 LAUSD announced in an email that the Board of Education had begun the process of changing the current at-large voting system to a voting system based on five trustee areas. This means that instead of voting for all five members of the school board at large, a voter will select one trustee to represent their area of the school district. To solicit feedback from the community on these draft maps, the School District held a series of outreach meetings, one of which was held Monday, November 4, 2019 at 6:30 p.m. at Rush Park in Rossmoor. Discussion ensued relative to maps and boundary lines and possibly scheduling an interim special meeting.

Motion by Director Nitikman, seconded by Director Maynard, to take no action on the resolution, form a temporary subcommittee consisting of Directors Nitikman and Barke to meet with a Los Alamitos Unified School District representative to obtain more detail regarding the maps and allow them to formulate specific recommendations to be included in a resolution that the RCSD could adopt at its December meeting, and the Board of Education could formally consider at its December 10, 2019 public hearing. Director Maynard was appointed as Alternate. Motion passed 4-0.

ORDINANCES—None

H. REGULAR CALENDAR:

1. DISCUSSION AND POSSIBLE ACTION RE: RHA HOLIDAY BIKE TOUR COSPONSORSHIP PROPOSAL

Recreation Superintendent Chris Argueta reported that at the direction of the Board, the District had again met with the Orange County Sheriff's Department regarding a safety plan for the Holiday Lights Bicycle Tour and also attempted to be named as additionally insured on the liability insurance for the local non-profit bicycle club, however, it was too costly. The RHA will not be able to provide liability insurance to cover the bicycle tour. As a result, the bicycle tour organizers will be redesigning the route so event participants will not meet or depart from Rush Park and instead will provide a suggested route.

Discussion ensued relative to District liability related to cosponsorship, bicycle safety, government involvement in private events and District staff time commitment. It was the consensus of the Board that the event organizers continue to hold the event and absorb any related risk without the cosponsorship of the District.

I. GENERAL COUNSEL ITEMS: None

J. GENERAL MANAGER ITEMS:

General Manager Joe Mendoza reported that on October 19, 2019 Assemblyman Tyler Diep held a Community Coffee and Donuts event at the Rush Park Auditorium to discuss topics of community interest. A November 21, 2019 meeting was planned with Assemblyman Diep's office, RCSD and RHA to discuss the noise abatement and sound wall issue in more detail. The General Manager

informed the Board that the District had received a total of 366 responses to the Street Sweeping Solutions Poll and would present a full report to the Board at their December 2019 meeting. The poll results would ultimately be presented to Orange County Supervisor Michelle Steel. He stated that the County Public Works street construction and upgrades project was on hold until Spring of 2020. The latest CIP Projects, including the Rossmoor Park Picnic Canopy and Rush Park Auditorium sound, lighting and multimedia upgrades, were in the planning and development phase and he was hopeful that various donation and grant funding sources would soon be obtained. The General Manager also reported that he had received some trash related complaints recently and assured the Board he was following up with CR&R Waste and Recycling. The report was received and filed.

K. BOARD MEMBER ITEMS:

Director Barke announced that November was Men’s Health Month. He stated that the Sunburst Youth Academy Graduation Ceremony was a great event and he encouraged everyone’s attendance.

Director Nitikman stated that he was impressed by the Sunburst Youth Academy presentation and it seemed like quite a program. He was glad Chief Sonza had the opportunity to share the program with the community. Director Nitikman concluded his comments by wishing everyone a safe and joyous Thanksgiving holiday. He reminded motorists to slow down and be mindful of kids and pedestrian visitors.

Director Maynard stated he was also impressed by the Sunburst Youth Academy’s program and was glad they shared their stories with the community. He thanked the Orange County Sheriff’s Department and the California Highway Patrol for their quarterly reports. He also opined about residents excessive speeding and providing crimes of opportunity by leaving doors and vehicles unlocked. Finally, he stated he looked forward to the Ad Hoc Committee Meeting with the Los Alamitos Unified School District and the opportunity to communicate and provide input on the boundary maps. Director Maynard stated that he felt the issue was important enough to hold a special meeting if necessary.

President Casey thanked Assemblyman Tyler Diep for addressing Rossmoor resident sound wall issues with Caltrans. He thanked the Orange County Sheriff’s Department and California Highway Patrol for their informative presentations. He opined that the number of stop sign and speeding violations were atrocious. He encouraged residents to keep their residences and vehicles locked. President Casey stated that he was also very impressed with the Sunburst Youth Academy and appreciated the heartwarming firsthand accounts from the two young lady cadettes. He wished the entire community a Happy Thanksgiving.

L. CLOSED SESSION—None

M. ADJOURNMENT:

Motion by Director Barke seconded by Director Maynard, to adjourn the regular meeting at 8:43 p.m. Motion passed 4-0.

SUBMITTED BY:

Joe Mendoza
General Manager

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-1b.

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Initiated by Liz Deering
Subject: REGULAR BOARD MEETING MINUTES OF OCTOBER 8, 2019

RECOMMENDATION:

Approve the Minutes of the Regular Meeting of October 8, 2019 as prepared by the Board's Secretary/General Manager.

BACKGROUND:

The report reflects the actions of the Board at their meeting of October 8, 2019 as recorded by the Board's Secretary/General Manager.

ATTACHMENTS:

1. Regular RCSD Board Meeting Minutes of October 8, 2019



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, October 8, 2019

A. ORGANIZATION

1. CALL TO ORDER: 7:00 P.M.

2. ROLL CALL: Directors Barke, DeMarco, Nitikman, Maynard
President Casey

3. PLEDGE OF ALLEGIANCE: Joint Forces Training Base Colonel Richard Lalor and The
Sunburst Academy

4. PRESENTATIONS:

**a. JOINT FORCES TRAINING BASE DEPUTY COMMANDING GENERAL NICK
DUCICH RE: LOS ALAMITOS JOINT FORCES TRAINING BASE PROGRAMS**

Deputy Commanding General Nick Ducich, Los Alamitos Joint Forces Training Base gave a presentation encompassing the 2020 Priorities, Partnerships and Proposals with the Orange County Fire Authority, U.S. Army Corps of Engineers, Youth Programs (Sunburst and Starbase), Airfield Budget Change Proposal, U.S. Coast Guard/DHS, United States Army Cadet Command, Outreach Program and Events held on the base. He stated the Joint Forces Training Base had the last military runway in the Los Angeles/Orange County area and discussed the base's role in supporting and augmenting first responders with aircraft landings and medical services support in the event of an emergency. The presentation was received and filed.

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM:

Girl Scout Troop 675 requested that an item requesting the use of Rossmoor Park as a recycling center to raise money for The Los Alamitos Youth Center on the November agenda for the Board's consideration. President Casey directed the troop to work with District Recreation Superintendent Chris Argueta to submit a formal agenda item.

Diane Rush opined regarding strategies for dealing with squatters in abandoned homes in Rossmoor. She stated that a home on her street was being occupied by people other than the owners and she was concerned about neighborhood safety implications. General Manager Joe

Mendoza stated that he was aware of the situation and available remedies were being pursued by the County and Orange County Sheriff's Department.

Jody Roubanis thanked the District for holding the October 3, 2019 Street Sweeping Solutions Stakeholders Meeting. She opined that she appreciated the District's efforts to listen and gather public input on such a complicated issue. Mrs. Roubanis also announced the Los Alamitos School District Walk/Bike to School Campaign on October 16, 2019 and encouraged community participation.

D. REPORTS TO THE BOARD:

1. REPORT OF THE AUDIT COMMITTEE RE: 2019-2020 AUDIT AND FINAL BUDGET

Recommendation to receive the report of the Audit Committee, approve the FY 2018-2019 Annual Audit Report and approve the recommendations contained in the Management Letter. District Auditor Brad Welebir with Rogers, Anderson, Malody and Scott, LLP presented an overview of the Audit Report as presented to the Audit Committee and answered questions from the Board. Mr. Welebir praised the District's transparency and stated that once again the District had received an unmodified opinion, the highest rating possible. The report was received and filed.

E. CONSENT CALENDAR:

1a. MINUTES OF THE REGULAR BOARD MEETING—September 10, 2019

2. REVENUE AND EXPENDITURE REPORT—Aug 2019

Motion by Director DeMarco, seconded by Director Nitikman to approve the consent calendar as submitted. Motion passed 3-0.

F. PUBLIC HEARING—None

G. RESOLUTIONS:

1. RESOLUTION NO. 19-10-08-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT (LIONS CLUB ALCOHOL REQUEST FOR BEER AND WINE AT RWF)

Recommendation to approve Resolution No. 19-10-08-01 authorizing the dispensing of alcohol (*beer and wine*) on District property at the fifth annual Rossmoor Winter Festival on December 13, 2019.

Discussion ensued relative to safety and liability concerns, District labor costs and vendor profits. Director DeMarco opined that he was not in favor of the Beer/Wine Garden however, he would be more inclined to approve the request if he had assurance that strict security measures would be in place, the District received compensation from the Seal Beach Lions Club for use of the space and did their own setup and takedown. Director Nitikman agreed. Further discussion ensued relative to whether the Lions Club should contribute a flat fee or a be charged a percentage. Motion by Director Nitikman, seconded by Director Casey, to approve Resolution No. 19-10-08-01 with the stipulation that the Seal Beach Lions Club pay a minimum flat fee of \$150, do their own setup and takedown and guarantee that all minors will be kept out of the alcohol consumption area. Motion passed 3-0.

ORDINANCES—None

H. REGULAR CALENDAR:

1. DISCUSSION AND POSSIBLE ACTION RE: RHA HOLIDAY BIKE TOUR COSPONSORSHIP PROPOSAL

Recommendation to discuss the proposed holiday bicycle tour event cosponsorship and direct staff accordingly.

The General Manager reported that the Rossmoor Holiday Lights Bicycle Tour started in 2015 with the help of a few Rossmoor residents along with a group of their friends and family who gathered at Rush Park on the Saturday evening before Christmas. With the Rossmoor Holiday Lights Bicycle Tour continuing to grow, the District is looking to provide a safe and fun environment for the participants, as well as the community. Because the event is held at Rush Park, General Manager Joe Mendoza has had discussion with event organizers, Rossmoor Homeowners Association, and Lt. Patrick Rich with Orange County Sheriff’s Department, to determine how to provide a safe event with appropriate safeguards. The District has verified that its Special District Risk Management Authority (SDRMA) policy will adequately cover the event with not additional insurance required.

Discussion ensued relative to District liability related to co-sponsorship, bicycle safety and District staff time commitment. Rossmoor Homeowners Association Event Representative Pei-Pei Kelman stated that the Rossmoor Homeowners Association did not currently sponsor the event, it was privately coordinated by a group of residents. Pei-Pei Kelman also stated that the RHA would not agree to absorb the primary liability for the event. Motion by Director Nitikman, seconded by Director DeMarco, to table the item until the November Board Meeting. Motion passed 3-0.

2. DISCUSSION AND POSSIBLE ACTION RE: REQUEST BY THE ROSSMOOR HOMEOWNERS ASSOCIATION (RHA) FOR COSPONSORSHIP OF THE 2020 ROSSMOOR COMMUNITY FESTIVAL

Recommendation to approve the Rossmoor Homeowners Association request for co-sponsorship of the 2020 Rossmoor Community Festival.

The General Manager reported that for many years the RHA has conducted an annual Community Festival at Rush Park. The one-day event is held on the first Sunday in May with entertainment, food, vendors and activities. The RHA is once again requesting that the District co-sponsor the Rossmoor Community Festival on May 3, 2020 (*with no fees for the use of the Park or District staff costs*). Brief discussion ensued. Motion by Director Nitikman, seconded by Director DeMarco, to approve the District Co-sponsorship of the 2020 Rossmoor Community Festival. Motion passed 5-0.

I. GENERAL MANAGER ITEMS:

General Manager Joe Mendoza reported that staff was researching upgrades to the Rush Park Auditorium and lighting. He thanked Director DeMarco for his participation in the successful Street Sweeping Stakeholders Meeting and the annual School Ghoul 5K Run at Rush Park. The report was received and filed.

J. BOARD MEMBER ITEMS:

Director DeMarco opined regarding the audit report and noted that since the District planned to pay down the bond early it needed to be careful about depleting its cash reserves. He recommended timing cash expenditures and capital projects with property tax payments. He encouraged Girl Scout Troop 675 to move forward with its recycling project in Rossmoor. Director DeMarco remarked that the Street Sweeping Solutions Stakeholders Meeting was outstanding. He was pleased with the attendance and everyone’s focus on solutions. According to the Attendee Poll most people were in favor of the District’s proposed alternative street sweeping schedule. Director DeMarco directed staff to publicize the poll results to those who could not attend and provide them with an opportunity to participate in the decision as well. That would allow more data to be collected and presented to the County. Director Nitikman opined that the goal should be at least 300 responses. Director DeMarco agreed and inquired about next steps.

The General Manager stated that he planned to schedule another Traffic/Safety Ad Hoc Committee Meeting and bring a report back to the Board.

Director DeMarco thanked the Los Alamitos Joint Forces Training Base for their attendance and presentation this evening and thanked President Casey for inquiring about the JFTB process for emergency services.

Director Nitikman thanked Director DeMarco and the RCSD staff for organizing the Street Sweeping Stakeholder Meeting. He stated that by all accounts the meeting was very successful and he had received a lot of positive feedback from residents who felt like the District had taken the time to listen to their concerns.

President Casey praised the General Manager for helping to coordinate the organization of the First Annual Heroes Luncheon at the Rush Park Auditorium in Rossmoor in order to honor local military and law enforcement heroes. He stated the luncheon was a huge success followed by a ribbon cutting ceremony acknowledging the RCSD’s membership in the Los Alamitos Chamber of Commerce. He also thanked Director DeMarco and Joe Mendoza for their leadership at the Street Sweeping Stakeholders Meeting. He had received a lot of positive feedback about the event which garnered many comments from the public. He praised the County of Orange for its steady progress on the Rossmoor street repaving project and expressed his appreciation for the smooth roads as compared to surrounding areas.

K. GENERAL COUNSEL ITEMS: None

L. CLOSED SESSION—None

M. ADJOURNMENT:

Motion by Director DeMarco seconded by Director Nitikman, to adjourn the regular meeting at 8:52 p.m. Motion passed 3-0.

SUBMITTED BY:

Joe Mendoza
General Manager

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-2

Date December 10, 2019
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Initiated by Kathy Bell
Subject: OCTOBER 2019 REVENUE & EXPENDITURE REPORT

RECOMMENDATION:

Receive and file the Revenue and Expenditure Report for October 2019.

BACKGROUND:

The Revenue & Expenditure Report is submitted on a monthly basis as an indication of the District's unaudited year-to-date revenues and expenses. Where appropriate, footnotes provide information which explains current anomalies.

ATTACHMENTS:

1. Revenue & Expenditure Report for the month of October 2019.

REVENUE / EXPENDITURE SUMMARY REPORT
 FUND 10 - GENERAL FUND
 October 2019 @ 33.34%

	Original Budget	Amended Budget	YTD Actual	Current Month	Unenc. Balance	% Budget
Revenues						
PROPERTY TAXES	1,010,370.00	1,010,370.00	22,675.42	2,743.51	987,694.58	2.2
STREET LIGHT ASSESSMENTS	356,040.00	356,040.00	7,893.12	950.40	348,146.88	2.2
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	4,420.08	5,430.95	19,579.92	18.4
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	0.00	0.00	65,400.00	0.0
FEES AND SERVICES	181,000.00	181,000.00	66,334.50	18,194.25	114,665.50	36.6
OTHER REVENUE I	22,000.00	22,000.00	2,388.00	13.03	19,612.00	10.9
Total Revenues	1,658,810.00	1,658,810.00	103,711.12	27,332.14	1,555,098.88	6.3
Expenditures						
TRANSFER OUT - CIP FUND 40	150,000.00	150,000.00	0.00	0.00	0.00	0.0
ADMINISTRATION	816,940.00	816,940.00	267,060.87	76,134.77	549,879.13	32.7
RECREATION	45,000.00	45,000.00	11,803.34	720.00	33,196.66	26.2
ROSSMOOR PARK	103,290.00	103,290.00	37,436.28	3,070.79	65,853.72	36.2
MONTECITO CENTER	26,098.00	26,098.00	4,313.87	1,858.17	21,784.13	16.5
RUSH PARK	140,900.00	140,900.00	55,395.98	15,981.52	85,504.02	39.3
STREET LIGHTING	103,000.00	103,000.00	45,496.25	7,856.56	57,503.75	44.2
ROSSMOOR WALL	4,400.00	4,400.00	2,200.00	0.00	2,200.00	50.0
STREET SWEEPING	60,000.00	60,000.00	14,600.65	4,865.63	45,399.35	24.3
PARKWAY TREES	166,550.00	166,550.00	8,890.00	-200.00	157,660.00	5.3
MINI-PARKS, MEDIANS & TRIANGLE	15,150.00	15,150.00	4,239.86	1,858.99	10,910.14	28.0
Total Expenditures	1,631,328.00	1,631,328.00	451,437.10	112,146.43	1,029,890.90	27.7

Audited Fund Balance at June 30, 2019: \$1,003,299

1. Other Revenue/10-00-3500

Tree Fine deposited in Other Revenue Account/will be adjusted in Amended Budget

REVENUE REPORT
October 2019 @ 33.34%

Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Revenues							
Dept: 00							
PROPERTY TAXES	1,010,370.00	1,010,370.00	22,675.42	2,743.51	0.00	987,694.58	2.2
ASSESSMENTS	356,040.00	356,040.00	7,893.12	950.40	0.00	348,146.88	2.2
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	4,420.08	5,430.95	0.00	19,579.92	18.4
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	0.00	0.00	0.00	65,400.00	0.0
FEES AND SERVICES	181,000.00	181,000.00	66,334.50	18,194.25	0.00	114,665.50	36.6
OTHER REVENUE (1)	22,000.00	22,000.00	2,388.00	13.03	0.00	19,612.00	10.9
Dept: 00	1,658,810.00	1,658,810.00	103,711.12	27,332.14	0.00	1,555,098.88	6.3
Revenues	1,658,810.00	1,658,810.00	103,711.12	27,332.14	0.00	1,555,098.88	6.3
Grand Total Net Effect:	1,658,810.00	1,658,810.00	103,711.12	27,332.14	0.00	1,555,098.88	

EXPENDITURE REPORT

October 2019 @ 33.34%

Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019

Fund: 10 - GENERAL FUND

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Expenditures							
Dept: 00							
OPERATIONS AND MAINTENANCE	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
Dept: 00	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
Dept: 10 ADMINISTRATION							
SALARIES AND BENEFITS	649,100.00	649,100.00	216,694.38	58,456.78	0.00	432,405.62	33.4
OPERATIONS AND MAINTENANCE	103,440.00	103,440.00	26,729.90	9,922.99	0.00	76,710.10	25.8
CONTRACT SERVICES	62,400.00	62,400.00	23,070.19	7,755.00	0.00	39,329.81	37.0
CAPITAL EXPENDITURES	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
ADMINISTRATION	816,940.00	816,940.00	267,060.87	76,134.77	0.00	549,879.13	32.7
Dept: 20 RECREATION							
OPERATIONS AND MAINTENANCE	44,750.00	44,750.00	11,803.34	720.00	0.00	32,946.66	26.4
CAPITAL EXPENDITURES	250.00	250.00	0.00	0.00	0.00	250.00	0.0
RECREATION	45,000.00	45,000.00	11,803.34	720.00	0.00	33,196.66	26.2
Dept: 30 ROSSMOOR PARK							
OPERATIONS AND MAINTENANCE	73,290.00	73,290.00	26,962.08	452.24	0.00	46,327.92	36.8
CONTRACT SERVICES	30,000.00	30,000.00	10,474.20	2,618.55	0.00	19,525.80	34.9
ROSSMOOR PARK	103,290.00	103,290.00	37,436.28	3,070.79	0.00	65,853.72	36.2
Dept: 40 MONTECITO CENTER							
OPERATIONS AND MAINTENANCE	22,098.00	22,098.00	3,150.07	1,567.22	0.00	18,947.93	14.3
CONTRACT SERVICES	3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
CAPITAL EXPENDITURES	500.00	500.00	0.00	0.00	0.00	500.00	0.0
MONTECITO CENTER	26,098.00	26,098.00	4,313.87	1,858.17	0.00	21,784.13	16.5
Dept: 50 RUSH PARK							
OPERATIONS AND MAINTENANCE	110,900.00	110,900.00	44,376.56	13,362.97	0.00	66,523.44	40.0
CONTRACT SERVICES	30,000.00	30,000.00	11,019.42	2,618.55	0.00	18,980.58	36.7
RUSH PARK	140,900.00	140,900.00	55,395.98	15,981.52	0.00	85,504.02	39.3
Dept: 60 STREET LIGHTING							
CONTRACT SERVICES	103,000.00	103,000.00	45,496.25	7,856.56	0.00	57,503.75	44.2
STREET LIGHTING	103,000.00	103,000.00	45,496.25	7,856.56	0.00	57,503.75	44.2
Dept: 65 ROSSMOOR WALL							
OPERATIONS AND MAINTENANCE	4,400.00	4,400.00	2,200.00	0.00	0.00	2,200.00	50.0
ROSSMOOR WALL	4,400.00	4,400.00	2,200.00	0.00	0.00	2,200.00	50.0

EXPENDITURE REPORT
October 2019 @ 33.34%

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Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Dept: 70 STREET SWEEPING							
CONTRACT SERVICES	60,000.00	60,000.00	14,600.65	4,865.63	0.00	45,399.35	24.3
STREET SWEEPING	60,000.00	60,000.00	14,600.65	4,865.63	0.00	45,399.35	24.3
Dept: 80 PARKWAY TREES							
OPERATIONS AND MAINTENANCE	1,550.00	1,550.00	0.00	0.00	0.00	1,550.00	0.0
CONTRACT SERVICES	120,000.00	120,000.00	11,830.00	970.00	0.00	108,170.00	9.9
CAPITAL EXPENDITURES	45,000.00	45,000.00	-2,940.00	-1,170.00	0.00	47,940.00	-6.5
PARKWAY TREES	166,550.00	166,550.00	8,890.00	-200.00	0.00	157,660.00	5.3
Dept: 90 MINI-PARKS AND MEDIANS							
OPERATIONS AND MAINTENANCE	11,550.00	11,550.00	3,076.06	1,568.04	0.00	8,473.94	26.6
CONTRACT SERVICES	3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
CAPITAL EXPENDITURES	100.00	100.00	0.00	0.00	0.00	100.00	0.0
MINI-PARKS AND MEDIANS	15,150.00	15,150.00	4,239.86	1,858.99	0.00	10,910.14	28.0
Expenditures	1,631,328.00	1,631,328.00	451,437.10	112,146.43	0.00	1,179,890.90	27.7
Grand Total Net Effect:	-1,631,328.00	-1,631,328.00	-451,437.10	-112,146.43	0.00	-1,179,890.90	

REVENUE/EXPENDITURE REPORT

October 2019 @ 33.34%

Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Revenues							
Dept: 00							
Acct Class: 30 PROPERTY TAXES							
3000 Current Secured Property Taxes	936,675.00	936,675.00	0.00	0.00	0.00	936,675.00	0.0
3001 Current unsecured prop tax	28,000.00	28,000.00	16,338.95	0.00	0.00	11,661.05	58.4
3002 Prior secured property taxes	6,500.00	6,500.00	3,558.83	1,011.48	0.00	2,941.17	54.8
3003 Prior unsecured prop taxes	395.00	395.00	0.00	0.00	0.00	395.00	0.0
3004 Delinquent property taxes	800.00	800.00	0.00	0.00	0.00	800.00	0.0
3010 Current supplemental assessmnt	24,000.00	24,000.00	2,777.64	1,732.03	0.00	21,222.36	11.6
3020 Public utility tax	14,000.00	14,000.00	0.00	0.00	0.00	14,000.00	0.0
PROPERTY TAXES	1,010,370.00	1,010,370.00	22,675.42	2,743.51	0.00	987,694.58	2.2
Acct Class: 31 ASSESSMENTS							
3105 Street light assessments	356,040.00	356,040.00	7,893.12	950.40	0.00	348,146.88	2.2
ASSESSMENTS	356,040.00	356,040.00	7,893.12	950.40	0.00	348,146.88	2.2
Acct Class: 32 USE OF MONEY AND PROPERTY							
3200 Interest on investments	24,000.00	24,000.00	4,420.08	5,430.95	0.00	19,579.92	18.4
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	4,420.08	5,430.95	0.00	19,579.92	18.4
Acct Class: 33 OTHER GOVERNMENT AGENCIES							
3301 State homeowner proptax relief	5,400.00	5,400.00	0.00	0.00	0.00	5,400.00	0.0
3305 County street sweep reimburse	60,000.00	60,000.00	0.00	0.00	0.00	60,000.00	0.0
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	0.00	0.00	0.00	65,400.00	0.0
Acct Class: 34 FEES AND SERVICES							
3404 Court reservations	25,000.00	25,000.00	11,790.50	2,405.75	0.00	13,209.50	47.2
3405 Wall Rental	500.00	500.00	120.00	20.00	0.00	380.00	24.0
3406 Ball field reservations	25,000.00	25,000.00	8,839.00	731.50	0.00	16,161.00	35.4
3410 Rossmoor building rental	18,500.00	18,500.00	6,017.00	1,905.00	0.00	12,483.00	32.5
3412 Montecito building rental	27,000.00	27,000.00	7,693.00	3,161.00	0.00	19,307.00	28.5
3414 Rush Park Building Rental	85,000.00	85,000.00	31,875.00	9,971.00	0.00	53,125.00	37.5
FEES AND SERVICES	181,000.00	181,000.00	66,334.50	18,194.25	0.00	114,665.50	36.6
Acct Class: 35 OTHER REVENUE							
3500 Other miscellaneous revenue	2,000.00	2,000.00	2,388.00	13.03	0.00	-388.00	119.4
3600 TRANSFER IN/OUT OTHER FUNDS	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	0.0
OTHER REVENUE	22,000.00	22,000.00	2,388.00	13.03	0.00	19,612.00	10.9
Dept: 00	1,658,810.00	1,658,810.00	103,711.12	27,332.14	0.00	1,555,098.88	6.3
Revenues	1,658,810.00	1,658,810.00	103,711.12	27,332.14	0.00	1,555,098.88	6.3
Expenditures							
Dept: 00							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
9997 Transfer Out	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
OPERATIONS AND MAINTENANCE	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
Dept: 00	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
Dept: 10 ADMINISTRATION							
Acct Class: 40 SALARIES AND BENEFITS							
4000 Board of Directors Compensatn	8,000.00	8,000.00	2,800.00	700.00	0.00	5,200.00	35.0
4002 Salaries - Part-time	10,000.00	10,000.00	4,992.50	2,345.00	0.00	5,007.50	49.9
4003 Salaries - Overtime	6,000.00	6,000.00	1,799.57	0.00	0.00	4,200.43	30.0
4006 SALARY - ADMINISTRATION	217,400.00	217,400.00	69,088.03	17,767.33	0.00	148,311.97	31.8
4007 Vehicle Allowance	1,500.00	1,500.00	303.18	208.80	0.00	1,196.82	20.2
4008 SALARY - RECREATION	129,600.00	129,600.00	49,014.30	12,817.02	0.00	80,585.70	37.8
4009 SALARY - PARK/TREE MAINTENANCE	132,000.00	132,000.00	46,018.78	11,826.94	0.00	85,981.22	34.9
4010 Workers Compensation Insurance	28,000.00	28,000.00	5,874.32	1,468.58	0.00	22,125.68	21.0

REVENUE/EXPENDITURE REPORT

October 2019 @ 33.34%

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Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Dept: 10 ADMINISTRATION							
Acct Class: 40 SALARIES AND BENEFITS							
4011 Medical Insurance	79,000.00	79,000.00	23,365.02	7,788.34	0.00	55,634.98	29.6
4015 Federal Payroll Tax -FICA	37,600.00	37,600.00	13,438.68	3,534.77	0.00	24,161.32	35.7
SALARIES AND BENEFITS	649,100.00	649,100.00	216,694.38	58,456.78	0.00	432,405.62	33.4
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5002 Insurance - Liability	24,165.00	24,165.00	0.00	0.00	0.00	24,165.00	0.0
5004 Memberships and Dues	7,200.00	7,200.00	5,193.13	2,940.00	0.00	2,006.87	72.1
5006 Travel & Meetings	1,550.00	1,550.00	700.91	100.00	0.00	849.09	45.2
5007 Televised Meeting Costs	17,860.00	17,860.00	5,950.40	1,487.60	0.00	11,909.60	33.3
5010 Publications & Legal Notices	6,500.00	6,500.00	2,125.42	1,041.02	0.00	4,374.58	32.7
5012 Printing	2,000.00	2,000.00	75.00	0.00	0.00	1,925.00	3.8
5014 Postage	3,000.00	3,000.00	2,004.18	919.38	0.00	995.82	66.8
5016 Office Supplies	9,000.00	9,000.00	2,755.39	1,140.76	0.00	6,244.61	30.6
5020 Telephone	14,365.00	14,365.00	3,340.99	800.40	0.00	11,024.01	23.3
5021 Computer Costs	5,000.00	5,000.00	942.06	317.11	0.00	4,057.94	18.8
5045 Miscellaneous Expenditures	10,000.00	10,000.00	2,676.98	1,176.72	0.00	7,323.02	26.8
5046 Bank Service Charge	2,800.00	2,800.00	965.44	0.00	0.00	1,834.56	34.5
OPERATIONS AND MAINTENANCE	103,440.00	103,440.00	26,729.90	9,922.99	0.00	76,710.10	25.8
Acct Class: 56 CONTRACT SERVICES							
5610 Legal Counsel	34,000.00	34,000.00	15,520.00	6,320.00	0.00	18,480.00	45.6
5615 Financial Audit-Consulting	12,500.00	12,500.00	0.00	0.00	0.00	12,500.00	0.0
5670 Other Professional Services	15,900.00	15,900.00	7,550.19	1,435.00	0.00	8,349.81	47.5
CONTRACT SERVICES	62,400.00	62,400.00	23,070.19	7,755.00	0.00	39,329.81	37.0
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
CAPITAL EXPENDITURES	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
ADMINISTRATION	816,940.00	816,940.00	267,060.87	76,134.77	0.00	549,879.13	32.7
Dept: 20 RECREATION							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5017 Community Events	44,000.00	44,000.00	11,803.34	720.00	0.00	32,196.66	26.8
5045 Miscellaneous Expenditures	500.00	500.00	0.00	0.00	0.00	500.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	44,750.00	44,750.00	11,803.34	720.00	0.00	32,946.66	26.4
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	250.00	250.00	0.00	0.00	0.00	250.00	0.0
CAPITAL EXPENDITURES	250.00	250.00	0.00	0.00	0.00	250.00	0.0
RECREATION	45,000.00	45,000.00	11,803.34	720.00	0.00	33,196.66	26.2
Dept: 30 ROSSMOOR PARK							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	714.22	714.22	0.00	3,785.78	15.9
5022 Utilities	13,000.00	13,000.00	4,943.92	2,924.14	0.00	8,056.08	38.0
5023 Water	22,000.00	22,000.00	11,645.47	0.00	0.00	10,354.53	52.9
5025 SECURED PROP TAX	940.00	940.00	0.00	0.00	0.00	940.00	0.0
5030 Vehicle Maintenance	1,050.00	1,050.00	324.91	76.46	0.00	725.09	30.9
5032 Building & Grounds-Maintenance	30,000.00	30,000.00	9,036.98	-3,404.00	0.00	20,963.02	30.1
5034 Alarm Systems	850.00	850.00	296.58	141.42	0.00	553.42	34.9
5045 Miscellaneous Expenditures	450.00	450.00	0.00	0.00	0.00	450.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	73,290.00	73,290.00	26,962.08	452.24	0.00	46,327.92	36.8
Acct Class: 56 CONTRACT SERVICES							

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Rossmoor Community

For the Period: 7/1/2019 to 10/31/2019	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Dept: 30 ROSSMOOR PARK							
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	30,000.00	30,000.00	10,474.20	2,618.55	0.00	19,525.80	34.9
CONTRACT SERVICES	30,000.00	30,000.00	10,474.20	2,618.55	0.00	19,525.80	34.9
ROSSMOOR PARK	103,290.00	103,290.00	37,436.28	3,070.79	0.00	65,853.72	36.2
Dept: 40 MONTECITO CENTER							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	714.22	714.22	0.00	3,785.78	15.9
5022 Utilities	2,000.00	2,000.00	972.27	564.70	0.00	1,027.73	48.6
5023 Water	2,250.00	2,250.00	254.72	0.00	0.00	1,995.28	11.3
5025 SECURED PROP TAX	798.00	798.00	0.00	0.00	0.00	798.00	0.0
5030 Vehicle Maintenance	1,050.00	1,050.00	324.91	76.46	0.00	725.09	30.9
5032 Building & Grounds-Maintenance	10,000.00	10,000.00	844.56	185.22	0.00	9,155.44	8.4
5034 Alarm Systems	500.00	500.00	39.39	26.62	0.00	460.61	7.9
5045 Miscellaneous Expenditures	500.00	500.00	0.00	0.00	0.00	500.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	22,098.00	22,098.00	3,150.07	1,567.22	0.00	18,947.93	14.3
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
CONTRACT SERVICES	3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	500.00	500.00	0.00	0.00	0.00	500.00	0.0
CAPITAL EXPENDITURES	500.00	500.00	0.00	0.00	0.00	500.00	0.0
MONTECITO CENTER	26,098.00	26,098.00	4,313.87	1,858.17	0.00	21,784.13	16.5
Dept: 50 RUSH PARK							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	714.00	714.00	0.00	3,786.00	15.9
5022 Utilities	23,000.00	23,000.00	11,170.91	6,429.39	0.00	11,829.09	48.6
5023 Water	39,000.00	39,000.00	11,524.03	0.00	0.00	27,475.97	29.5
5025 SECURED PROP TAX	4,050.00	4,050.00	0.00	0.00	0.00	4,050.00	0.0
5030 Vehicle Maintenance	1,050.00	1,050.00	324.91	76.46	0.00	725.09	30.9
5032 Building & Grounds-Maintenance	38,000.00	38,000.00	20,189.31	5,816.50	0.00	17,810.69	53.1
5034 Alarm Systems	550.00	550.00	153.40	26.62	0.00	396.60	27.9
5045 Miscellaneous Expenditures	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5051 Equipment Rental	250.00	250.00	300.00	300.00	0.00	-50.00	120.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	110,900.00	110,900.00	44,376.56	13,362.97	0.00	66,523.44	40.0
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	30,000.00	30,000.00	11,019.42	2,618.55	0.00	18,980.58	36.7
CONTRACT SERVICES	30,000.00	30,000.00	11,019.42	2,618.55	0.00	18,980.58	36.7
RUSH PARK	140,900.00	140,900.00	55,395.98	15,981.52	0.00	85,504.02	39.3
Dept: 60 STREET LIGHTING							
Acct Class: 56 CONTRACT SERVICES							
5650 Lighting and Maintenance	103,000.00	103,000.00	45,496.25	7,856.56	0.00	57,503.75	44.2
CONTRACT SERVICES	103,000.00	103,000.00	45,496.25	7,856.56	0.00	57,503.75	44.2
STREET LIGHTING	103,000.00	103,000.00	45,496.25	7,856.56	0.00	57,503.75	44.2
Dept: 65 ROSSMOOR WALL							
Acct Class: 50 OPERATIONS AND MAINTENANCE							

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For the Period: 7/1/2019 to 10/31/2019		Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND								
Expenditures								
Dept: 65 ROSSMOOR WALL								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5002	Insurance - Liability	2,400.00	2,400.00	2,200.00	0.00	0.00	200.00	91.7
5032	Building & Grounds-Maintenance	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00	0.0
OPERATIONS AND MAINTENANCE		4,400.00	4,400.00	2,200.00	0.00	0.00	2,200.00	50.0
ROSSMOOR WALL		4,400.00	4,400.00	2,200.00	0.00	0.00	2,200.00	50.0
Dept: 70 STREET SWEEPING								
Acct Class: 56 CONTRACT SERVICES								
5642	Street Sweeping	60,000.00	60,000.00	14,600.65	4,865.63	0.00	45,399.35	24.3
CONTRACT SERVICES		60,000.00	60,000.00	14,600.65	4,865.63	0.00	45,399.35	24.3
STREET SWEEPING		60,000.00	60,000.00	14,600.65	4,865.63	0.00	45,399.35	24.3
Dept: 80 PARKWAY TREES								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5017	Community Events	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	0.0
5051	Equipment Rental	50.00	50.00	0.00	0.00	0.00	50.00	0.0
OPERATIONS AND MAINTENANCE		1,550.00	1,550.00	0.00	0.00	0.00	1,550.00	0.0
Acct Class: 56 CONTRACT SERVICES								
5656	Tree Trimming	111,000.00	111,000.00	10,860.00	0.00	0.00	100,140.00	9.8
5660	TREE REMOVAL	9,000.00	9,000.00	970.00	970.00	0.00	8,030.00	10.8
CONTRACT SERVICES		120,000.00	120,000.00	11,830.00	970.00	0.00	108,170.00	9.9
Acct Class: 60 CAPITAL EXPENDITURES								
6015	Trees	45,000.00	45,000.00	-2,940.00	-1,170.00	0.00	47,940.00	-6.5
CAPITAL EXPENDITURES		45,000.00	45,000.00	-2,940.00	-1,170.00	0.00	47,940.00	-6.5
PARKWAY TREES		166,550.00	166,550.00	8,890.00	-200.00	0.00	157,660.00	5.3
Dept: 90 MINI-PARKS AND MEDIANS								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5022	Utilities	1,150.00	1,150.00	791.50	652.86	0.00	358.50	68.8
5023	Water	7,600.00	7,600.00	1,586.32	382.24	0.00	6,013.68	20.9
5032	Building & Grounds-Maintenance	2,500.00	2,500.00	698.24	532.94	0.00	1,801.76	27.9
5045	Miscellaneous Expenditures	100.00	100.00	0.00	0.00	0.00	100.00	0.0
5051	Equipment Rental	100.00	100.00	0.00	0.00	0.00	100.00	0.0
5052	Minor Facility Repairs	100.00	100.00	0.00	0.00	0.00	100.00	0.0
OPERATIONS AND MAINTENANCE		11,550.00	11,550.00	3,076.06	1,568.04	0.00	8,473.94	26.6
Acct Class: 56 CONTRACT SERVICES								
5655	Landscape Maintenance	3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
CONTRACT SERVICES		3,500.00	3,500.00	1,163.80	290.95	0.00	2,336.20	33.3
Acct Class: 60 CAPITAL EXPENDITURES								
6010	Equipment	100.00	100.00	0.00	0.00	0.00	100.00	0.0
CAPITAL EXPENDITURES		100.00	100.00	0.00	0.00	0.00	100.00	0.0
MINI-PARKS AND MEDIANS		15,150.00	15,150.00	4,239.86	1,858.99	0.00	10,910.14	28.0
Expenditures		1,631,328.00	1,631,328.00	451,437.10	112,146.43	0.00	1,179,890.90	27.7
Net Effect for GENERAL FUND		27,482.00	27,482.00	-347,725.98	-84,814.29	0.00	375,207.98	-1,265.3
Change in Fund Balance:				-372,213.37				

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Fund: 20 - ASSESSMENT DISTRICT FUND-RUSH							
Revenues							
Dept: 00							
Acct Class: 31 ASSESSMENTS							
3100 Property assessments	380,000.00	380,000.00	2,932.05	0.00	0.00	377,067.95	0.8
3101 Property assessments-prior yr	1,000.00	1,000.00	1,133.13	556.31	0.00	-133.13	113.3
ASSESSMENTS	381,000.00	381,000.00	4,065.18	556.31	0.00	376,934.82	1.1
Acct Class: 32 USE OF MONEY AND PROPERTY							
3200 Interest on investments	2,500.00	2,500.00	3,308.20	0.00	0.00	-808.20	132.3
USE OF MONEY AND PROPERTY	2,500.00	2,500.00	3,308.20	0.00	0.00	-808.20	132.3
Dept: 00	383,500.00	383,500.00	7,373.38	556.31	0.00	376,126.62	1.9
Revenues	383,500.00	383,500.00	7,373.38	556.31	0.00	376,126.62	1.9
Expenditures							
Dept: 50 RUSH PARK							
Acct Class: 56 CONTRACT SERVICES							
5617 Administrative Fees	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	0.0
5619 Bond Trustee	3,324.00	3,324.00	3,323.50	0.00	0.00	0.50	100.0
CONTRACT SERVICES	23,324.00	23,324.00	3,323.50	0.00	0.00	20,000.50	14.2
Acct Class: 58 DEBT SERVICE							
5800 Principal	315,000.00	315,000.00	315,000.00	0.00	0.00	0.00	100.0
5801 Interest	37,355.00	37,355.00	23,560.00	0.00	0.00	13,795.00	63.1
DEBT SERVICE	352,355.00	352,355.00	338,560.00	0.00	0.00	13,795.00	96.1
RUSH PARK	375,679.00	375,679.00	341,883.50	0.00	0.00	33,795.50	91.0
Expenditures	375,679.00	375,679.00	341,883.50	0.00	0.00	33,795.50	91.0
Net Effect for ASSESSMENT DISTRICT FUND-RUSH	7,821.00	7,821.00	-334,510.12	556.31	0.00	342,331.12	4,277.1
Change in Fund Balance:			-334,510.12				

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For the Period: 7/1/2019 to 10/31/2019		Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 40 - CAPITAL PROJECTS CONTRIBUTIONS								
Revenues								
Dept: 00								
Acct Class: 30 PROPERTY TAXES								
2999	FY Begin Fund Balance	8,758.00	8,758.00	0.00	0.00	0.00	8,758.00	0.0
PROPERTY TAXES		8,758.00	8,758.00	0.00	0.00	0.00	8,758.00	0.0
Acct Class: 35 OTHER REVENUE								
3600	TRANSFER IN/OUT OTHER FUNDS	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
OTHER REVENUE		150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
Dept: 00		158,758.00	158,758.00	0.00	0.00	0.00	158,758.00	0.0
Revenues		158,758.00	158,758.00	0.00	0.00	0.00	158,758.00	0.0
Expenditures								
Dept: 30 ROSSMOOR PARK								
Acct Class: 60 CAPITAL EXPENDITURES								
6005	Buildings and Improvements	48,100.00	48,100.00	1,000.00	1,000.00	0.00	47,100.00	2.1
CAPITAL EXPENDITURES		48,100.00	48,100.00	1,000.00	1,000.00	0.00	47,100.00	2.1
ROSSMOOR PARK		48,100.00	48,100.00	1,000.00	1,000.00	0.00	47,100.00	2.1
Dept: 50 RUSH PARK								
Acct Class: 60 CAPITAL EXPENDITURES								
6005	Buildings and Improvements	86,420.00	86,420.00	0.00	0.00	0.00	86,420.00	0.0
CAPITAL EXPENDITURES		86,420.00	86,420.00	0.00	0.00	0.00	86,420.00	0.0
RUSH PARK		86,420.00	86,420.00	0.00	0.00	0.00	86,420.00	0.0
Dept: 75 CAPITAL PROJECTS								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5045	Miscellaneous Expenditures	11,500.00	11,500.00	2,259.30	538.25	0.00	9,240.70	19.6
OPERATIONS AND MAINTENANCE		11,500.00	11,500.00	2,259.30	538.25	0.00	9,240.70	19.6
CAPITAL PROJECTS		11,500.00	11,500.00	2,259.30	538.25	0.00	9,240.70	19.6
Expenditures		146,020.00	146,020.00	3,259.30	1,538.25	0.00	142,760.70	2.2
Net Effect for CAPITAL PROJECTS CONTRIBUTIONS		12,738.00	12,738.00	-3,259.30	-1,538.25	0.00	15,997.30	-25.6
Change in Fund Balance:				-3,259.30				
Grand Total Net Effect:		48,041.00	48,041.00	-685,495.40	-85,796.23	0.00	733,536.40	

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM G-1

Date: December 10, 2019

To: Honorable Board of Directors

From: General Manager Joe Mendoza

Subject: RESOLUTION NO. 19-12-10-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS

RECOMMENDATION:

Approve Resolution No. 19-12-10-01 A Resolution of the Board of Directors of the Rossmoor Community Services District Approving Application(s) for Per Capita Grant Funds.

BACKGROUND:

Rossmoor Community Services District (RCSD) staff has been researching grant opportunities to fund capital improvement projects. The *California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018* – Per Capita Program has been identified as a source of funding. The State of California, The Natural Resources Agency, California Department of Parks and Recreation, and Office of Grant and Local Services (OGALS) administer the program.

The State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s). Procedures established by the State Department of Parks and Recreation require the grantee's governing body to certify by resolution the approval of project application(s) before submission of said applications to the State. The grantee will enter into a contract with the State of California to complete identified project(s).

Therefore, it is necessary that the RCSD Board of Directors approve the filing of project application(s) for Per Capita Program grant project(s); certify that said grantee has or will have available, prior to commencement of project

work utilizing Per Capita funding, sufficient funds to complete the project(s), and certify that all requirements outlined in the attached resolution are met.

PROGRAM INFORMATION:

General Per Capita Program Description

This program originated from Proposition 68, which was approved by voters on June 5, 2018. The General Per Capita Program is funded with \$185,000,000.

Funds for the program are appropriated through the State Budget. Funds are available for local rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize award to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to outdoors.

Eligible Recipients

Sixty percent of the General Per Capita funds are allocated to the following entities based on population. The minimum allocation is \$200,000.

- Cities
- Eligible Districts, other than a regional park district, regional park and open-space districts, and regional open-space districts

Guidelines

Projects not serving a “severely disadvantaged community” (median household income less than 60% of the statewide average) require a 20% match.

The program does not allow an agency to supplant existing expenditures with Per Capita grant funds. For example, a grantee has a budget for recreation capital expenditures of \$500,000 per year, and is receiving a \$200,000 allocation under the Per Capita program. The budget cannot be reduced to \$300,000 with the Per Capita funds making up the difference.

Grant Process

The first step required in the Per Capita grant process, is for the agency to pass one resolution approving the filing of all applications. The published deadline for this step was November 1, 2019, however, that has been extended to December 31, 2019. Resolution No. 19-12-10-01 presented to

the Board for approval at the December 10, 2019 meeting contains the resolution language required by the Per Capita program and Proposition 68.

Application packets that define the project scope and amount of grant funds needed for each project are to be submitted by January 31, 2020. The RCSD projects will be identified through the budget process. A suggested project would be the parking lot rehabilitation and resurfacing at Rush Park. Per Capita funds could be used to supplement the funds the District has already budgeted but may not be enough to cover the complete scope of the project.

In identifying projects, when the Per Capita allocation is identified and awarded, a special meeting of the Budget Committee and RCSD Board may be necessary to meet application deadlines.

The final step in the process is that the Office of Grant and Local Services (OGALS) will forward a contract to the grantee once a project application packet has been approved.

ATTACHMENTS:

1. Per Capita Grant Program Resolution No. 19-12-10-01

RESOLUTION NO. 19-12-10-01**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the Rossmoor Community Services District hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the Rossmoor Community Services District's general or recreation plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1 771.5 of the State Labor Code, and
7. (PRC §80001 (b)(8) (A-G)) To the extent practicable, as identified in the 'Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters,' dated January 12, 2017, the Rossmoor Community Services District will consider a range of actions that include, but are not limited to, the following:
 - (A) Conducting active outreach to diverse populations, particularly minority, low income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
 - (B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
 - (C) Creating new partnerships with state, local, tribal, private, and non-profit organizations to expand access for diverse populations.
 - (D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
 - (E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs. (G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001)
9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).
10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
11. Delegates the authority to the Rossmoor Community Services District General Manager or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and adopted the 10th day of December 2019

I, the undersigned, hereby certify that the foregoing Resolution Number 19-12-10-01 was duly adopted by the Rossmoor Community Services District following a roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED, SIGNED, AND ADOPTED this 10th day of December 2019.

By: _____

President
Rossmoor Community Services District

ATTEST:

Joe Mendoza, Secretary
Rossmoor Community Services District

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM G-2

Date: December 10, 2019
To: Honorable Board of Directors
From: General Manager
Subject: RESOLUTION NO. 19-12-10-02 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT FORMALLY REQUESTING FAIR VOTING AND GEOGRAPHIC REPRESENTATION ON THE LOS ALAMITOS SCHOOL DISTRICT BOARD OF EDUCATION

RECOMMENDATION

Discussion and possible approval of Resolution No. 19-12-10-02 formally requesting fair voting and geographic representation on the Los Alamitos School District Board of Education (Attachment 1).

BACKGROUND:

Rossmoor Community Services District (RCSD) Board and staff has monitored and/or attended the ongoing workshops that the LAUSD has held to solicit input from the public regarding a series of draft trustee area maps. The workshops have also provided information about the process that the District has used to gain feedback and suggestions that have then been utilized to eliminate some of the initial draft trustee map options and to refine others based on community input.

On Monday, December 2, 2019, another information workshop was hosted by LAUSD and the *Newly Updated Draft Trustee Area Maps* (December 2019) were introduced and discussed (Attachment 1). Another meeting is scheduled to be held on Tuesday, December 10, 2019.

At the November 12, 2019 RCSD Board meeting, a proposed Resolution was considered by the Board that could have been sent to LAUSD requesting that Rossmoor be guaranteed a minimum of one seat on the LAUSD Board of Education (Attachment 2). The Board decided not to act on the Resolution at that time.

The purpose of this item for the December 10, 2019 meeting is to provide an opportunity for the RCSD Board to review and discuss the latest Draft Trustee Area Maps and determine if further action by the RCSD Board is desired.

ATTACHMENTS:

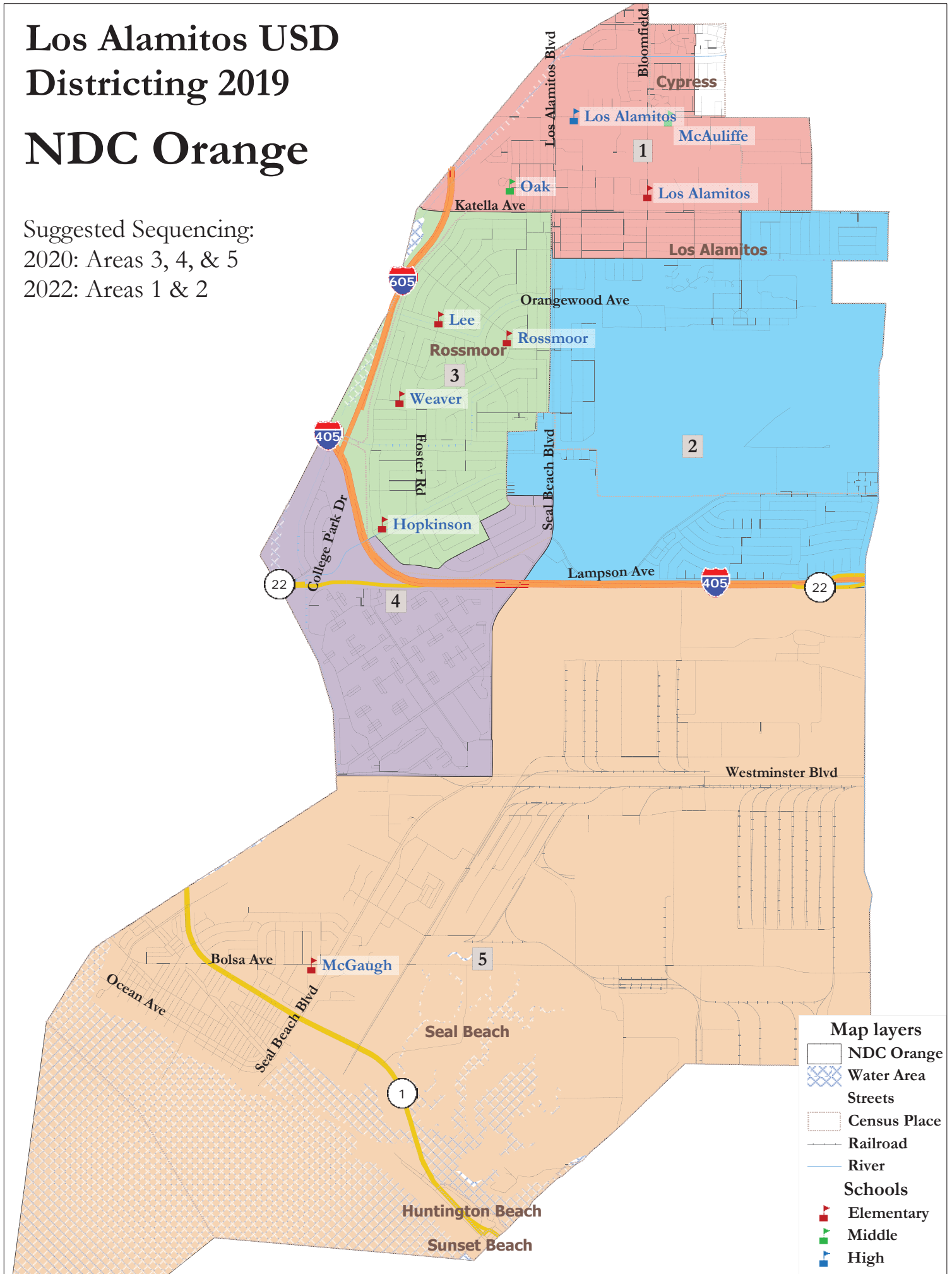
1. LAUSD *Newly Updated Draft Trustee Area Maps* (December 2019) and Precinct Counts
2. Resolution No. 19-12-10-02 for consideration and approval

PRECINCT COUNT

Orange 2	Green 2		
Rossmoor	Rossmoor	Seal Beach	Los Alamitos
212	212	29	41
71	71	247	
70	70	307	41
61	61	434	
88	88	594	
60	60	42	
80	80		
82	82	1653	
32	32		
59	59		
66	66		
57	57		
55	55		
44	44		
97	97		
93	93		
51	256		
256	69		
69	222		
222	51		
64			
82	1825		
66			
94			
47			
85			
88			
50			
94			
76			
246			
2817			

Los Alamitos USD Districting 2019 NDC Orange

Suggested Sequencing:
2020: Areas 3, 4, & 5
2022: Areas 1 & 2



Orange Map Summary — Original Map

This plan keeps all of Leisure World in one area, Area 4. Area 2 includes the portions of Los Alamitos not in Area 1, including New Dutch Haven/Carrier Row, Old Dutch Haven, Suburbia, and Parkwood, as well as the Seal Beach neighborhoods of Rossmoor Center and East College Park. West College Park is linked with Leisure World and small part of south Rossmoor in Area 4. Area 3 is entirely in Rossmoor, and Area 5 in coastal Seal Beach. All schools except McGaugh Elementary are in either Area 1 or 3. Trustees Davidson, Hill, and Boyer are in Area 2. Trustees Cutuli and Russell are in Area 5, with Areas 1, 3, and 4 vacant.

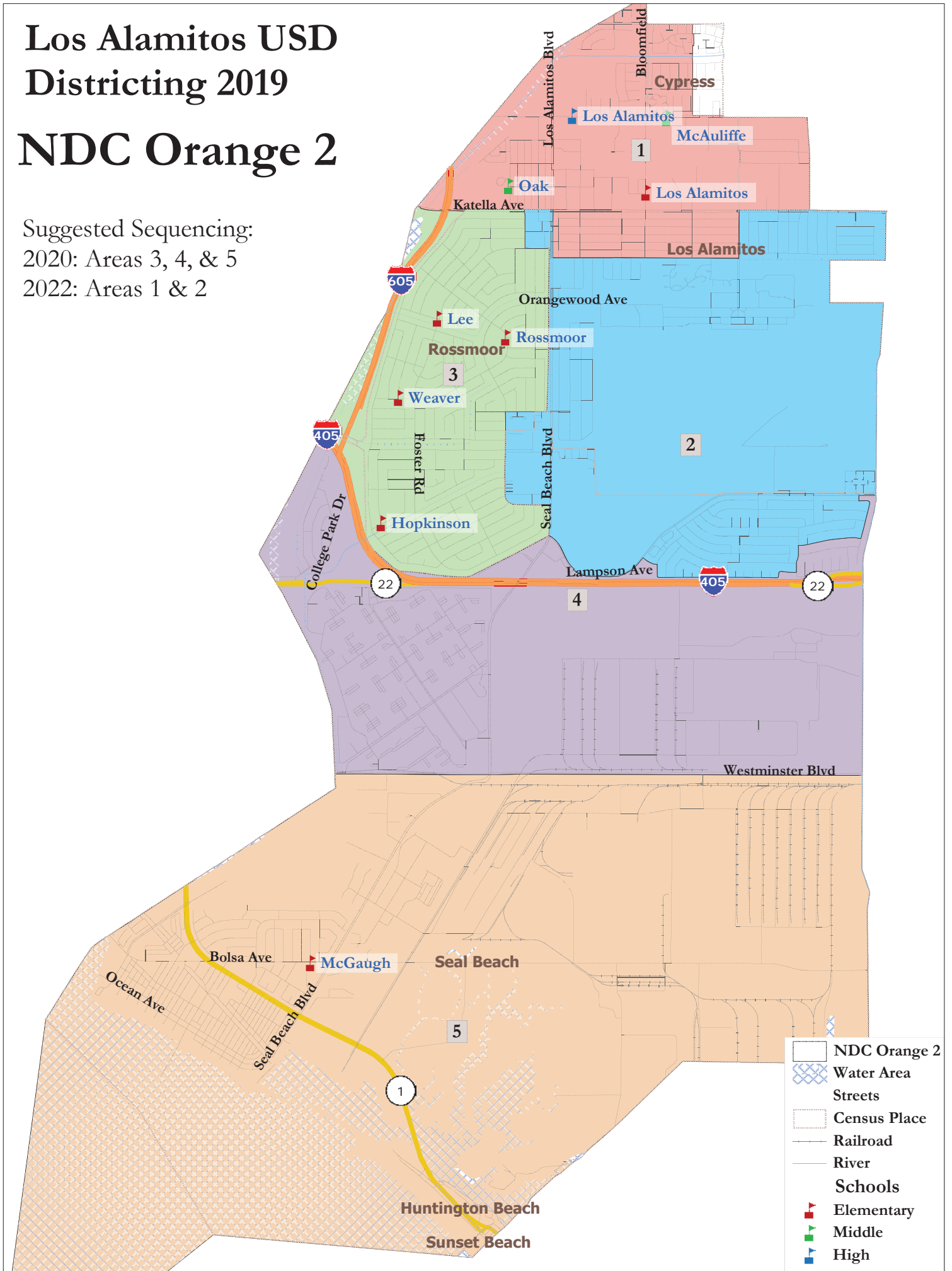
Los Alamitos USD Districting 2019

NDC Orange 2

Suggested Sequencing:

2020: Areas 3, 4, & 5

2022: Areas 1 & 2



	NDC Orange 2
	Water Area
	Streets
	Census Place
	Railroad
	River
	Schools
	Elementary
	Middle
	High

Orange 2 Map Summary — Map Revised November 21, 2019

After public comment, we have placed all the single-family housing in Rossmoor in Area 3. In order to balance population, the multi-family Rossmoor housing was added to Area 2 and the portion of College Park East adjacent to the freeway was added to Area 4. Because of population constraints, it was not feasible to add the Ascent Apartments to Area 1 without dividing Apartment Row, so the complex was added to Area 2. Trustees Davidson, Hill, and Boyer are in Area 2. Trustees Cutuli and Russell are in Area 5, with Areas 1, 3, and 4 are vacant.

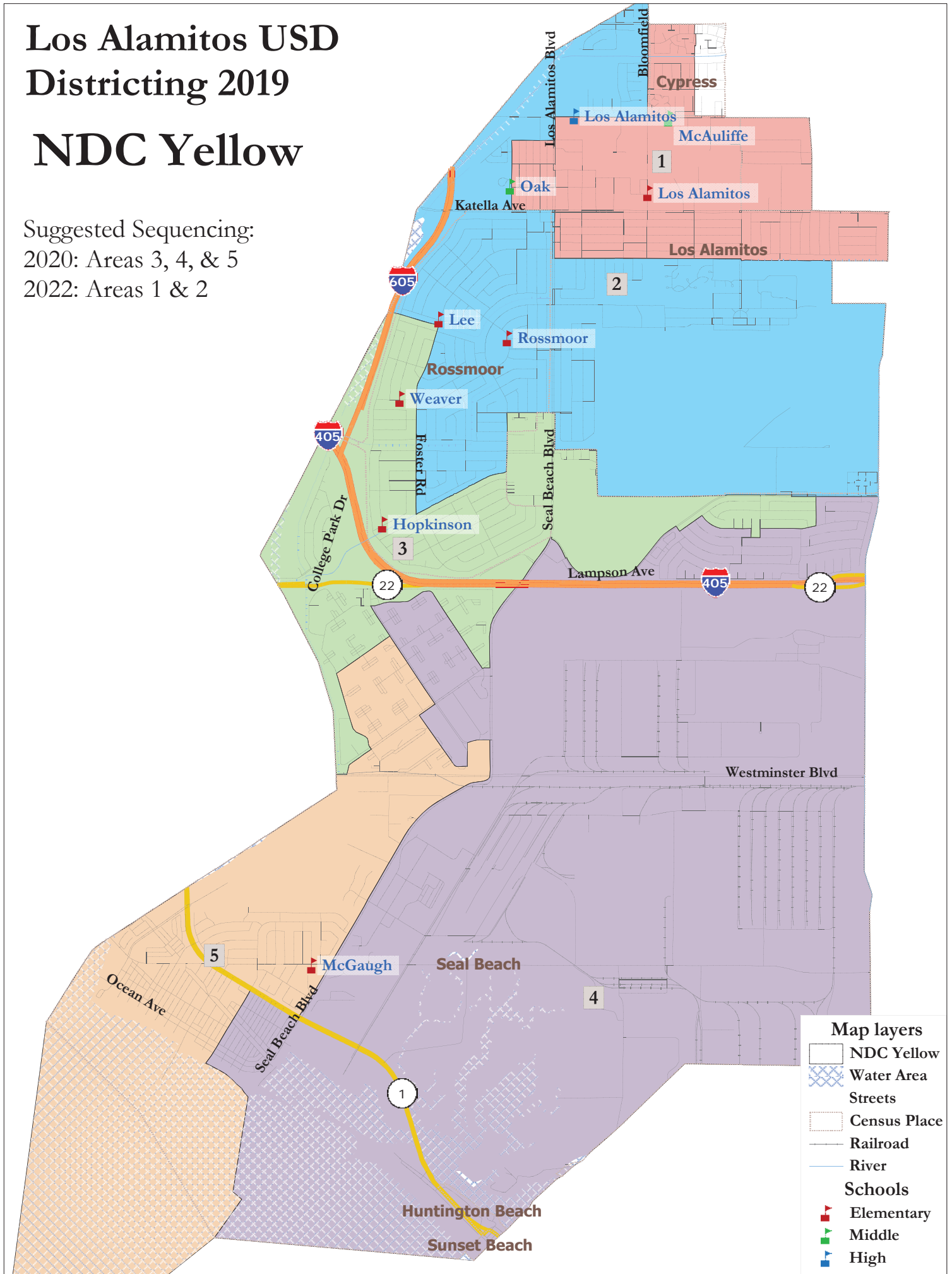
Los Alamitos USD Districting 2019

NDC Yellow

Suggested Sequencing:

2020: Areas 3, 4, & 5

2022: Areas 1 & 2



Yellow Map Summary — Original Map

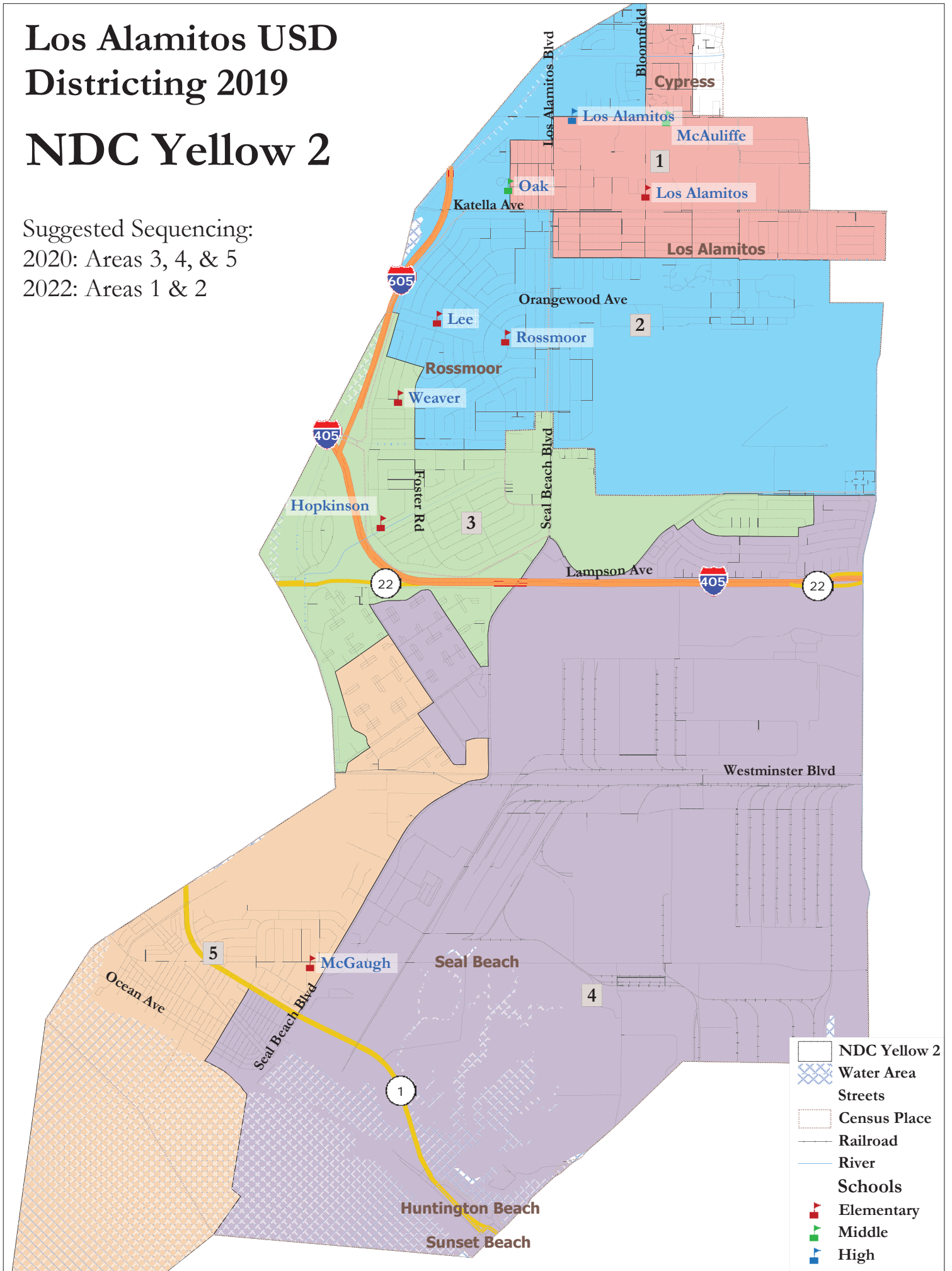
This map divides Leisure World into three areas and divides Los Alamitos between Areas 1 and 2. This map balances school sites across the trustee areas: Los Alamitos Elementary, Los Alamitos High and McAuliffe Middle School in Area 1; Lee and Rossmoor Elementary Schools and Oak Middle School in Area 2; Weaver and Hopkinson Elementary schools in Area 3; and McGaugh Elementary in Area 5. Areas 2 and 3 include a majority of the population in Rossmoor. Areas 4 and 5 are divided south of PCH along 14th Street in Seal Beach. Trustee Davidson is in Area 1. Trustees Boyer and Hill are in Area 2. Trustees Cutuli and Russell are in Area 5, with Areas 3 and 4 vacant.

Los Alamitos Unified - NDC Yellow							
District		1	2	3	4	5	Total
Ideal	Total Pop	9,645	9,639	9,642	9,556	9,465	47,947
	Deviation from ideal	56	50	53	-33	-124	180
9,589	% Deviation	0.58%	0.52%	0.55%	-0.34%	-1.29%	1.88%
	% Hisp	24%	11%	11%	11%	9%	13%
Total Pop	% NH White	52%	75%	76%	75%	80%	71%
	% NH Black	4%	1%	1%	2%	1%	2%
	% Asian-American	17%	11%	11%	12%	9%	12%
	Total	6,789	7,544	7,870	8,147	8,421	38,771
Citizen Voting Age Pop	% Hisp	30%	11%	7%	11%	11%	14%
	% NH White	46%	72%	78%	76%	79%	71%
	% NH Black	8%	1%	2%	1%	1%	3%
	% Asian/Pac.Isl.	13%	14%	10%	10%	8%	11%
	Total	4,680	6,694	7,029	6,300	7,159	31,862
Voter Registration (Nov 2016)	% Latino est.	18%	12%	9%	8%	8%	11%
	% Spanish-Surnamed	16%	11%	8%	7%	7%	9%
	% Asian-Surnamed	8%	6%	8%	8%	7%	7%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	63%	80%	77%	80%	78%	76%
	% NH Black	10%	1%	2%	1%	1%	2%
Voter Turnout (Nov 2016)	Total	3,234	5,210	5,674	5,140	5,707	24,965
	% Latino est.	17%	11%	8%	8%	7%	10%
	% Spanish-Surnamed	15%	10%	8%	7%	7%	9%
	% Asian-Surnamed	7%	6%	7%	8%	6%	7%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	65%	81%	78%	81%	79%	78%
	% NH Black	10%	1%	2%	1%	1%	2%
Voter Turnout (Nov 2014)	Total	3,783	5,817	6,145	5,869	6,207	27,822
	% Latino est.	19%	11%	8%	8%	7%	10%
	% Spanish-Surnamed	17%	10%	8%	7%	7%	9%
	% Asian-Surnamed	6%	6%	6%	7%	6%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	64%	80%	79%	78%	78%	77%
% NH Black est.	7%	1%	1%	1%	1%	2%	
ACS Pop. Est.	Total	9,986	9,980	9,914	9,461	10,002	49,342
Age	age0-19	27%	24%	19%	15%	11%	19%
	age20-60	53%	49%	39%	42%	44%	45%
	age60plus	20%	28%	42%	43%	45%	35%
Immigration	immigrants	19%	12%	15%	16%	12%	15%
	naturalized	57%	72%	78%	80%	69%	70%
Language spoken at home	english	75%	84%	84%	82%	86%	82%
	spanish	12%	5%	4%	5%	4%	6%
	asian-lang	10%	7%	7%	8%	5%	7%
	other lang	3%	4%	5%	4%	5%	4%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	5%	6%	7%	6%	7%
Education (among those age 25+)	hs-grad	49%	40%	44%	47%	47%	45%
	bachelor	27%	33%	31%	30%	30%	30%
	graduatedegree	14%	23%	21%	19%	18%	19%
Child in Household	child-under18	35%	30%	20%	16%	10%	21%
Pct of Pop. Age 16+	employed	63%	56%	47%	48%	50%	53%
Household Income	income 0-25k	13%	6%	17%	18%	19%	16%
	income 25-50k	16%	13%	20%	20%	18%	18%
	income 50-75k	20%	14%	13%	15%	14%	15%
	income 75-200k	44%	45%	35%	35%	36%	39%
	income 200k-plus	6%	21%	15%	11%	13%	13%
Housing Stats	single family	54%	92%	67%	56%	52%	63%
	multi-family	46%	8%	33%	44%	48%	37%
	rented	61%	19%	10%	27%	31%	29%
	owned	39%	81%	90%	73%	69%	71%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.							

	Whole Trustee Area				Leisure World Only				Leisure World Percentage			
NDC Orange Map	4				4				4			
2018 Reg	7,512				6,280				84%			
2018 Vote	6,125				5,114				83%			
2016 Reg	7,491				6,259				84%			
2016 Vote	6,486				5,404				83%			
NDC Orange 2	4				4				4			
2018 Reg	7,485				6,280				84%			
2018 Vote	6,098				5,114				84%			
2016 Reg	7,457				6,259				84%			
2016 Vote	6,465				5,404				84%			
NDC Yellow	3	4	5		3	4	5		3	4	5	
2018 Reg	7,029	6,300	7,159		2,122	1,727	2,431		30%	27%	34%	
2018 Vote	5,674	5,140	5,707		1,731	1,428	1,955		31%	28%	34%	
2016 Reg	7,092	6,863	7,296		2,048	1,810	2,401		29%	26%	33%	
2016 Vote	6,145	5,869	6,207		1,782	1,560	2,062		29%	27%	33%	
NDC Yellow 2	3	4	5		3	4	5		3	4	5	
2018 Reg	7,154	6,109	7,159		2,122	1,727	2,431		30%	28%	34%	
2018 Vote	5,801	4,982	5,707		1,731	1,428	1,955		30%	29%	34%	
2016 Reg	7,200	6,677	7,296		2,048	1,810	2,401		28%	27%	33%	
2016 Vote	6,249	5,704	6,207		1,782	1,560	2,062		29%	27%	33%	
NDC Green 2	2	3	4	5	2	3	4	5	2	3	4	5
2018 Reg	6,627	6,750	6,465	7,340	1,357	1,784	1,137	2,002	20%	26%	18%	27%
2018 Vote	5,206	5,404	5,265	5,857	1,104	1,474	926	1,610	21%	27%	18%	27%
2016 Reg	6,813	6,839	6,921	7,500	1,373	1,789	1,095	2,002	20%	26%	16%	27%
2016 Vote	5,825	5,868	5,929	6,417	1,187	1,554	936	1,727	20%	26%	16%	27%

Los Alamitos USD Districting 2019 NDC Yellow 2

Suggested Sequencing:
2020: Areas 3, 4, & 5
2022: Areas 1 & 2



	NDC Yellow 2
	Water Area
	Streets
	Census Place
	Railroad
	River
	Schools
	Elementary
	Middle
	High

Yellow 2 Map Summary — Map Revised November 21, 2019

The revision better aligns with attendance boundaries of schools in Rossmoor. Leisure World is divided into three areas. Trustee Davidson is in Area 1. Trustees Boyer and Hill are in Area 2. Trustees Cutuli and Russell are in Area 5, with Areas 3 and 4 vacant.

Los Alamitos Unified - NDC Yellow 2

District		1	2	3	4	5	Total
<u>Ideal</u>	Total Pop	9,645	9,741	9,785	9,311	9,465	47,947
9,589	Deviation from ideal	56	152	196	-278	-124	474
	% Deviation	0.58%	1.59%	2.04%	-2.90%	-1.29%	4.94%
Total Pop	% Hisp	24%	12%	10%	11%	9%	13%
	% NH White	52%	74%	77%	75%	80%	71%
	% NH Black	4%	1%	1%	2%	1%	2%
	% Asian-American	17%	11%	11%	11%	9%	12%
Citizen Voting Age Pop	Total	6,789	7,691	7,896	7,973	8,421	38,771
	% Hisp	30%	11%	7%	11%	11%	14%
	% NH White	46%	72%	79%	76%	79%	71%
	% NH Black	8%	2%	2%	1%	1%	3%
	% Asian/Pac.Isl.	13%	14%	10%	10%	8%	11%
Voter Registration (Nov 2016)	Total	4,680	6,760	7,154	6,109	7,159	31,862
	% Latino est.	18%	12%	9%	8%	8%	11%
	% Spanish-Surnamed	16%	11%	8%	7%	7%	9%
	% Asian-Surnamed	8%	6%	8%	8%	7%	7%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	63%	79%	78%	80%	78%	76%
Voter Turnout (Nov 2016)	Total	3,234	5,242	5,801	4,982	5,707	24,965
	% Latino est.	17%	11%	8%	8%	7%	10%
	% Spanish-Surnamed	15%	10%	8%	7%	7%	9%
	% Asian-Surnamed	7%	6%	7%	8%	6%	7%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	65%	81%	78%	81%	79%	78%
Voter Turnout (Nov 2014)	Total	3,783	5,878	6,249	5,704	6,207	27,822
	% Latino est.	19%	11%	8%	8%	7%	10%
	% Spanish-Surnamed	17%	10%	7%	7%	7%	9%
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	% NH White est.	64%	80%	79%	78%	78%	77%
ACS Pop. Est.	Total	9,986	10,092	10,051	9,212	10,002	49,342
	Age						
Age	age0-19	27%	24%	19%	14%	11%	19%
	age20-60	53%	49%	39%	42%	44%	45%
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	asian-lang	10%	7%	7%	8%	5%	7%
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Education (among those age 25+)	hs-grad	49%	40%	44%	47%	47%	45%
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	graduatedegree	14%	23%	21%	19%	18%	19%
Child in Household	child-under18	35%	30%	20%	15%	10%	21%
Pct of Pop. Age 16+	employed	63%	56%	47%	48%	50%	53%
Household Income	income 0-25k	13%	6%	17%	19%	19%	16%
	income 25-50k	16%	13%	19%	20%	18%	18%
	income 50-75k	20%	14%	13%	15%	14%	15%
	income 75-200k	44%	45%	36%	35%	36%	39%
	income 200k-plus	6%	22%	15%	11%	13%	13%
Housing Stats	single family	54%	93%	67%	55%	52%	63%
	multi-family	46%	7%	33%	45%	48%	37%
	rented	61%	18%	11%	27%	31%	29%
	owned	39%	82%	89%	73%	69%	71%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.

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NDC Green 2	2	3	4	5	2	3	4	5	2	3	4	5
2018 Reg	6,627	6,750	6,465	7,340	1,357	1,784	1,137	2,002	20%	26%	18%	27%
2018 Vote	5,206	5,404	5,265	5,857	1,104	1,474	926	1,610	21%	27%	18%	27%
2016 Reg	6,813	6,839	6,921	7,500	1,373	1,789	1,095	2,002	20%	26%	16%	27%
2016 Vote	5,825	5,868	5,929	6,417	1,187	1,554	936	1,727	20%	26%	16%	27%

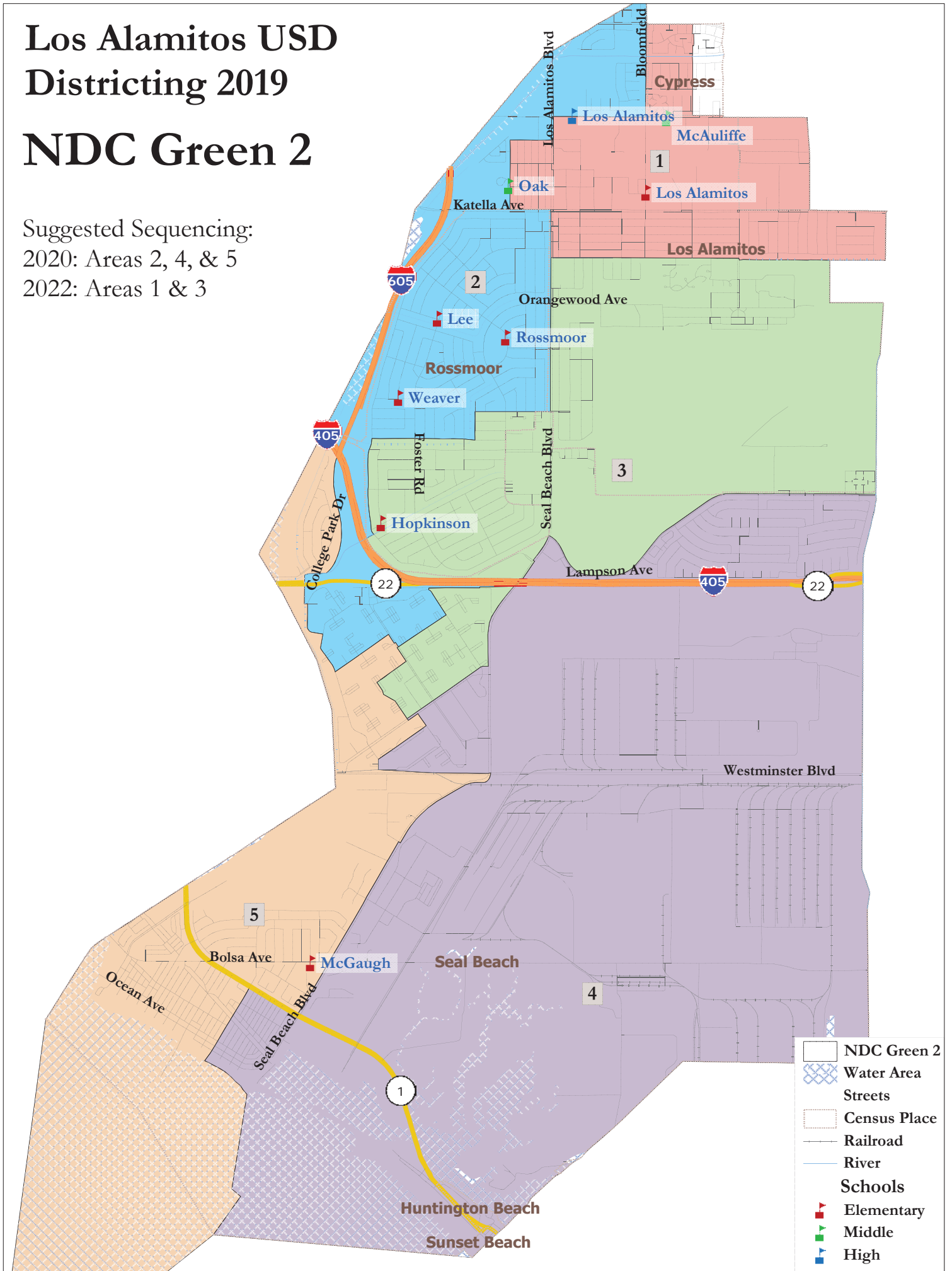
Los Alamitos USD Districting 2019

NDC Green 2

Suggested Sequencing:

2020: Areas 2, 4, & 5

2022: Areas 1 & 3



Green 2 Map Summary — Map Revised November 21, 2019

As in the original Green map, Leisure World is divided between four areas. This map emphasizes the use of major roads to divide trustee areas. Los Alamitos/Seal Beach Blvd divides Areas 2 and 3 in the Rossmoor Highlands area; Bradbury Road and Kempton Drive divide the areas within Rossmoor. Area 2 includes the northern and western parts of Los Alamitos and Rossmoor but does not include College Park West, which is linked to central Seal Beach in Area 5. Area 4 includes all of College Park East along with the eastern portion of central Seal Beach and Surfside. 13th Street west of PCH divides Old Town Seal Beach between Areas 4 and 5. Trustee Davidson is in Area 1. Trustees Boyer and Hill are in Area 3. Trustees Cutuli and Russell are in Area 5, with Areas 2 and 4 vacant.

Los Alamitos Unified - NDC Green 2

District		1	2	3	4	5	Total
<u>Ideal</u>	Total Pop	9,645	9,454	9,484	9,706	9,658	47,947
9,589	Deviation from ideal	56	-135	-105	117	69	252
	% Deviation	0.58%	-1.41%	-1.10%	1.22%	0.72%	2.63%
Total Pop	% Hisp	24%	10%	11%	11%	9%	13%
	% NH White	52%	76%	76%	74%	80%	71%
	% NH Black	4%	1%	1%	2%	1%	2%
	% Asian-American	17%	11%	11%	12%	8%	12%
Citizen Voting Age Pop	Total	6,789	8,115	7,465	8,061	8,341	38,771
	% Hisp	30%	10%	8%	12%	11%	14%
	% NH White	46%	75%	77%	76%	80%	71%
	% NH Black	8%	1%	2%	1%	1%	3%
	% Asian/Pac.Isl.	13%	13%	12%	10%	7%	11%
Voter Registration (Nov 2016)	Total	4,680	6,627	6,750	6,465	7,340	31,862
	% Latino est.	18%	11%	10%	8%	8%	11%
	% Spanish-Surnamed	16%	10%	9%	7%	7%	9%
	% Asian-Surnamed	8%	7%	8%	8%	6%	7%
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	% NH White est.	63%	78%	75%	80%	81%	76%
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	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	64%	79%	76%	80%	81%	77%
ACS Pop. Est.	Total	9,986	9,992	9,462	9,768	10,135	49,342
	Age						
Age	age0-19	27%	19%	20%	17%	13%	19%
	age20-60	53%	42%	40%	45%	46%	45%
	age60plus	20%	39%	40%	38%	40%	35%
Immigration	immigrants	19%	15%	15%	14%	11%	15%
	naturalized	57%	73%	78%	80%	68%	70%
Language spoken at home	english	75%	82%	85%	83%	87%	82%
	spanish	12%	5%	4%	5%	4%	6%
	asian-lang	10%	9%	7%	7%	4%	7%
	other lang	3%	4%	4%	5%	5%	4%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	7%	6%	6%	5%	7%
Education (among those age 25+)	hs-grad	49%	45%	42%	45%	45%	45%
	bachelor	27%	30%	30%	32%	31%	30%
	graduatedegree	14%	20%	22%	19%	19%	19%
Child in Household	child-under18	35%	22%	19%	19%	12%	21%
Pct of Pop. Age 16+	employed	63%	48%	48%	52%	53%	53%
Household Income	income 0-25k	13%	15%	17%	15%	17%	16%
	income 25-50k	16%	18%	19%	18%	16%	18%
	income 50-75k	20%	15%	13%	14%	14%	15%
	income 75-200k	44%	34%	38%	40%	38%	39%
	income 200k-plus	6%	17%	14%	13%	14%	13%
Housing Stats	single family	54%	74%	67%	63%	56%	63%
	multi-family	46%	26%	33%	37%	44%	37%
	rented	61%	13%	13%	29%	32%	29%
	owned	39%	87%	87%	71%	68%	71%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.							

	Whole Trustee Area				Leisure World Only				Leisure World Percentage			
NDC Orange Map	4				4				4			
2018 Reg	7,512				6,280				84%			
2018 Vote	6,125				5,114				83%			
2016 Reg	7,491				6,259				84%			
2016 Vote	6,486				5,404				83%			
NDC Orange 2	4				4				4			
2018 Reg	7,485				6,280				84%			
2018 Vote	6,098				5,114				84%			
2016 Reg	7,457				6,259				84%			
2016 Vote	6,465				5,404				84%			
NDC Yellow	3	4	5		3	4	5		3	4	5	
2018 Reg	7,029	6,300	7,159		2,122	1,727	2,431		30%	27%	34%	
2018 Vote	5,674	5,140	5,707		1,731	1,428	1,955		31%	28%	34%	
2016 Reg	7,092	6,863	7,296		2,048	1,810	2,401		29%	26%	33%	
2016 Vote	6,145	5,869	6,207		1,782	1,560	2,062		29%	27%	33%	
NDC Yellow 2	3	4	5		3	4	5		3	4	5	
2018 Reg	7,154	6,109	7,159		2,122	1,727	2,431		30%	28%	34%	
2018 Vote	5,801	4,982	5,707		1,731	1,428	1,955		30%	29%	34%	
2016 Reg	7,200	6,677	7,296		2,048	1,810	2,401		28%	27%	33%	
2016 Vote	6,249	5,704	6,207		1,782	1,560	2,062		29%	27%	33%	
NDC Green 2	2	3	4	5	2	3	4	5	2	3	4	5
2018 Reg	6,627	6,750	6,465	7,340	1,357	1,784	1,137	2,002	20%	26%	18%	27%
2018 Vote	5,206	5,404	5,265	5,857	1,104	1,474	926	1,610	21%	27%	18%	27%
2016 Reg	6,813	6,839	6,921	7,500	1,373	1,789	1,095	2,002	20%	26%	16%	27%
2016 Vote	5,825	5,868	5,929	6,417	1,187	1,554	936	1,727	20%	26%	16%	27%



LOS ALAMITOS UNIFIED SCHOOL DISTRICT

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Election Transition Timeline

- **Community Outreach Meeting**

Sept. 18, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Public Hearing (during Regular Board of Education Meeting)**

Sept. 24, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Public Hearing (Special Board of Education Meeting)**

Oct. 14, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Resolution Establishing Criteria For Consideration of Developing Trustee Area Boundaries (Special Board of Education Meeting)**

Oct. 15, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Publication of Draft Trustee Area Maps/Proposed Election Schedule**

Oct. 30, 2019

- **Community Outreach Meetings on the Draft Maps**

Nov. 4, 6:30 PM - Rossmoor

Rush Park Auditorium

3021 Blume Dr., Los Alamitos

Nov. 5, 2:00 PM - Leisure World

Clubhouse 3 Room 2, Seal Beach

Nov. 5, 6:30 PM - Seal Beach

McGaugh Auditorium

1698 Bolsa Ave., Seal Beach

Nov. 6, 6:30 PM - Los Alamitos

District Office Board Room

10293 Bloomfield St., Los Alamitos

Dec. 2, 6:30 PM - Los Alamitos

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Public Hearing on Draft Maps/Election Schedule (during Regular Board of Education Meeting)**

Nov. 12, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Publication of Revisions to Draft Trustee Area Maps/Proposed Election Schedule**

Nov. 21, 2019

- **Public Hearing on Draft Maps/Election Schedule (during Regular Board of Education Meeting)**

Dec. 10, 6:30 PM

District Office Board Room

10293 Bloomfield St., Los Alamitos

- **Board of Education Adoption of Final Trustee Area Maps/ Election Schedule**

Anticipated January — February 2020

- **County Hearing on Final Trustee Area Maps/ Election Schedule**

Anticipated February — March 2020

- **State Approval of Final Trustee Area Maps/ Election Schedule**

Anticipated April — May 2020

- **First Election(s) Under New Electoral System**

Anticipated November 2020

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RESOLUTION NO. 19-12-10-02**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT FORMALLY REQUESTING FAIR VOTING AND GEOGRAPHIC REPRESENTATION ON THE LOS ALAMITOS SCHOOL DISTRICT BOARD OF EDUCATION**

WHEREAS, Rossmoor Community Services District is a special district located in Orange County, California governed by an elected five-member board of directors. As a local form of government and an independent public agency, Rossmoor has defined boundaries and provides services and facilities to its residents, and;

WHEREAS, the Los Alamitos Unified School District (LAUSD) is a school district in Los Alamitos, California. The school district area includes Los Alamitos, Rossmoor, Seal Beach, and Surfside. It also includes portions of Cypress. The unincorporated community of Rossmoor has within its boundaries four elementary schools of the Los Alamitos Unified School District which comprise nearly half of the nine regular schools in the District. The population of Rossmoor represents 21% of the combined populations of Rossmoor, Seal Beach and Los Alamitos, and;

WHEREAS, On Tuesday, August 27, 2019 LAUSD announced that the Board of Education had begun the process of changing the current at-large voting system to a voting system based on five trustee areas, The Los Alamitos Board of Education further announced that it will hold public hearings to solicit input on how the District should be divided into trustee areas. As the local government agency, Rossmoor Community Services District has a critical interest in the governance of the school system and expects the school board to fairly represent its constituents, and;

WHEREAS, Rossmoor parents have provided volunteer support for the Los Alamitos Unified School District for more than half a century. Each school day, Rossmoor experiences heavy school traffic and overflow parking on its residential streets, and;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rossmoor Community Services District of Orange County, California, at its regular meeting of December 10, 2019 that the Los Alamitos Unified School District be called upon to insure that any plan to assign board seats according to geographic region should provide Rossmoor with a minimum of one district fully within its boundaries.

AYES: Jeffrey Barke, Ron Casey, Tony DeMarco, Mark Nitikman, Michael Maynard

NOES:

ABSENT:

ABSTAIN:

PASSED, SIGNED, AND ADOPTED this 10th day of December 2019.

By: _____
 Ron Casey, President
 Rossmoor Community Services District

ATTEST:

 Joe Mendoza, Secretary
 Rossmoor Community Services District

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM G-3

Date: December 10, 2019

To: Honorable Board of Directors

From: General Manager Joe Mendoza
General Counsel Tarquin Preziosi

Subject: ORDINANCE 2019-01: AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, ADOPTING POLICY NO. 3098, ADMINISTRATIVE CITATIONS, THAT GOVERNS THE IMPOSITION, ENFORCEMENT, COLLECTION, AND ADMINISTRATIVE REVIEW OF ADMINISTRATIVE FINES OR PENALTIES FOR VIOLATIONS OF DISTRICT POLICY

RECOMMENDATION:

Introduce Ordinance No. 2019-01 by reading the title only and waiving further reading and set for public hearing and adoption of thereof as follows:

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, ADOPTING POLICY NO. 3098, ADMINISTRATIVE CITATIONS, THAT GOVERNS THE IMPOSITION, ENFORCEMENT, COLLECTION, AND ADMINISTRATIVE REVIEW OF ADMINISTRATIVE FINES OR PENALTIES FOR VIOLATIONS OF DISTRICT POLICY

BACKGROUND:

Authority for an Administrative Citation Policy

Government Code section 53069.4 permits local agencies - including special districts - to, by ordinance, make any violation of any ordinance subject to an administrative fine or penalty. It requires that the local agency "set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties." As explained by the Attorney General:

The Legislature's purpose in enacting Government Code section 53069.4 was to provide a faster and more cost-effective

enforcement mechanism than a criminal prosecution for the violation of a local ordinance. The section was expressly modeled on state legislation that removed the enforcement of most parking violations from the criminal justice system and mandated enforcement of parking violations through civil administrative procedures and civil penalties. See 94 Ops. Cal. Atty. Gen. 39.

In order to address violations of those District policies that have been adopted by ordinance, staff is proposing the attached Policy No. 3098, Administrative Citations. Other than possible criminal citation for violation of District policy by the Sherriff's Department and prosecution by the District Attorney, there exists no procedure that can be utilized by District staff to impose penalties for Policy violations. While Policy No. 3080 (the Tree Policy) allows for cost recovery of expenses and damages from persons who remove and/or damage median trees bases in part on the authority of Streets & Highways Code section 1460, it does not provide for the imposition of fines in the same manner as section 53069.4.

As proposed, the issuance of administrative citations would not be limited to violations of the Tree Policy and could be used for other policy violations such as the Park Rules and Regulations. It is anticipated that administrative citations would also be an additional tool that could be used in addition to the existing cost recovery procedures of the Tree Policy. Accordingly, the Policy has been first considered by the Tree Committee at the June 25th, August 22nd and subsequent meetings. The Tree Committee recommends adoption of Policy No. 3098 in its current form.

The proposed Administrative Citation policy is similar to those of the County of Orange and various cities within the County, such as Costa Mesa, Irvine, Newport Beach and others. Should the District adopt Policy No. 3098, it must do so by ordinance. It is recommended that the specific fine amounts be adopted by resolution. Fine amounts could be fixed for all violations, increased based on past violations, or differ in amount depending on which policy section is violated. The majority of administrative citation ordinances cap fines at \$1,000 per violation, which is the typical maximum fine amount for misdemeanors, as well as the default amount for violation of a municipal ordinance under state law. See Government Code § 36900 et seq. (city ordinances); 94 Ops. Cal. Atty. Gen. 39 (discussing administrative citations); Government Code § 61064 (Community Services District law); Penal Code § 19.

The Tree Committee is recommending a fine schedule for violations of the Tree Policy as follows:

1. Complete Tree Removal - \$1000.00
2. Pruning of more than 50% of live crown - \$800.00
3. Pruning of less than 50% of live crown – 1st offense \$300.00 within 1 year
4. Pruning of less than 50% of live crown – 2nd offense \$600.00 within 1 year
5. Pruning of less than 50% of live crown – 3rd offense \$900.00 within 1 year

If the Board sets this matter for adoption at the January 2020 meeting of the Board of Directors, staff will present a resolution setting forth the recommended fine amounts.

Scope of Citation Policy

As drafted the Citation Policy would apply (in theory) to any violation of District Policy that has been adopted by ordinance. Staff seeks direction from the Committee on whether to expressly limit the Citation Policy to violations of the Tree Policy only. From a legal standpoint, there is no real advantage to the District in expressly doing so. The Tree Policy has the separate and distinct legal remedy of cost recovery; these amounts can greatly exceed the maximum \$1,000 fine. The Citation Policy is an additional tool that can be used to penalize violations, but it is not a cost recovery mechanism. In addition, the District may be seeking additional “latent” or express powers which could ultimately require an enforcement mechanism. As drafted, the Citation Policy gives the District the flexibility to penalize other violations, but there would be no requirement to actually do so.

Hearing Officer/Administrative Review of Citation

As drafted, the Citation Policy allows the Board to designate a third-party hearing officer, or other person or body (including itself) to hear requests for Administrative Reviews. Under state law, once the citee has exhausted his or her internal review process, the matter may then be appealed either to criminal court, or the citee can challenge the decision via a writ of mandate in civil court.

ATTACHMENTS:

1. Ordinance No. 2019-01
2. Proposed Policy No. 3098 Administrative Citations

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT, COUNTY OF ORANGE, STATE OF CALIFORNIA, ADOPTING POLICY NO. 3098, ADMINISTRATIVE CITATIONS, THAT GOVERNS THE IMPOSITION, ENFORCEMENT, COLLECTION, AND ADMINISTRATIVE REVIEW OF ADMINISTRATIVE FINES OR PENALTIES FOR VIOLATIONS OF DISTRICT POLICY

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, the District is empowered by California Government Code Section 53069.4 make any violation of any ordinance subject to an administrative fine or penalty and to set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review of those administrative fines or penalties;

WHEREAS, the District desires to adopt Policy 3098, to set forth the procedures for the issuance of administrative citations for violations of District Policy.

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

SECTION 1. Adoption of Policy No. 3098, Administrative Citations.

The Board of Directors hereby adopts, and incorporates by reference, the attached policy, Policy No. 3098 Administrative Citations, as the administrative procedures that govern the imposition, enforcement, collection, and administrative review of those administrative fines or penalties for violations of District Policies.

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.

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 XX day of XX, 2019.

President Ron Casey
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 Month XX, 2019 and signed by Board Secretary, _____, on Month XX, 2019.

Rossmoor Community Services District

Policy No.

3098

ADMINISTRATIVE CITATIONS

3098.10 Applicability.

- (a) A violation of the provisions of any policy that is subject to enforcement as a misdemeanor and/or an infraction is subject to an administrative citation and fine.
- (b) This policy establishes the administrative procedures for the imposition, enforcement, collection, and administrative review of administrative citations pursuant to Government Code section 53069.4.
- (c) The issuance of an administrative citation under this policy is solely at the District's discretion and shall not limit the District from using any one or more other administrative, criminal and/or civil remedies, in any combination, to address a violation of District Policy.

3098.20 Definitions. The following definitions apply to the use of these terms for the purposes of this policy:

- (a) *Board* means the Board of Directors of the Rossmoor Community Services District.
- (b) *Citation* means an administrative citation issued pursuant to this policy stating there has been a violation of a particular District Policy.
- (c) *Citee* means person given an administrative citation charging him or her as a responsible person for a policy violation.
- (d) *Days* means calendar days.
- (e) *District* means the Rossmoor Community Services District.
- (f) *General Manager* means the appointed District General Manager or his or her designee.

- (g) *Hearing officer* means the person or body designated by the Board, including but not limited to the Board itself, to serve as the hearing officer for an administrative hearing
- (h) *Issue* means giving a citation to the citee, and *issuance* occurs on the date when a citation is personally served on the citee, the date it is posted on real property where a property related violation exists, or the date it is deposited in the US mail, postage paid and addressed to the citee, whichever occurs first.
- (i) *Notice of decision* means a form prepared by the General Manger used to inform a citee of the decision made regarding various provisions of this policy.
- (j) *Policy* means an approved policy of the District; *policies* means the several approved policies of the District.
- (k) *Property related violation* means a policy violation that relates to the care, maintenance and/or operation of the real property in question and improvements or attachments thereto, including but not limited to trees located thereon, whether through active or passive negligence or intentional conduct of the owner, property occupants, and/or their respective agents.
- (l) *Responsible person* means any of the following:
 - (1) A person who causes a policy violation to occur.
 - (2) A person who maintains or allows a policy violation to continue, by his or her action or failure to act.
 - (3) A person whose agent, employee, or independent contractor causes a policy violation by his or her action or failure to act.
 - (4) A person who is either the owner or the occupant of the real property where a property-related policy violation occurs.
- (m) For purposes of this policy, “person” includes both a natural person and a legal entity, and includes the owners of the entity, the directors and officers of a corporation, the managers of a limited liability company, the trustees of a trust, and the general partners of a partnership. There shall be a legal rebuttable presumption that the record owner of a parcel according to the County of Orange’s latest equalized property tax assessment rolls and the occupants of that parcel have notice of any property-related policy violation existing with respect to that parcel. For the purposes of this policy, there may be more than one responsible person with respect to a violation, and a minor at least fourteen (14) years of age may be a responsible person subject to the provisions of this policy for a violation personally committed by the minor.

3098.30 Administrative citation—General.

- (a) Any employee(s) of the District so designated by the General Manager may issue a citation to any responsible person or persons. A responsible person to whom a citation is issued shall be liable for and shall pay to the District the fine or fines described in the citation when due pursuant to the provisions of this policy.
- (b) For continuing violations, each day a violation of a policy exists shall be a separate violation and be subject to a separate fine. A citation may charge a violation for one (1) or more days on which a violation exists, and for violation of one (1) or more policy sections.
- (c) The District may take into consideration the fact that a person has been issued citations when the District is determining whether to grant, modify, suspend, revoke, or deny any permit, license, agreement or any type of discretionary use approval for that person, and such citations are evidence that the person has committed actions that are not compatible with the health, safety and general welfare of other persons and businesses in the vicinity.

3098.40 Citation contents.

- (a) Each citation shall contain the following information:
 - (1) Name of the responsible person for the violation of the policy or policies.
 - (2) Date or dates on which the violation occurred, and the date the citation is issued, if different.
 - (3) The policy section(s) violated.
 - (4) Address where the policy violation occurred.
 - (5) Description of the policy violation.
 - (6) Amount of the fine for the violation and procedure to pay the fine and avoid a late payment penalty.
 - (7) Brief description of the procedures for requesting an administrative review to contest a citation and a hardship waiver of the advance fine deposit.
 - (9) Signature of the person issuing the citation.
- (b) In addition, the citation may include such other information that the General Manager deems appropriate for enforcement or collection purposes, including, but not limited to:

- (1) A self-addressed envelope in which the citee can send to the District the fine, a request for an administrative review and/or a hardship waiver of the fine deposit;
- (2) A designation of prior policy violations, if known; and/or
- (3) A statement regarding any additional liability that may result from the policy violation, if applicable.

3098.50 Service of administrative citations. An administrative citation may be served as follows:

- (a) A designated employee may personally serve the citation on the citee. The citee may sign a copy of the citation showing his or her receipt of the citation.
- (b) A designated employee may mail the citation by first class mail, return receipt requested, if the citee is not present for personal service when the employee determines there has been a violation. The citation shall be mailed to the citee's address shown on the county's last equalized property tax assessment rolls for a property related violation, or to any address known for the citee for all other violations.
- (c) A designated employee may post a copy of the citation on the property in a conspicuous place for a property related violation when the citee does not reside at the property and the citee's address is not actually known to the designated employee, in which case the designated employee shall also mail a copy of the citation to the citee at the property address by first class mail, return receipt requested.

3098.60 Amount of administrative fines.

- (a) The amount of the fines for violating specific policies shall be set in a schedule of fines adopted by resolution or policy of the District from time to time. The schedule may include escalating fine amounts for repeat policy violations occurring within specified periods of time.
- (b) The schedule of fines may also specify the amount of interest and late payment penalty owed for any fine not paid when due. A late payment penalty and interest may be imposed for fines not paid within thirty (30) days of their due date.
- (c) Fines are due on the day the citation is issued, except that when a hardship waiver has been granted, the fine amount shall be due when the decision on

the administrative review is given or mailed to the citee pursuant to section 3098.100.

3098.70 Payment of administrative fines.

- (a) An administrative fine shall be paid to the District within thirty (30) days of its issuance date except as provided in section 3098.85.
- (b) The issuance of a citation and/or payment of a fine does not bar the District from taking any other enforcement actions, including issuing additional administrative citations, bringing a civil action and/or filing a criminal complaint.

3098.80 Request for administrative review of citation; requirement for advance deposit of fine amount.

- (a) Any person receiving an administrative citation may contest it by filing a request for an administrative review. To obtain an administrative review, the citee shall file a signed written request form contained on the reverse side of the citation and indicate the grounds for contesting the citation and fine. A citee may contest the citation by denying that a violation occurred or by denying that the citee is a responsible person for the violation.
- (b) To be effective and complete, the request must be received by the District within thirty (30) days after the date the citation was issued, and be accompanied by a deposit of the full amount of the fine. The request will not be accepted for filing if not accompanied by the fine deposit, unless a hardship waiver has been requested pursuant to section 3098.85(e), below. All requests shall be date stamped upon receipt by the District.
- (c) Upon timely receipt of a complete request for an administrative review, the District shall notify the citee, in a manner set forth in section 3098.50 for service of citations, of the date, time and place of the administrative review, pursuant to section 3098.90.
- (d) The person requesting the administrative review shall appear at the hearing on the date, time and place specified by the District pursuant to section (c), above. Failure to personally attend the hearing will be considered a nonappearance. Non-appearance by the citee shall constitute an abandonment of the request unless the hearing was continued pursuant to section 3098.90(f).

3098.85 Request for hardship waiver of advance deposit of fine amount; separate hearing prior to administrative review of citation.

- (a) A person filing a request for an administrative review may also request at the same time a hardship waiver of the fine deposit. The request for hardship waiver must be made concurrently with the request for administrative review.

- (1) To seek a hardship waiver and obtain a separate hearing limited to the hardship request, the citee shall check the box indicating this request and file with the District a sworn declaration or affidavit, together with any supporting documentation or other evidence demonstrating the citee's actual financial inability to deposit the full amount of the citation in advance of the hearing. The procedure governing the filing of such requests shall be the same as provided in section 3098.80(b), above.
- (b) The person requesting the hardship waiver bears the burden of establishing by substantial evidence that he or she does not have the financial ability to make the deposit of the fine. The person shall personally appear at the hearing on the hardship waiver request and non-appearance shall constitute an abandonment of the hardship waiver request unless excused pursuant to section 3080.90(h).

Where the hardship waiver request has been abandoned because of non-appearance at the hearing on the request, the full amount of the advance fine deposit shall be submitted to the District within three (3) business days following the date set for the hearing on the hardship waiver request. Failure to make the full amount of the advance fine deposit by the time required in this sub-section (1) shall be deemed an abandonment of the contest of the citation and shall forfeit the citee's right to an administrative review of the citation.

- (c) The request for a hardship waiver of the fine deposit will be heard by the hearing officer at the date, time and place specified by the District on the notice of hardship waiver hearing. At the conclusion of the hearing on the waiver request, or within five (5) business days after the waiver request hearing, at the hearing officer's discretion, the hearing officer shall issue a decision that the fine deposit is or is not waived. The hearing officer shall then insert on the notice of decision form relating to the waiver request the new date set for the administrative review hearing, which shall be within forty-five (45) days of the date on the notice of decision of the hardship waiver request. A copy of the notice of decision shall be delivered to the citee at the end of the hearing on the waiver request, or shall be sent by U.S. Mail within five (5) business days following the conclusion of the hearing on the waiver request.
- (d) If the hardship waiver is denied, the hearing officer shall provide the citee a self-addressed envelope to use in making the fine deposit. The citee shall mail the deposit in the envelope provided so that it is postmarked at least three (3) business days before the date designated on the notice of decision for the administrative review. Failure to make the deposit by the time required shall be deemed an abandonment of the contest of the citation and shall forfeit the citee's right to an administrative review of the citation.

- (e) The filing of a request for hardship waiver of the fine deposit does not extend the time within which to request an administrative review or any other time set forth in this policy, except as provided in subsection (d), above. A hearing officer decision on the hardship waiver is final and not subject to judicial review pursuant to section 3098.110.

3098.90 Hearing procedures for requests for both administrative review and hardship waiver of advance deposit of fine amount.

- (a) Hearings shall be conducted by a hearing officer at a date, time and place designated by the General Manager that is at least ten (10) but not more than thirty (30) days after the citee requests a hearing pursuant to section 3098.80 or 3098.85. At least ten (10) days written notice of the hearing shall be given to the citee, either personally or by mail.
- (b) The General Manager shall ensure that the pertinent citation records are delivered to the hearing officer for a citation set for hearing. The General Manager shall also make available to the citee at District offices at least three (3) business days before the hearing a copy of any additional reports concerning the citation that are provided to the hearing officer.
- (c) The citee shall be given the opportunity to testify and to present evidence relevant to financial hardship, the policy violation specified in the citation, or the fact that all fines have been paid, as applicable. A parent or legal guardian of a citee who is a juvenile shall accompany the citee at the hearing, or any request or contest shall be deemed abandoned.
- (d) The citation, and any other reports prepared by the District concerning the policy violation shall be accepted by the hearing officer as prima facie evidence of the policy violation and the facts stated in such documents.
- (e) Neither the issuing person nor any other representative of the District shall be required to attend the hearing, nor shall the hearing officer require that there be submitted any evidence, other than the citation, that may exist among the public records of the District on the violation. However, any such appearance and/or submission may be made at the discretion of the District.
- (f) The hearing officer, General Manager, or District General Counsel may continue a hearing if a request is made by the citee, or the citee's representative, or a representative of the District, upon a showing of good cause. All continuance requests shall either (i) be made in person at the hearing by the citee or a representative if the citee is physically unable to attend, or (ii) be made by a written request received by the District at least twenty-four (24) hours before the hearing date. If the continuance is granted, a new hearing date shall be set within forty-five (45) days and noted on the notice of decision. If the continuance is denied, the hearing shall proceed as scheduled, and if the

citee is not present the request shall be deemed abandoned in accordance with subdivision (h) below. The decision on the continuance request is final and the notice shall either be delivered personally to the citee or the representative if present or be mailed by the District. If the request for continuance is not made in person, the citee is responsible for determining whether the request is denied and the hearing is to proceed as scheduled.

- (g) The hearing shall be conducted informally and the legal rules of evidence need not be followed. The hearing officer does not have the authority to issue a subpoena and there shall be no right to cross-examine witnesses.
- (h) The failure of the citee to appear at the hearing, unless the hearing was continued per subdivision (f) above, shall constitute an abandonment of the request for waiver of the fine deposit and/or administrative review, and a failure to exhaust administrative remedies concerning the violation as set forth in the citation. The fine deposit shall be credited by the District upon the fine due for the violation. The citee's failure to appear shall be noted on the notice of decision by the hearing officer and it shall be mailed to the citee.

3098.100 Administrative review decision.

- (a) After considering all the evidence and testimony submitted at the administrative review, the hearing officer shall issue a written decision to uphold the citation or cancel it based upon a conclusion of whether or not a violation occurred for which the citee was a responsible person. The decision will be made on a notice of decision form and designate the reasons and evidence considered for the decision. The decision of the hearing officer shall be made at the conclusion of the administrative review, or soon thereafter, and shall be final. The notice of decision shall be personally delivered to the citee at the conclusion of the administrative review, or it shall be mailed to the citee within thirty (30) days following the conclusion of the administrative review.
- (b) If the decision is to uphold the citation, the District shall keep the fine deposited. If the decision is to cancel the citation, the District shall refund the fine deposit to the citee within thirty (30) days of the filing of the decision. If the citation is upheld and the fine deposit had been waived, the fine shall be due on the date the decision is given to the citee at the end of the hearing by the hearing officer, or the date the notice of decision is mailed to the citee. The hearing officer may collect any fine due from the citee at the end of the hearing.
- (c) The hearing officer's continued employment, performance evaluation, compensation, and benefits, if any, shall not directly or indirectly be linked to the number of citations upheld or canceled by the hearing officer.

3098.110 Right to judicial review.

- (a) The citee may seek judicial review of the administrative review decision by filing an appeal with the superior court within twenty (20) calendar days after the citee receives a copy of the notice of decision at the conclusion of the hearing in accordance with the provisions of Government Code section 53069.4. The appeal filed with the court shall also contain a proof of service showing a copy of the appeal was served upon the "Rossmoor Community Services District (Attention: General Counsel)." The citee must pay to the superior court the statutory filing fee when the appeal is filed.
- (b) No appeal is permitted from a decision regarding:
 - (1) A request for a hardship waiver of the fine deposit, or
 - (2) A decision that the citee is deemed to have abandoned the contest of the citation or fine due to her or his failure to appear at the hearing or failure to deposit the fine.
- (c) The District General Counsel shall forward to the superior court within fifteen (15) days of its request, the pertinent citation documents for any case appealed to that court. If the superior court cancels any citation, the District will refund any fine deposit made and the appeal filing fee.

3098.120 Collection of unpaid fines.

- (a) The amount of any fine, penalty, cost or fee imposed pursuant to this policy shall be deemed a debt and a charge owed to the District.
- (b) The failure of any person to pay an assessed fine, penalty, cost, charge or fee by the deadline specified shall result in the assessment of additional late penalties and interest in the amounts established by the District.
- (c) The District in its discretion may pursue any and all legal and equitable remedies to collect unpaid fines, penalties, costs, charges, interest or fees imposed pursuant to this policy, including, where applicable, those set forth in Government Code section 61115. These remedies include, but are not limited to, each of the following:
 - (1) Referring the delinquent account to collection;
 - (2) For a property related violation, including, but not limited to, a violation arising from Policy No. 3080:
 - i. authorizing a lien to be recorded thereon for any unpaid charges and/or penalties imposed; and/or

- ii. providing that any charge or penalty be collected on the tax role in the same manner as property taxes.
- (3) Filing a civil action in a court of competent jurisdiction.
- (d) Any person who fails to pay any debt hereunder shall be liable in any proceeding brought by the District for the costs incurred in securing payment of the unpaid amount, including attorneys' fees. Such costs shall be in addition to any penalties, interest, and/or late fees imposed upon the unpaid fine, penalty, cost, charge or fee. Fees and costs for collection of a debt shall be in addition to any penalties, interest, and late charges imposed on the delinquent civil debt and may be imposed directly by a collection agency under contract with the District for collection services.
- (e) The District may refuse to issue, extend, or renew any District permit, license, agreement or other District approval to any person, who has unpaid delinquent fines, interest, penalties, liens or assessments due under this policy, related to the permit, license, agreement or approval.
- (f) The District may suspend any permit, license, agreement or discretionary approval issued to or with a person who has unpaid fines related to the permit, license, or approval totaling five hundred dollars (\$500.00) or more that have been delinquent for over thirty (30) days. The suspension shall become effective twenty (20) days after the day notice of the suspension is placed by the director in the U.S. mail, postage prepaid, addressed to the person and shall continue until the delinquency is paid in full. The person may request an administrative hearing pursuant to the procedures in section 3098.80 on the issue of fine delinquency only, if the request is filed with the District before the twenty (20) day period ends. Continuing to operate under a suspended permit, license or approval shall be grounds for revocation of the permit, license or approval. Revocation may be made by the District at a public hearing for which the same notice shall be given as required for issuance of the permit, license, or approval involved, but in no event shall there be less than ten (10) days written notice.
- (g) It is unlawful for a citee to fail to pay any administrative fine, interest, or penalty imposed pursuant to this policy. The District General Counsel, at his or her discretion, may initiate a criminal citation or complaint for an infraction to any citee who fails to make such a payment. The criminal fine for this violation shall be a mandatory minimum of one hundred dollars (\$100.00).
- (h) The parent or legal guardian of a citee who is a minor shall be liable for any fines imposed upon the minor pursuant to the provisions of this policy. Any such fines may be collected from the minor, parent or guardian.

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM G-4

Date: December 10, 2019

To: Honorable Board of Directors

From: General Manager Joe Mendoza
Initiated by Mary Kingman

Subject: ORDINANCE 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 TREES

RECOMMENDATION:

Give first reading and introduce Ordinance 2019-02 that revises and amends District Tree Policy No. 3080, in order to establish a Resident Tree Trimming Permit program, revise the provisions for cost recovery and enforcement of the Policy, and make various conforming and non-substantive revisions

BACKGROUND:

Currently, residents and property owners have the option to pay for aesthetic tree trims through District to be carried out by the District's contract arborist, West Coast Arborist, Inc. District staff was asked to explore the possibility of issuing tree permits for residents and property owners who wish to have the District owned parkway trees trimmed by their own arborists. At the Tree Committee Meeting on October 15, 2019 the Committee directed staff to revise/amend Policy No. 3080 to provide for the issuance of such resident tree trimming permits. The Committee also directed staff to revise the Tree Policy regarding the provisions for enforcement and cost recovery.

ANALYSIS:

The amendments add a Resident Tree Trimming Permit program to Policy No. 3080, revise the provisions for cost recovery and enforcement of the Policy and make various conforming and non-substantive revisions. These revisions are depicted in Attachment No. 2. Among other changes, these revisions would vest the General Manager with authority to issue, revoke and/or deny Tree Trimming Permits, subject to appeal to the Board of Directors. If approved by the Board, staff will return with a proposed resolution to set forth the fees to cover the cost to the District for issuance of Resident Tree Trimming Permits and related matters. In addition, staff will draft the required rules and forms necessary to administer the Tree Trimming Permit program

ATTACHMENTS:

1. Current Policy No. 3080
2. Redline Policy No. 3080
3. Proposed Policy No. 3080
4. Ordinance 2019-02

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Rossmoor Community Services District**Policy****No. 3080**

**PARKWAY AND ROSSMOOR WAY MEDIAN TREE
MAINTENANCE**

3080.00 Parkway and Median: A parkway, as described in this Policy, is the County of Orange (County) owned area between the sidewalk and curb. The median is the County owned area dividing Rossmoor Way.

3080.10 Public Property: Parkway and median trees are public, not private property. Every reasonable effort will be made to preserve this natural resource in order to retain and improve this local scenic and environmental asset.

3080.11 Homeowners, residents or their agents shall not plant, trim or remove parkway and median trees. The Rossmoor Community Services District (District) has the authority and responsibility to plant and trim trees either directly or through the County or other third parties. The District recommends removals to the County and the County has the authority to remove trees.

3080.12 The County of Orange is responsible for the preventative or remedial tree root pruning to aid in the control of sidewalk, curb and gutter damage. The District will coordinate with the County to perform this work and any other alternatives to tree removal.

3080.13 Request for inspections, planting, trimming or removal shall be made with the District office. A Customer Service Request (CSR) shall be initiated describing the request and action taken or not taken.

3080.14 No person shall remove, prune, trim, cut or otherwise damage a tree that is located in the parkway or median, or cause, permit, direct, or knowingly allow the removal, pruning, trimming, cutting, or damaging of a parkway or median tree, unless authorized to do so pursuant to this Policy.

3080.20 Tree Planting and Nurturing: All parkways at private residences shall have at least one tree, where feasible, and those currently without a tree(s) will have a tree(s) planted by the District as funds become available. Appropriately spaced tree plantings are required along the parkways of public properties, where feasible (e.g. parks, schools, flood control channels, etc.).

3080.21 Tree planting locations shall be determined by the District's Tree Consultant and/or Arborist and be based on recognized standards for the planting of trees.

3080.22 The District shall maintain a tree-planting program consistent with budgeted funds.

3080.23 The District shall maintain an inventory of all parkway and Rossmoor Way median trees. The District shall also maintain a current list of all potential sites for planting a tree within all public right of ways.

3080.24 Site selections for new tree plantings shall be based on a computerized inventory of Rossmoor parkway trees and vacant sites maintained by the District.

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3080.25 New tree plantings shall be accomplished in accordance with the Rossmoor Parkway Tree Planting Specifications (Arborist Scope of Services) maintained by the General Manager.

3080.26 Trees planted by the District will minimally be in 24" box containers. Should budget constraints arise or a 24" box tree of a specific species not be available, a 15-gallon container tree may be substituted.

3080.27 A list of tree varieties approved by the Board for new or replacement trees shall be maintained by the District. The Tree Consultant shall recommend and the District shall select tree species based on the specified predominant tree species of the block if the tree is still on the approved species list and other factors such as availability or an alternate tree from the approved list of trees with similar characteristics.

3080.28 The General Manager shall maintain a Notification of Tree Planting document that specifies the required care of parkway trees. This includes instructions for newly planted parkway trees. The document shall be provided to each homeowner/resident of a newly planted parkway tree.

3080.29 The homeowner/resident has the responsibility for watering and caring for the parkway trees adjacent to their property in accordance with District instructions. A tree that must be replaced due to lack of care on the part of a homeowner/resident will require the homeowner/resident to pay the District for a replacement tree of the same or like species and size.

3080.30 Tree Trimming and Protection: Trees shall be trimmed by the District to maintain safety and clearance standards established by the County.

3080.31 Specifications delineating aesthetic tree trimming shall be in accordance with the requirements of the American National Standards Institute (ANSI A 300) maintained by the General Manager and shall become a part of any tree trimming contracts awarded by the District.

3080.32 The District shall maintain a tree trimming schedule for all parkway and median trees. Each tree shall be trimmed at least once every four years or as necessary according to species. Homeowners/residents desiring more frequent trimming or pruning can request such at the District office for a fee, which reflects the cost to the District. Tree trimming shall only be performed by the District's contract arborist.

3080.33 Notification by mail or by posting at the residence of scheduled tree trimming, planting, root pruning or removal shall be sent by the District to the homeowner/resident at least two (2) weeks prior to the planned work except for emergency safety removals by the County.

3080.40 Tree Removal: Only trees that are dead, structurally unsound or are creating problems that cannot be corrected without causing the tree to die or become unstable will be removed.

3080.41 Valid reasons for removing trees:

- A dead, rotting or seriously diseased tree that presents a danger of structural failure.
- Trees that present a hazard, such as a tree with weak roots, a tree with a split trunk or a tree with falling limbs that cannot be corrected with trimming.
- A diseased or insect infested tree that is a serious threat to nearby trees if removal is the best pest or disease control option.

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- An unauthorized tree of the wrong species for its location
- Hardscape (sidewalks, curbs, driveways etc.) damage that requires repairs and if such repairs cannot be made without causing severe root damage that renders the tree structurally unsound.
- If in order to repair or replace a lateral sewer line, it is necessary to remove significant tree roots that would undermine the structural integrity of a tree. This need must be demonstrated to the District by the homeowner through video evidence of the location and extent of damage to the sewer lateral. During excavation, the sewer line must be exposed and be available to the District for a visual inspection to determine the need for the tree removal.
- Home remodeling that requires removal of a tree. If this is driveway relocation, the homeowner must have a building permit and plot plan showing the tree to be removed is less than eight (8) feet from the proposed new driveway. The Homeowner must pay the District for the tree removal and the planting of a new 24-inch box tree selected by the District before the District will sign off on the building permit.
- Any reason deemed by the General Manager to be in the best interests of the District and/or homeowner/resident.

3080.42 Non-valid reasons for removing trees:

- Nuisances, such as dropping leaves, root ridges in lawn, messy fruit, berries or flowers, etc.
- Roots getting into sewer lines. It is the responsibility of the homeowner/resident to maintain their sewer line so that leakage from a line is repaired promptly. This will avoid tree roots from seeking the seeping nutrients and moisture from the line.
- Invasion of roots into water meter box that can be remedied with root pruning. The General Manager will determine who is financially responsible for any necessary root pruning.
- Hardscape damage where repair coupled with root pruning can save the tree.

3080.50 Requests for Tree Inspections, Trimming or Removal and Disposition:

3080.51 A request for parkway tree inspection, trimming or, removal may be made in person, by telephone or in writing to the District office. A CSR will be generated, an inspection will be performed and a disposition will be made by the District.

3080.52 The action taken or not taken on a request will be reported back to the homeowner or his/her agent by the District. A requester has the right of appeal the final disposition of the request by the General Manager to the Board on any actions taken/not taken.

3080.60 Tree Protection: Unauthorized removal of or damage to a parkway tree is a misdemeanor. In addition, the responsible person will be required to pay to the District the International Society of Arboriculture (ISA) value of the removed tree based on the ISA trunk formula method and the cost of a replacement tree in a 24-inch box.

3080.61 Parkway may not be cemented, bricked or covered with vegetation which prevents the planting of a parkway tree. Any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable permitting or other approval requirements of the County of Orange. For example, and not by way of limitation, any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable urban storm water runoff permit regulations as set forth in the applicable

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National Pollution Discharge Elimination System (NPDES) permit program as established and administered by the County of Orange or other applicable state or regulatory body.

3080.62 Parkways may be covered with grass or other plants, so long as such grass or plants are not more than two (2) feet high or closer than 1½ feet from the base of the tree. Any work on the parkway that could involve the pruning of tree roots must first be approved by the District.

3080.63 No swings or attachments of any type may be placed on parkway or median trees.

3080.70 Retention of Arborist: The District will retain an ISA certified arborist to assist the General Manager in the performance of specifications called out in the Scope of Services as detailed in the Agreement with the contract arborist.

3080.80 Enforcement of Policy:

3080.81 Pursuant to Government Code Section 61600(j) and (k), the District has the authority to perform work and improvements on or about any street in Rossmoor, subject to the consent of the County.

3080.82 Pursuant to Government Code Section 61621.5(c), Resolution 99-1-13-1 provides that the County has granted the District the power of a county road commissioner to regulate certain activities. In its role as a County Road Commissioner, the District may regulate and perform certain activities in connection with the planting, removing, cutting, injuring or destroying any tree, shrub, plant or flower growing on any parkway or median. Pursuant to Government Code Section 61621.5(c) and Streets and Highways Code Section 1460, anyone who violates this policy will be subject to the appropriate legal remedy including liability for all expenses and damages caused thereby to the County and District and could be found criminally liable for a misdemeanor.

3080.83 The District may notify the responsible person of any violation of this policy. If the responsible person refuses to correct the violation after such notification, the District shall pursue other appropriate legal remedies for the collection of damages in order to compensate the District for all costs and expenses caused by the alleged violation of this policy. Nothing in this policy shall require the District to notify the responsible person prior to initiating a criminal action.

3080.84 The District may enforce this Policy by criminal and/or civil action. Where the District elects to proceed by other than criminal action, the following enforcement procedures shall apply:

- (1) Send the Person a Notice/Demand Letter. The General Manager or his or her designee shall notify any person that his or her actions are in violation of this policy and may provide that person with the opportunity to correct the violation and/or pay the expenses and damages the District incurred in correcting the violation. A demand for such payment shall be in the form of a notice/demand letter which sets forth the violation and the amount due and owing. In regard to correcting the violation, the District may take the initiative to correct the violation, such as replanting a parkway tree and also take the initiative in pursuing recovery of costs and expenses. The notice/letter may also state that the resident must refrain in the future from taking such action that caused the violation to occur. The General Manager shall send a letter via first class mail to the address at which the violation occurred and/or to the last known address of the person causing the violation.

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(2) Appeal to the Board. Any person who disputes the decision of the General Manager sent pursuant to subsection (1), above, may appeal that decision to the Board by filing a written request to the General Manager for the matter to be placed on the Board Agenda for the next scheduled Regular Board meeting and payment of the appeal fee as set forth in the Fee Schedule. Any such appeal must be in writing and must be delivered to the General Manager along with the applicable fee within ten (10) calendar days of the contested action and must state the specific action or inaction that is being challenged. The matter shall be placed on a subsequent Board Agenda if there is insufficient time to place the matter on the agenda for the next regularly scheduled meeting of the Board. The Board shall hold a hearing, admit evidence, and shall render a decision on the matter. The decision of the Board shall be final.

(3) Civil Litigation. If any person fails or refuses to correct the violation and/or to pay the amount owed, then the District may pursue civil litigation. Such litigation may seek injunctive relief whereby the District requests that the court order the person to refrain from certain activities and/or require the person to take certain actions in order to be in compliance with the District's policy/regulations. In the event the District has taken the necessary action, such as replacing the parkway tree, the District may pursue litigation to obtain a judgment against the person in the amount of the expenses and damages that the District incurred in correcting the violation.

3080.85 Nuisance Enforcement by Civil Action & Attorney's Fees.

(1) In addition to any other penalties authorized by law, any condition caused or permitted to exist in violation of this Policy shall be deemed a public nuisance and may be abated as such. Each and every day such condition continues shall be regarded as a new and separate offense.

(2) In addition to other penalties and enforcement mechanisms authorized by law, this Policy may be enforced by injunction issued by the superior court upon the suit of the District.

(3) In any action, administrative proceeding or special proceeding commenced by the District to abate a public nuisance, to enjoin a violation of any provision of this Policy, to enforce the provisions of this Policy, or to collect a civil debt owing to the District pursuant to this Policy, the prevailing party shall be entitled to recover its reasonable attorney's fees. The recovery of attorney's fees by the prevailing party is limited to those individual actions or proceeding in the District elect, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. Failure to make such an election precludes any entitlement to, or award of, attorney's fees in favor of any person or the District. In no action, administrative proceeding, or special proceeding shall an award of attorney's fees to a prevailing party exceed the amount of reasonable attorney's fees incurred by the District in the action or proceeding.

3080.90 Tree/Parkway Committee: The Tree/Parkway Committee is comprised of two Board Members and the General Manager. The President of the Board appoints the members to the Committee. The General Manager shall also provide a quarterly report to the Board giving a summary of all parkway and median tree plantings, trimmings, inspections and removals.

3080.100 Damage Claims: Claims for damages allegedly caused by parkway or median trees should be filed with the District. Such claims will be processed in accordance with District Procedures.

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3080.110 Terms: Following are terms as used in this policy:

- Manicure Trimming—Ongoing yearly high quality trimming designed to maintain the shape and characteristics of the tree (commonly referred to as resort style which includes lacing of the canopy). This is not the type of tree trimming as performed by the District.
- Aesthetic Trimming (pruning)—Appropriate trimming performed by the District's arborist designed to maintain the general shape of the tree and eliminating dead, damaged or diseased branches and maintaining safety and clearance standards.
- Grid Trimming—Regularly scheduled and ongoing aesthetic trimming on a four year cycle performed by the District's contract Arborist according to a four section grid map of Rossmoor.
- Safety Trimming—Performed on an as-needed basis when a tree is identified as posing a hazard to property, street traffic or pedestrian traffic.
- Root pruning—The cutting of roots to facilitate the replacement of curbs, gutters or sidewalks.
- Responsible person – means any person who violates, or who causes, permits, directs, or knowingly allows another person to violate, any of the provisions of this policy.

3080.120 Challenging The Administrative and Quasi-Judicial Actions Of The District - Time In Which Actions Must Be Brought.

Any action challenging a final administrative order or decision by the District made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and discretion regarding a final and non-appealable determination of facts is vested in the District, or in any or its boards, commissions, officers or employees, must be filed within the time limits set forth in California Code of Civil Procedure Section 1094.6.

Adopted: September 10, 2002
Approved renumbering & format: October 10, 2002
Reaffirmed: December 10, 2002
Amended: December 9, 2003
Amended: April 13, 2004
Amended: October 12, 2004
Amended: July 12, 2005
Amended: December 13, 2005
Amended: April 13, 2010
Amended: June 14, 2011
Amended: November 12, 2013
Readopted by Ordinance 2014-01: January 14, 2014
Amended and Readopted by Ordinance 2015-02: April 14, 2015

REDLINE

Rossmoor Community Services District

Policy

No. 3080

PARKWAY AND ROSSMOOR WAY MEDIAN TREE MAINTENANCE

3080.00 Parkway and Median: A parkway, as described in this Policy, is the County of Orange (County) owned area between the sidewalk and curb. The median is the County owned area dividing Rossmoor Way.

3080.10 Public Property: Parkway and median trees are public, not private property. Every reasonable effort will be made to preserve this natural resource in order to retain and improve this local scenic and environmental asset.

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3080.22 The District shall maintain a tree-planting program consistent with budgeted funds.

3080.23 The District shall maintain an inventory of all parkway and Rossmoor Way median trees. The District shall also maintain a current list of all potential sites for planting a tree within all public right of ways.

3080.24 Site selections for new tree plantings shall be based on a computerized inventory of Rossmoor parkway trees and vacant sites maintained by the District.

3080.25 New tree plantings shall be accomplished in accordance with the Rossmore Parkway Tree Planting Specifications (Arborist Scope of Services) maintained by the General Manager.

3080.26 Trees planted by the District will minimally be in 24" box containers. Should budget constraints arise or a 24" box tree of a specific species not be available, a 15-gallon container tree may be substituted.

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3080.31 Specifications delineating aesthetic tree trimming shall be in accordance with the requirements of the American National Standards Institute (ANSI A 300) maintained by the General Manager and shall become a part of any tree trimming contracts awarded by the District.

3080.32 The District shall maintain a tree trimming schedule for all parkway and median trees. Each tree shall be trimmed at least once every four years or as necessary according to species. Homeowners/residents desiring more frequent trimming or pruning by the District can request such at the District office for a fee, which fee reflects the cost to the District, or may request a Resident Tree Trimming Permit. District tree trimming shall only be performed by the District's contract arborist.

3080.33 Notification by mail or by posting at the residence of scheduled tree ~~trimming,~~ planting, ~~root-pruning~~ or removal ~~shall~~ may be sent by the District to the homeowner/resident at least two (2) weeks prior to the planned work except for emergency safety removals by the County.

3080.34 Resident Tree Trimming Permits. As an alternative or in addition to the tree trimming procedures set forth in section 3080.32, the General Manager may issue a permit to the owner and/or resident of real property to trim and/or prune any parkway tree on or adjacent to that real property. The General Manager shall promulgate rules and forms as necessary to administer the Tree Trimming Permit program. The decision of the General Manager to deny, revoke or rescind a permit may be appealed to the Board of Directors pursuant to the procedures set forth in section 3080.84(2). The following minimum requirements shall apply to the permit:

(1) The trimming shall only be conducted by a licensed landscape contractor that has been pre-approved by the District;

(2) The owner/resident shall pay all required permit fees; and

(3) The owner/resident shall comply with all terms of the permit.;

3080.40 Tree Removal: Only trees that are dead, structurally unsound or are creating problems that cannot be corrected without causing the tree to die or become unstable will be removed.

3080.41 Valid reasons for removing trees:

- A dead, rotting or seriously diseased tree that presents a danger of structural failure.
- Trees that present a hazard, such as a tree with weak roots, a tree with a split trunk or a tree with falling limbs that cannot be corrected with trimming.
- A diseased or insect infested tree that is a serious threat to nearby trees if removal is the best pest or disease control option.
- An unauthorized tree of the wrong species for its location
- Hardscape (sidewalks, curbs, driveways etc.) damage that requires repairs and if such repairs cannot be made without causing severe root damage that renders the tree structurally unsound.
- If in order to repair or replace a lateral sewer line, it is necessary to remove significant tree roots that would undermine the structural integrity of a tree. This need must be demonstrated to the District by the homeowner through video evidence of the location and extent of damage to the sewer lateral. During excavation, the sewer line must be exposed and be available to the District for a visual inspection to determine the need for the tree removal.
- Home remodeling that requires removal of a tree. If this is driveway relocation, the homeowner must have a building permit and plot plan showing the tree to be removed is less than eight (8) feet from the proposed new driveway. The Homeowner must pay the District for the tree removal and the planting of a new 24-inch box tree selected by the District before the District will sign off on the building permit.
- Any reason deemed by the General Manager to be in the best interests of the District and/or homeowner/resident.

3080.42 Non-valid reasons for removing trees:

- Nuisances, such as dropping leaves, root ridges in lawn, messy fruit, berries or flowers, etc.
- Roots getting into sewer lines. It is the responsibility of the homeowner/resident to maintain their sewer line so that leakage from a line is repaired promptly. This will avoid tree roots from seeking the seeping nutrients and moisture from the line.
- Invasion of roots into water meter box that can be remedied with root pruning. The General Manager will determine who is financially responsible for any necessary root pruning.
- Hardscape damage where repair coupled with root pruning can save the tree.

3080.50 Requests for Tree Inspections, Trimming or Removal and Disposition:

3080.51 A request for parkway tree inspection, trimming or, removal may be made in person, by telephone or in writing to the District office. A CSR will be generated, an inspection will be performed and a disposition will be made by the District.

3080.52 The action taken or not taken on a request will be reported back to the homeowner or his/her agent by the District. A requester has the right of appeal the final disposition of the request by the General Manager to the Board on any actions taken/not taken.

3080.60 ~~Tree Protection: Unauthorized and/or unpermitted removal, of or damage, and/or pruning to or of any portion of a parkway tree is a misdemeanor punishable by 6 months in jail and/or a \$1,000 fine. In addition to the penalties set forth in the District's Administrative Citation seek restitution for damages to District property as set forth herein as an alternative to criminal removal, or unauthorized tree pruning or root removal resulting in a tree being damaged beyond recovery or such that it poses an unacceptable safety risk and has to be removed, the responsible person shall be liable to the District for: (a) the appraised value of the removed tree based on the International Society of Arboriculture (ISA) trunk formula method; and (b) the cost of a 24-inch box replacement tree. If unauthorized tree pruning results in a loss of 40% or more of the live crown the responsible person will be required to pay to the District the difference between the appraised tree value of the tree before and the appraised tree value after the damage occurred. The responsible person shall also be liable for any and all costs and expenses to the District caused by a violation of this policy, including but not limited to, any appraisal costs as set forth herein.~~
~~In addition, the responsible person will be required to pay to the District the International Society of Arboriculture (ISA) value of the removed tree based on the ISA trunk formula method and the cost of a replacement tree in a 24-inch box.~~

3080.61 Parkways may not be cemented, bricked or covered with vegetation- which prevents the planting of a parkway tree. ~~Any-In addition,~~ such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable permitting or other approval requirements of the County of Orange. For example, and not by way of limitation, any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable urban storm water runoff permit regulations as set forth in the applicable National Pollution Discharge Elimination System (NPDES) permit program as established and administered by the County of Orange or other applicable state or regulatory body.

3080.62 Parkways may be covered with grass or other plants, so long as such grass or plants are not more than two (2) feet high or closer than 1½ feet from the base of the tree. Artificial turf shall not be installed closer than three (3) feet from the base of the tree. Any work on the parkway that could involve the pruning of tree roots larger than two (2) inches in diameter must first be approved by the District.

3080.63 No swings or attachments of any type may be placed on parkway or median trees.

3080.70 Retention of Arborist: The District will retain an ISA certified arborist to assist the General Manager in the performance of specifications called out in the Scope of Services as detailed in the Agreement with the contract arborist.

3080.80 Enforcement of Policy:

3080.81 Pursuant to Government Code Section 61600(j) and (k), the District has the authority to perform work and improvements on or about any street in Rossmoor, subject to the consent of the County.

3080.82 Pursuant to Government Code Section 61621.5(c), Resolution 99-1-13-1 provides that the County has granted the District the power of a county road commissioner to regulate certain activities. In its role as a County Road Commissioner, the District may regulate and perform certain activities in connection with the planting, removing, cutting, injuring or destroying any tree, shrub, plant or flower growing on any parkway or median.

Pursuant to Government Code Section 61621.5(c) and Streets and Highways Code Section 1460, anyone who violates this policy will be subject to the appropriate legal remedy including liability for all expenses and damages caused thereby to the County and/or the District and could be found criminally liable for a misdemeanor.

3080.83 The District may notify the responsible person of any violation of this policy. If the responsible person refuses to correct the violation after such notification, the District shall pursue other appropriate legal remedies for the collection of damages in order to compensate the District for all costs and expenses caused by the ~~alleged~~ violation of this policy. Nothing in this policy shall require the District to notify the responsible person prior to initiating a criminal action and/or issuing an administrative citation.

3080.84 The District may enforce this Policy by criminal, ~~and/or~~ civil, and/or administrative action and/or citation. ~~Where the~~ In order for the District ~~elects to~~ proceed by ~~other than~~ criminal/civil action to enforce or otherwise seek restitution for a violation of this Policy, the following ~~enforcement~~ procedures shall apply:

(1) Send the Person a Notice/Demand Letter. The General Manager or his or her designee shall notify any person that his or her actions are in violation of this policy and may provide that person with the opportunity to correct the violation and/or pay the expenses and damages the District incurred in correcting the violation. A demand for such payment shall be in the form of a notice/demand letter which sets forth the violation and the amount due and owing. In regard to correcting the violation, the District may take the initiative to correct the violation, such as replanting a parkway tree and also take the initiative in pursuing recovery of costs and expenses. The notice/letter may also state that the resident must refrain in the future from taking such action that caused the violation to occur. The General Manager shall send a letter via first class mail to the address at which the violation occurred and/or to the last known address of the person causing the violation.

~~(2)~~ Appeal to the Board. Any person who disputes the decision of the General Manager sent pursuant to subsection (1), above, may appeal that decision to the Board by filing a written request to the General Manager for the matter to be placed on the Board Agenda for the next scheduled Regular Board meeting and payment of the appeal fee as set forth in the Fee Schedule. Any such appeal must be in writing and must be delivered to the General Manager along with the applicable fee within ten (10) calendar days of the contested action and must state the specific action or inaction that is being challenged. The matter shall be placed on a subsequent Board Agenda if there is insufficient time to place the matter on the agenda for the next regularly scheduled meeting of the Board. The Board shall hold a hearing, admit evidence, and shall render a decision on the matter. The decision of the Board shall be final.

— the amount owed, ~~then~~ the District may pursue civil litigation, including, but not limited to an action for, ~~Such litigation may seek~~ injunctive, declaratory and/or violation, prevent future violations and/or relief whereby the District requests expenses and damages ~~that the District incurred in correcting the~~

3080.85 Nuisance Enforcement by Civil Action & Attorney's Fees.

(1) In addition to any other penalties authorized by law, any condition caused or permitted to exist in violation of this Policy shall be deemed a public nuisance and may be abated as such. Each and every day such condition continues shall be regarded as a new and separate offense.

- (2) In addition to other penalties and enforcement mechanisms authorized by law, this Policy may be enforced by injunction issued by the superior court upon the suit of the District.
- (3) In any action, administrative proceeding or special proceeding commenced by the District to abate a public nuisance, to enjoin a violation of any provision of this Policy, to enforce the provisions of this Policy, or to collect a civil debt owing to the District pursuant to this Policy, the prevailing party shall be entitled to recover its reasonable attorney's fees. The recovery of attorney's fees by the prevailing party is limited to those individual actions or proceeding in the District elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. Failure to make such an election precludes any entitlement to, or award of, attorney's fees in favor of any person or the District. In no action, administrative proceeding, or special proceeding shall an award of attorney's fees to a prevailing party exceed the amount of reasonable attorney's fees incurred by the District in the action or proceeding.

3080.90 Tree/Parkway Committee: The Tree/Parkway Committee is comprised of two Board Members and the General Manager. The President of the Board appoints the members to the Committee. The General Manager shall also provide a quarterly report to the Board giving a summary of all parkway and median tree plantings, trimmings, inspections and removals.

3080.100 Damage Claims: Claims for damages allegedly caused by parkway or median trees should be filed with the District. Such claims will be processed in accordance with District -Procedures.

3080.110 Terms: Following are terms as used in this policy:

- **Manicure Trimming—**Ongoing yearly high quality trimming designed to maintain the shape and characteristics of the tree (commonly referred to as resort style which includes lacing of the canopy). This is not the type of tree trimming as performed by the District.
- **Aesthetic Trimming (pruning)—**Appropriate trimming performed by the District's arborist designed to maintain the general shape of the tree and eliminating dead, damaged or diseased branches and maintaining safety and clearance standards.
- **Grid Trimming—**Regularly scheduled and ongoing aesthetic trimming on a four year cycle performed by the District's contract Arborist according to a four section grid map of Rossmoor.
- **Safety Trimming—**Performed on an as-needed basis when a tree is identified as posing a hazard to property, street traffic or pedestrian traffic.
- **Root pruning—**The cutting of roots to facilitate the replacement of curbs, gutters or sidewalks.
- **Responsible person –** means any person who violates, or who causes, permits, directs, or knowingly allows another person to violate, any of the provisions of this policy.

- Appraised value – shall be based on the International Society of Arboriculture (ISA) trunk formula method which uses a formula to establish the monetary value of a tree based on its size, condition, species, and location.
- Responsible person – shall have the same meaning as in Policy No. 3098.

3080.120 Challenging The Administrative and Quasi-Judicial Actions Of The District - Time In Which Actions Must Be Brought.

Any action challenging a final administrative order or decision by the District made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and discretion regarding a final and non-appealable determination of facts is vested in the District, or in any of its boards, commissions, officers or employees, must be filed within the time limits set forth in California Code of Civil Procedure Section 1094.6.

Adopted: September 10, 2002
Approved renumbering & format: October 10, 2002
Reaffirmed: December 10, 2002
Amended: December 9, 2003
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Readopted by Ordinance 2014-01: January 14, 2014
Amended and Readopted by Ordinance 2015-02: April 14, 2015
Amended and Readopted by Ordinance 2019-02:

PROPOSED

Rossmoor Community Services District

Policy

No. 3080

**PARKWAY AND ROSSMOOR WAY MEDIAN TREE
MAINTENANCE**

3080.00 Parkway and Median: A parkway, as described in this Policy, is the County of Orange (County) owned area between the sidewalk and curb. The median is the County owned area dividing Rossmoor Way.

3080.10 Public Property: Parkway and median trees are public, not private property. Every reasonable effort will be made to preserve this natural resource in order to retain and improve this local scenic and environmental asset.

3080.11 Homeowners, residents or their agents shall not plant, trim or remove parkway and median trees, except as expressly provided for in this Policy. The Rossmoor Community Services District (District) has the authority and responsibility to plant and trim trees either directly or through the County or other third parties. The District recommends removals to the County and the County has the authority to remove trees.

3080.12 The County of Orange is responsible for the preventative or remedial tree root pruning to aid in the control of sidewalk, curb and gutter damage. The District will coordinate with the County to perform this work and any other alternatives to tree removal.

3080.13 Request for inspections, planting, trimming or removal shall be made with the District office. A Customer Service Request (CSR) shall be initiated describing the request and action taken or not taken.

3080.14 No person shall remove, prune, trim, cut or otherwise damage a tree that is located in the parkway or median, or cause, permit, direct, or knowingly allow the removal, pruning, trimming, cutting, or damaging of a parkway or median tree, unless authorized to do so pursuant to this Policy.

3080.20 Tree Planting and Nurturing: All parkways at private residences shall have at least one tree, where feasible, and those currently without a tree(s) will have a tree(s) planted by the District as funds become available. Appropriately spaced tree plantings are required along the parkways of public properties, where feasible (e.g. parks, schools, flood control channels, etc.).

3080.21 Tree planting locations shall be determined by the District's Tree Consultant and/or Arborist and be based on recognized standards for the planting of trees.

3080.22 The District shall maintain a tree-planting program consistent with budgeted funds.

3080.23 The District shall maintain an inventory of all parkway and Rossmoor Way median trees. The District shall also maintain a current list of all potential sites for planting a tree within all public right of ways.

3080.24 Site selections for new tree plantings shall be based on a computerized inventory of Rossmoor parkway trees and vacant sites maintained by the District.

PROPOSED

3080.25 New tree plantings shall be accomplished in accordance with the Rossmoor Parkway Tree Planting Specifications (Arborist Scope of Services) maintained by the General Manager.

3080.26 Trees planted by the District will minimally be in 24" box containers. Should budget constraints arise or a 24" box tree of a specific species not be available, a 15-gallon container tree may be substituted.

3080.27 A list of tree varieties approved by the Board for new or replacement trees shall be maintained by the District. The Tree Consultant shall recommend and the District shall select tree species based on the specified predominant tree species of the block if the tree is still on the approved species list and other factors such as availability or an alternate tree from the approved list of trees with similar characteristics.

3080.28 The General Manager shall maintain a Notification of Tree Planting document that specifies the required care of parkway trees. This includes instructions for newly planted parkway trees. The document shall be provided to each homeowner/resident of a newly planted parkway tree.

3080.29 The homeowner/resident has the responsibility for watering and caring for the parkway trees adjacent to their property in accordance with District instructions. A tree that must be replaced due to lack of care on the part of a homeowner/resident will require the homeowner/resident to pay the District for a replacement tree of the same or like species and size.

3080.30 Tree Trimming and Protection: Trees shall be trimmed by the District, or as otherwise authorized herein, to maintain safety and clearance standards established by the County.

3080.31 Specifications delineating aesthetic tree trimming shall be in accordance with the requirements of the American National Standards Institute (ANSI A 300) maintained by the General Manager and shall become a part of any tree trimming contracts awarded by the District.

3080.32 The District shall maintain a tree trimming schedule for all parkway and median trees. Each tree shall be trimmed at least once every four years or as necessary according to species. Homeowners/residents desiring more frequent trimming or pruning by the District can request such at the District office for a fee, which fee reflects the cost to the District, or may request a Resident Tree Trimming Permit. District tree trimming shall only be performed by the District's contract arborist.

3080.33 Notification by mail or by posting at the residence of scheduled tree planting or removal may be sent by the District to the homeowner/resident at least two (2) weeks prior to the planned work except for emergency safety removals by the County.

3080.34 Resident Tree Trimming Permits. As an alternative or in addition to the tree trimming procedures set forth in section 3080.32, the General Manager may issue a permit to the owner and/or resident of real property to trim and/or prune any parkway tree on or adjacent to that real property. The General Manager shall promulgate rules and forms as necessary to administer the Tree Trimming Permit program. The decision of the General Manager to deny, revoke or rescind a permit may be appealed to the Board of Directors pursuant to the procedures set forth in section 3080.84(2). The following minimum requirements shall apply to the permit:

- (1) The trimming shall only be conducted by a licensed landscape contractor that has been pre-approved by the District;

PROPOSED

- (2) The owner/resident shall pay all required permit fees; and
- (3) The owner/resident shall comply with all terms of the permit.

3080.40 Tree Removal: Only trees that are dead, structurally unsound or are creating problems that cannot be corrected without causing the tree to die or become unstable will be removed.

3080.41 Valid reasons for removing trees:

- A dead, rotting or seriously diseased tree that presents a danger of structural failure.
- Trees that present a hazard, such as a tree with weak roots, a tree with a split trunk or a tree with falling limbs that cannot be corrected with trimming.
- A diseased or insect infested tree that is a serious threat to nearby trees if removal is the best pest or disease control option.
- An unauthorized tree of the wrong species for its location
- Hardscape (sidewalks, curbs, driveways etc.) damage that requires repairs and if such repairs cannot be made without causing severe root damage that renders the tree structurally unsound.
- If in order to repair or replace a lateral sewer line, it is necessary to remove significant tree roots that would undermine the structural integrity of a tree. This need must be demonstrated to the District by the homeowner through video evidence of the location and extent of damage to the sewer lateral. During excavation, the sewer line must be exposed and be available to the District for a visual inspection to determine the need for the tree removal.
- Home remodeling that requires removal of a tree. If this is driveway relocation, the homeowner must have a building permit and plot plan showing the tree to be removed is less than eight (8) feet from the proposed new driveway. The Homeowner must pay the District for the tree removal and the planting of a new 24-inch box tree selected by the District before the District will sign off on the building permit.
- Any reason deemed by the General Manager to be in the best interests of the District and/or homeowner/resident.

3080.42 Non-valid reasons for removing trees:

- Nuisances, such as dropping leaves, root ridges in lawn, messy fruit, berries or flowers, etc.
- Roots getting into sewer lines. It is the responsibility of the homeowner/resident to maintain their sewer line so that leakage from a line is repaired promptly. This will avoid tree roots from seeking the seeping nutrients and moisture from the line.
- Invasion of roots into water meter box that can be remedied with root pruning. The General Manager will determine who is financially responsible for any necessary root pruning.
- Hardscape damage where repair coupled with root pruning can save the tree.

3080.50 Requests for Tree Inspections, Trimming or Removal and Disposition:

3080.51 A request for parkway tree inspection, trimming or, removal may be made in person, by telephone or in writing to the District office. A CSR will be generated, an inspection will be performed and a disposition will be made by the District.

3080.52 The action taken or not taken on a request will be reported back to the homeowner or his/her agent by the District. A requester has the right of appeal the final

PROPOSED

disposition of the request by the General Manager to the Board on any actions taken/not taken.

3080.60 Tree Protection: Unauthorized and/or unpermitted removal, damage, and/or pruning to or of any portion of a parkway tree is a misdemeanor punishable by 6 months in jail and/or a \$1,000 fine. In addition to the penalties set forth in Policy No. 3098, the District may also seek restitution for damages to District property as set forth herein. In the case of complete tree removal, or unauthorized tree pruning or root removal resulting in a tree being damaged beyond recovery or such that it poses an unacceptable safety risk and has to be removed, the responsible person shall be liable to the District for: (a) the appraised value of the removed tree based on the International Society of Arboriculture (ISA) trunk formula method; and (b) the cost of a 24-inch box replacement tree. If unauthorized tree pruning results in a loss of 40% or more of the live crown the responsible person will be required to pay to the District the difference between the appraised tree value of the tree before and the appraised tree value after the damage occurred. The responsible person shall also be liable for any and all costs and expenses to the District caused by a violation of this policy, including but not limited to, any appraisal costs as set forth herein.

3080.61 Parkway may not be cemented, bricked or covered with vegetation which prevents the planting of a parkway tree. In addition, such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable permitting or other approval requirements of the County of Orange. For example, and not by way of limitation, any such paving-over, cementing-over or other covering of a parkway shall be subject to the applicable urban storm water runoff permit regulations as set forth in the applicable National Pollution Discharge Elimination System (NPDES) permit program as established and administered by the County of Orange or other applicable state or regulatory body.

3080.62 Parkway may be covered with grass or other plants, so long as such grass or plants are not more than two (2) feet high or closer than 1½ feet from the base of the tree. Artificial turf shall not be installed closer than three (3) feet from the base of the tree. Any work on the parkway that could involve the pruning of tree roots larger than two (2) inches in diameter must first be approved by the District.

3080.63 No swings or attachments of any type may be placed on parkway or median trees.

3080.70 Retention of Arborist: The District will retain an ISA certified arborist to assist the General Manager in the performance of specifications called out in the Scope of Services as detailed in the Agreement with the contract arborist.

3080.80 Enforcement of Policy:

3080.81 Pursuant to Government Code Section 61600(j) and (k), the District has the authority to perform work and improvements on or about any street in Rossmoor, subject to the consent of the County.

3080.82 Pursuant to Government Code Section 61621.5(c), Resolution 99-1-13-1 provides that the County has granted the District the power of a county road commissioner to regulate certain activities. In its role as a County Road Commissioner, the District may regulate and perform certain activities in connection with the planting, removing, cutting, injuring or destroying any tree, shrub, plant or flower growing on any parkway or median. Pursuant to Government Code Section 61621.5(c) and Streets and Highways Code Section 1460, anyone who violates this policy will be subject to the appropriate legal remedy including liability for all expenses and damages caused thereby to the County and/or the District and could be found criminally liable for a misdemeanor.

PROPOSED

3080.83 The District may notify the responsible person of any violation of this policy. If the responsible person refuses to correct the violation after such notification, the District shall pursue other appropriate legal remedies for the collection of damages in order to compensate the District for all costs and expenses caused by the violation of this policy. Nothing in this policy shall require the District to notify the responsible person prior to initiating a criminal action and/or issuing an administrative citation.

3080.84 The District may enforce this Policy by criminal, civil, and/or administrative action and/or citation. In order for the District to proceed by civil action to enforce or otherwise seek restitution for a violation of this Policy the following procedures shall apply:

- (1) Send the Person a Notice/Demand Letter. The General Manager or his or her designee shall notify any person that his or her actions are in violation of this policy and may provide that person with the opportunity to correct the violation and/or pay the expenses and damages the District incurred in correcting the violation. A demand for such payment shall be in the form of a notice/demand letter which sets forth the violation and the amount due and owing. In regard to correcting the violation, the District may take the initiative to correct the violation, such as replanting a parkway tree and also take the initiative in pursuing recovery of costs and expenses. The notice/letter may also state that the resident must refrain in the future from taking such action that caused the violation to occur. The General Manager shall send a letter via first class mail to the address at which the violation occurred and/or to the last known address of the person causing the violation.
- (2) Appeal to the Board. Any person who disputes the decision of the General Manager sent pursuant to subsection (1), above, may appeal that decision to the Board by filing a written request to the General Manager for the matter to be placed on the Board Agenda for the next scheduled Regular Board meeting and payment of the appeal fee as set forth in the Fee Schedule. Any such appeal must be in writing and must be delivered to the General Manager along with the applicable fee within ten (10) calendar days of the contested action and must state the specific action or inaction that is being challenged. The matter shall be placed on a subsequent Board Agenda if there is insufficient time to place the matter on the agenda for the next regularly scheduled meeting of the Board. The Board shall hold a hearing, admit evidence, and shall render a decision on the matter. The decision of the Board shall be final.
- (3) Civil Litigation. If any person fails or refuses to correct the violation and/or pay the amount owed, the District may pursue civil litigation, including, but not limited to an action for injunctive, declaratory and/or other relief to remedy the violation, prevent future violations and/or obtain a judgment to recover the expenses and damages caused by the violation.

3080.85 Nuisance Enforcement by Civil Action & Attorney's Fees.

- (1) In addition to any other penalties authorized by law, any condition caused or permitted to exist in violation of this Policy shall be deemed a public nuisance and may be abated as such. Each and every day such condition continues shall be regarded as a new and separate offense.
- (2) In addition to other penalties and enforcement mechanisms authorized by law, this Policy may be enforced by injunction issued by the superior court upon the suit of the District.

PROPOSED

- (3) In any action, administrative proceeding or special proceeding commenced by the District to abate a public nuisance, to enjoin a violation of any provision of this Policy, to enforce the provisions of this Policy, or to collect a civil debt owing to the District pursuant to this Policy, the prevailing party shall be entitled to recover its reasonable attorney's fees. The recovery of attorney's fees by the prevailing party is limited to those individual actions or proceeding in the District elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. Failure to make such an election precludes any entitlement to, or award of, attorney's fees in favor of any person or the District. In no action, administrative proceeding, or special proceeding shall an award of attorney's fees to a prevailing party exceed the amount of reasonable attorney's fees incurred by the District in the action or proceeding.

3080.90 Tree/Parkway Committee: The Tree/Parkway Committee is comprised of two Board Members and the General Manager. The President of the Board appoints the members to the Committee. The General Manager shall also provide a quarterly report to the Board giving a summary of all parkway and median tree plantings, trimmings, inspections and removals.

3080.100 Damage Claims: Claims for damages allegedly caused by parkway or median trees should be filed with the District. Such claims will be processed in accordance with District Procedures.

3080.110 Terms: Following are terms as used in this policy:

- **Manicure Trimming**—Ongoing yearly high-quality trimming designed to maintain the shape and characteristics of the tree (commonly referred to as resort style which includes lacing of the canopy). This is not the type of tree trimming as performed by the District.
- **Aesthetic Trimming (pruning)**—Appropriate trimming performed by the District's arborist designed to maintain the general shape of the tree and eliminating dead, damaged or diseased branches and maintaining safety and clearance standards.
- **Grid Trimming**—Regularly scheduled and ongoing aesthetic trimming on a four-year cycle performed by the District's contract Arborist according to a four section grid map of Rossmoor.
- **Safety Trimming**—Performed on an as-needed basis when a tree is identified as posing a hazard to property, street traffic or pedestrian traffic.
- **Root pruning**—The cutting of roots to facilitate the replacement of curbs, gutters or sidewalks.
- **Responsible person** – means any person who violates, or who causes, permits, directs, or knowingly allows another person to violate, any of the provisions of this policy.
- **Appraised value** – shall be based on the International Society of Arboriculture (ISA) trunk formula method which uses a formula to establish the monetary value of a tree based on its size, condition, species, and location.
- **Responsible person** – shall have the same meaning as in Policy No. 3098.

PROPOSED

3080.120 Challenging The Administrative and Quasi-Judicial Actions Of The District - Time In Which Actions Must Be Brought.

Any action challenging a final administrative order or decision by the District made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken, and discretion regarding a final and non-appealable determination of facts is vested in the District, or in any or its boards, commissions, officers or employees, must be filed within the time limits set forth in California Code of Civil Procedure Section 1094.6.

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Amended and Readopted by Ordinance 2019-02:

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 XX day of XX, 2019.

President Ron Casey
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 Month XX, 2019 and signed by Board Secretary, _____, on Month XX, 2019.