



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

REGULAR MEETING

RUSH PARK
3021 Blume Drive
Rossmoor, California

Tuesday, December 8, 2015

A. ORGANIZATION

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

2. ROLL CALL: Directors Burgess, Casey, DeMarco, Maynard
President Kahlert

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS:

a. Mr. John Cox, ValleyCrest Landscape Co. re: Drought Measures Update.

Mr. John Cox was unable to attend. The presentation was continued to a future board meeting.

b. Mr. Mark Nitikman, President Rossmoor Homeowners Association re: Update on Landscape Demonstration Project at Kempton Mini-Park.

Mark Nitikman informed the Board that he was still gathering project bids, diagrams and materials for the Kempton Mini-Park Landscape Demonstration Project. Once all the information had been obtained he would submit the complete designs to the RHA Board for discussion and input. In January the full design proposals would be submitted to both the RCSD and RHA Boards for approval.

President Kahlert stated that he was looking forward to seeing the design concepts for Kempton Park at the January Board Meeting. The report was received and filed.

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM:

Resident Joyce Bloom opined relative to her agenda request to hire a private arborist to aesthetically trim the parkway tree in front of her residence. She criticized WCA for what she

perceived to be inadequate tree trimming practices. She stated that she should have the right to select her own arborist if she was paying for them to trim the tree.

Discussion ensued relative to current policies and ordinances governing the trimming of parkway trees. Further discussion was deferred until agenda item H-1 which specifically dealt with Ms. Bloom's request.

D. REPORTS TO THE BOARD—None

E. CONSENT CALENDAR

Director Burgess requested that Item E-2, Revenue and Expenditure Report be pulled from the Consent Calendar at this time.

1a. MINUTES REGULAR BOARD MEETING—November 10, 2015

Motion by Director DeMarco, seconded by Director Casey to approve the Item E-1a. Minutes of the Regular Board Meeting of November 10, 2015 on the Consent Calendar as submitted. Motion passed 5-0.

2. REVENUE AND EXPENDITURE REPORT—September 2015

Director Burgess requested that Item E-2, Revenue and Expenditure Report be pulled from the Consent Calendar at this time.

Director Burgess had questions relative to whether the audit adjustments reflected October numbers or November numbers. Kathy Bell stated that the \$32,000 he was referring to was shown coming out of the October Audit Adjustments.

Motion by Director Casey, seconded by Director Burgess to approve the Item E-2 Revenue and Expenditure Report on the Consent Calendar as submitted. Motion passed 5-0.

F. PUBLIC HEARING—None

G. RESOLUTIONS:

1. RESOLUTION NO. 15-12-08-01

Recommendation to approve Resolution No. 15-12-08-01 by reading the title only and waiving further reading as follows:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT FOR THE EARLY RETIREMENT OF ROSSMOOR WALL CERTIFICATES OF PARTICIPATION IN 2016

And approve:

AMENDMENT NO. 1 TO INSTALLMENT SALE AGREEMENT DATED AS OF MAY 1, 1998 BY AND BETWEEN THE ROSSMOOR COMMUNITY SERVICES PUBLIC IMPROVEMENTS FINANCING CORPORATION, AS SELLER, AND THE ROSSMOOR COMMUNITY SERVICES DISTRICT, AS PURCHASER

The General Manager reported: First, the attached Installment Sales Agreement between the Board and Corporation has been amended by General Counsel to delete the 60 day notice requirement. Second, the Board must approve Resolution No. 15-12-08-01 memorializing their actions at the November Board meeting approving the transfer of funds to Fund 30 and the early retirement of the Rossmoor Wall Certificates of Participation in 2016.

Upon the Board's approval of the resolution and the amended Sales Agreement, the Corporation must also meet and approve the amendment. This will take place during the meeting of the Board. The Trustee has given the District oral approval of the amendment and will formally approve it once it receives all of the documentation and final payment from the District. This is scheduled to occur the day following the Board and Corporation meetings.

Subject to approval of the above actions, the debt will be retired on February 2, 2016 and no further assessments will be included in further property tax notices from the County of Orange.

Motion by Director Maynard, seconded by Director DeMarco to approve Resolution No. 15-12-08-01 by reading the title only and waiving further reading. Motion passed 5-0.

Motion by Director Maynard, seconded by Director DeMarco to approve Amendment No. 1 to Installment Sale Agreement dated as of May 1, 1998 by and between the Rossmoor Community Services District Public Improvements Financing Corporation, as Seller, and the Rossmoor Community Services District, as Purchaser. Motion passed 5-0.

ORDINANCES—None

H. REGULAR CALENDAR:

1. RESIDENT REQUEST FOR STREET TREE TRIMMING BY PRIVATE ARBORIST.

Recommendation to deny resident's request for trimming of a street tree by a private certified arborist.

The General Manager reported Ms. Joyce Bloom has submitted a request for trimming of a street tree by a private arborist. The request meets the District's requirements for placement of an Agenda Item. Policy No. 3080 Parkway and Rossmoor Median Tree Maintenance, Section 3080.11 prohibits the pruning of a street tree by a person or their agents. Section 3080.30 Tree Trimming and Protection specifies that trees shall be trimmed by the District to maintain safety and clearance standards established by the County. Granting a resident the authority to trim a tree, regardless of the use of a certified arborist, would not guarantee that the tree would be trimmed in accordance with specified District and County standards.

Discussion ensued relative to District tree trimming practices and policies. Director Maynard opined relative to the merits of Ms. Bloom's request and felt that the existing tree policy had sufficient controls in place to consider allowing residents to choose their own arborist. Tree

Committee Members, Directors Casey and DeMarco opined relative to the tree policies and ordinances recently adopted by the Board to strengthen the District's jurisdiction over parkway trees. The General Manager stated that the District already had a process in place that allowed residents to pay for interim tree trimmings, outside of the four year grid trimming schedule. The trimming was done by the District's professional contractor West Coast Arborist. Allowing residents to choose their own arborist to trim a District tree went against the current District tree policy and ordinance. President Kahlert asked General Counsel if the Board could legally allow a resident to hire their own arborist. General Counsel opined that to do so went against the entire opinion of the ordinance which gives complete control of parkway tree trimming to the RCSD. The District ordinance does not allow the Board to grant residents the ability to hire their own arborist. He stated that if the Board wanted to consider Ms. Bloom's request they would have to modify their existing policy and ordinance which would require a first and second reading, public hearing and publication of the ordinance.

Further discussion ensued. President Kahlert stated that given the District's current ordinance and policies there was no legal way for the Board to approve Ms. Bloom's request. He directed staff to refer Item H-1 to the Tree Committee, to include General Counsel, for further discussion and a recommendation to be brought back to the full Board at a subsequent Board Meeting.

2. REQUEST FROM COUNTY REGISTRAR OF VOTERS FOR USE OF DISTRICT FACILITIES FOR POLLING PLACES FOR 2016 PRIMARY AND GENERAL ELECTIONS.

Recommendation to approve the request of the County Registrar of Voters for the use of the Rush Park Auditorium and the Rossmoor Community Center for polling places on June 7, 2016 and November 8, 2016 for the Primary and General Elections.

The General Manager reported The District has traditionally honored the request from the County Registrar of Voters for use of District facilities as polling places. The November 8, 2016 date falls on the same date as the Regular November meeting of the District's Board of Directors. Thus, the election date and Board meeting date would be in conflict with one another. It is therefore recommended that the Board approve the request for the use of District facilities and reschedule the November, 2016 Board meeting date.

Motion by Director Maynard, seconded by Director DeMarco to authorize General Manager to approve the request of the County Registrar of Voters for the use of the Rush Park Auditorium and the Rossmoor Community Center for polling places on June 7, 2016 and November 8, 2016 for the Primary and General Elections. Motion passed 5-0.

3. APPROVAL OF RHA LANDSCAPE DEMONSTRATION PROJECT AT KEMPTON MINI-PARK.

Recommendation to pull Item H-3 Landscape Demonstration Project at Kempton Mini-Park from the agenda, until the RHA can obtain bids and complete project information, bring the item back to the future Parks & Facilities Committee for review and place the item on the agenda of a subsequent board meeting for discussion and possible approval.

ITEM H-3 WAS PULLED FROM THE AGENDA AT THIS TIME.

I. GENERAL MANAGER ITEMS:

The General Manager reminded everyone about Rossmoor Winter Festival this Friday, December 11, 2015 at 6 p.m. He stated that the Board President and District staff had all worked very hard to plan a great event and everyone was excited about it. He reported relative to the drought regulations stating that the District was in full compliance. The irrigation timers and controllers had been updated and watering has been increased from 10 to 15 minutes. He continued that the District has had a good year filled with many accomplishments by staff. Regarding the Montecito Road lighting concerns, the District had been given some misinformation by the County which resulted in delays in progress. A photometric study was scheduled. Options to consider (tape). Director Maynard inquired as to whether Supervisor Steel's office would help with the funding. The General Manager stated that Rossmoor is the customer, so that has yet to be determined. There was a process and procedures that would have to be followed.

J. BOARD MEMBER ITEMS

Director Maynard stated that he was looking forward to the Rossmoor Winter Festival and the many choir performances scheduled for the evening. He added that it was nice to finally have a winter event in Rossmoor. He concluded that his Christmas wish was to have everyone slow down, connect with loved ones and be thankful.

Director DeMarco remarked that at the last meeting the Board had expressed a desire to discuss trees at each board meeting and they had done so this evening. He stated that Mary Kingman did an outstanding job of managing the District's urban forest. Trees are on a sapling watering program for a year; however, not all of the saplings survive resulting in a number of replants. He added that the District had lost approximately 18 trees in the recent wind storm; most of those were located in our parks. He praised the tree brochures and the improvements on the District website related to the urban forest. He added that Joyce Bloom may have left the meeting disappointed at the process, but felt her request was worth considering. He supported further discussion of the topic at the next tree committee meeting. He encouraged all to attend the Rossmoor Winter Festival on Friday and thanked President Kahlert and staff for their hard work on, what he was certain, would be a great event.

Director Casey announced that he was excited at the Kempton Mini-Park Project idea and was pleased that it was proceeding as it would be a great addition to the community. He thanked Mary Kingman and Orange County Public Works for their quick response to all of the tree damage during the windstorm and keeping the roads and sidewalks free of branches and debris. He stated that residents can rest assured that issues are reported by Mary Kingman and WCA. He wished everyone a festive and happy holiday season. He urged the public to be careful while celebrating. Finally, he encouraged all to attend the Rossmoor Winter Festival. President Kahlert and staff had worked hard to plan a great event and he hoped to see everyone there.

Director Burgess had comments relative to Joyce Bloom's request, stating that he was torn about allowing citizens to trim their own trees and he would defer that discussion to the tree committee for further consideration. He inquired as to whether the District tracked the number of newly

planted and deceased trees. The General Manager replied affirmatively. He added that Mary Kingman was creating door hangers to remind residents to water their trees. Director Burgess concluded by asking staff to investigate some of the electrical lighting recently installed for the Winter Festival event to ensure that it was not a safety hazard. The General Manager agreed to check it out and make any necessary corrections.

President Kahlert thanked staff and the board for the new covered picnic structure that was dedicated several weeks ago. He stated that it was spectacular and a nice asset to homeowners and the community. He invited patrons to see it when they had a chance. He encouraged the public to tour the grounds near the main offices to see the newly installed drought tolerant landscaping. President Kahlert said the turf replacement project was originally intended to conserve water by planting natives and succulents, and ended up being a beautification project as well, costing Rossmoor homeowners zero dollars. President Kahlert stated he was excited about the Kempton Park Landscaping Project. According to the preliminary designs it was going to be yet another community asset serving to educate visitors with examples of how to plant and care for a variety of native plants. He looked forward to its completion in 2016. He also reminded everyone to be safe during the holiday season and to be especially mindful of preoccupied students and family traveling home for the holidays. He concluded by inviting everyone attend the Rossmoor Winter Festival this Friday at 6 p.m. He emphasized that the event was free to the public (other than the food), there would be reindeer, Santa, a trolley, a beer garden, bounce house, middle school choirs, vendors, food trucks, etc. and referred them to the flyer and website for more event highlights and activities. He added that parking would be limited.

K. CLOSED SESSION—None

I. ADJOURNMENT:

Motion by Director Casey, seconded by Director Burgess to adjourn the regular meeting at 8:00 p.m. Motion passed 5-0.

SUBMITTED BY:
James D. Ruth
General Manager